



Pretreatment Industrial User Permit (PIU) No. PIU 006

In compliance with provisions of the *Snyderville Basin Water Reclamation District Pretreatment Program Chapter 2, Section 1 (the "Pretreatment Program")*,

Park City Municipal Corporation: Quinn's Junction Water Treatment Plant (QJWTP)

is hereby authorized to discharge from its facility located at 3800 Richardson Flat Road, Park City, Utah, 84060, with the outfall at manhole 2-4-02-011, to the Snyderville Basin Water Reclamation District's (SBWRD) sanitary sewer system in accordance with discharge point, effluent limitations, monitoring requirements and other conditions set forth herein. This permit is only for the above-described QJWTP with a maximum water treatment capacity of three million gallons per day (3 MGD). Any increase in treatment capacity, discharge volume, or discharge quality to SBWRD's sanitary sewer system will require a new Pretreatment Industrial User Permit.

This permit shall become effective September 1, 2018.

This permit and the authorization to discharge shall expire at midnight, August 31, 2023.

Signed this _____ day of _____, 2018.

Michael D. Luers
General Manager
SBWRD

TABLE OF CONTENTS

<u>Cover sheet - Issuance and Expiration Dates</u>		<u>Page No.</u>
I.	EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS	1
	A. Definitions	1
	B. Description of Discharge Point	2
	C. Prohibited Discharge	3
	D. Specific Limitations and Self-Monitoring Requirements	4
II.	MONITORING, RECORDING AND REPORTING REQUIREMENTS	5
	A. Representative Sampling	5
	B. Monitoring Procedures	5
	C. Penalties for Tampering	5
	D. Reporting of Monitoring Results	5
	E. Compliance Schedules	5
	F. Additional Monitoring by the Permittee	5
	G. Records Contents	6
	H. Retention of Records	6
	I. Twenty-Four Hour Notice of Noncompliance Reporting	6
	J. Other Noncompliance Reporting	7
	K. Inspection and Entry	7
	L. Requirements of Slug Control Plant	7
III.	COMPLIANCE RESPONSIBILITIES	9
	A. Duty to Comply	9
	B. Penalties for Violations of Permit Conditions	9
	C. Need to Halt or Reduce Activity not a Defense	9
	D. Duty to Mitigate	9
	E. Proper Operation and Maintenance	9
	F. Removed Substances	9
	G. Bypass of Treatment Facilities	9
	H. Upset Conditions	10
	I. Toxic Pollutants	10
	J. Changes in Discharge of Toxic Substances	10
	K. Industrial Pretreatment	11
IV.	GENERAL REQUIREMENTS	11
	A. Planned Changes	11
	B. Anticipated Noncompliance	11
	C. Permit Actions	11
	D. Duty to Reapply	11
	E. Duty to Provide Information	12
	F. Other Information	12
	G. Signatory Requirements	12
	H. Penalties for Falsification of Reports	12
	I. Availability of Reports	13
	J. Oil and Hazardous Substance Liability	13
	K. Property Rights	13
	L. Severability	13
	M. Transfers	13
	N. Laws	13
	O. Storm Water-Reopener Provision	13

I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENT

A. Definitions:

1. The “30-day (and monthly) average” is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. The calendar month shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms.
2. The “7day (and weekly) average” is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The 7-day and weekly averages are applicable only to those effluent characteristics for which there are 7-day average effluent limitations. The calendar week which begins on Sunday and ends on Saturday, shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for that calendar week shall be included in the data for the month that contains the Saturday.
3. “Daily Maximum” (“Daily Max.”) is the maximum value allowable in any single sample or instantaneous measurement.
4. “Composite samples” shall be flow proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the composite sample period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation for composite samples are as follows:
 - a. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;
 - b. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;
 - c. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every “X” gallons of flow); and,
 - d. Continuous collection of sample, with sample collection rate proportional to flow rate.
5. A “grab” sample, for monitoring requirements, is defined as a single “dip and take” sample collected at a representative point in the discharge stream.
6. An “instantaneous” measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.
7. “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

8. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility.
9. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonable be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
10. “District Manager” the General Manager of SBWRD, or their designee.
11. “EPA” means the United States Environmental Protection Agency.
12. “Pretreatment Program” means the “*Snyderville Basin Water Reclamation District Pretreatment Program.*”
13. “Best Management Practices” (“BMPs”) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. *BMPs* also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
14. “*CWA*” means *The Federal Water Pollution Control Act*, as amended, by *The Clean Water Act of 1987*.
15. “Point Source” means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharges. This term does not include return flows from irrigated agriculture or agriculture storm water runoff.

B. Description of Discharge Point:

The authorization to discharge industrial wastewater provided under this permit is limited to those outfalls specifically designated below as discharge locations. Discharges at any location not authorized under a SBWRD permit is a violation of the *Pretreatment Program* and may be subject to penalties under the *Pretreatment Program*. Knowingly discharging from an unauthorized location or failing to report an unauthorized discharge may be subject to criminal penalties as provided under the *Pretreatment Program*.

Outfall Number
2-4-02-011

Location of Discharge Point
Sampling manhole is located approximately 10 feet from East side of the facility.

C. Prohibited Discharge.

Pursuant to the *Pretreatment Program, Chapter 2 Section 5* the permittee, under no circumstances shall allow introduction of the following pollutants into the publicly owned treatment works (POTW) from manhole 2-4-02-011:

1. Pollutants which create a fire or explosion hazard in the publicly owned treatment works (POTW), including, but not limited to, wastestreams with a closed cup flashpoint of less than sixty (60) degrees Centigrade (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21;
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case, discharges with pH lower than 5.0 or greater than 10.0;
3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, or other interference with the operation of the POTW;
4. Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;
5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference but in no case heat in such quantities that the influent temperature at the POTW treatment plant exceeds forty (40) degrees Centigrade (104 degrees Fahrenheit);
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health or safety problems;
8. Any trucked or hauled pollutants to the POTW, except at discharge points designated by the POTW.
9. Any specific pollutant which exceeds a local limitation established by the POTW in accordance with the requirements of *40 CFR 403.5(c) and (d)*;
10. Any pollutant that causes pass through or interference at the POTW.

D. Specific Limitations and Self-Monitoring Requirements a/.

1. Effective immediately and lasting the duration of this permit, the permittee is authorized to discharge, Plate Settler discharge, to manhole 2-4-02-011. Such discharges shall be limited and monitored by the permittee as specified below:

Table #1

<u>Discharge Limitations a/</u>		<u>Monitoring Requirements</u>		
Maximum Monthly Flow Volume, b/	Maximum Total Suspended Solids (TSS) c/			Minimum BOD₅ d/
Gallons/Month	Lbs/Month			Continuous mg/l
980,192	20,000			150
Effluent Characteristics	Average 30 Day	Maximum Pounds Per Day	Minimum Measurement Frequency	Sample Type
Flow, MGD, b/	See Above		Continuous	Recorder
Total Suspended Solids, c/	See Above		Monthly	Composite
Total BOD ₅ , d/	See Above		Monthly	Composite
TDS	Report mg/l		Monthly	Composite
Total Arsenic, lb/day, e/		0.75	Monthly	Composite
Total Cadmium, lb/day, e/		0.42	Monthly	Composite
Total Chromium, lb/day e/		11.13	Monthly	Composite
Total Copper, lb/day, e/		6.54	Monthly	Composite
Total Lead, lb/day, e/		4.02	Monthly	Composite
Total Mercury, lb/day f/		0.024	Monthly	Grab
Total Nickel, lb/day e/		10.05	Monthly	Composite
Total Selenium, lb/day e/		0.57	Monthly	Composite
Total Silver, lb/day e/		57.15	Monthly	Composite
Total Zinc, lb/day, g/		3.51	Monthly	Composite

The pH shall not be less than 5.0 standard units nor greater than 10.0 standard units in any sample and shall be monitored by a grab or instantaneous sample weekly.

- a/ See Definitions, *Part 1.A* for definition of terms.
- b/ Flow measurements of effluent volume shall be made continuously in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained. The average daily and the total monthly flow measurements shall be reported monthly to SBWRD on or before the 28th of the following month.
- c/ Use Standard Methods 2540D. Total Suspended Solids (TSS) analysis shall be conducted at least once/month; and the monthly average concentration (mg/l) and maximum lbs/month reported.
- d/ Use Standard Methods 5210B. BOD₅ analysis shall be conducted at least once/month: minimum lbs/month reported.
- e/ Use EPA method 200.8 Analysis shall be conducted at least once/month: and the maximum lbs/day reported.

- f/ Use EPA method 1631 Analysis shall be conducted at least once/month; and the maximum lbs/day reported.
- g/ Use EPA method 200.7 Analysis shall be conducted at least once/month; and the maximum lbs/day reported.
- h/ Use Standard Methods 4500CN-E Analysis shall be conducted at least once/month; and the maximum lbs/day reported.

- 2. Samples taken in compliance with the monitoring requirements specified above shall be taken after the final pretreatment process and prior to mixing with any other waste stream. Only certified laboratories will be used to analyze samples.

II. MONITORING, RECORDING AND REPORTING REQUIREMENTS

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under *Part I* shall be collected from the effluent stream prior to discharge into SBWRD's system. Samples and measurements shall be representative of the volume and nature of the monitored discharge. Wastestream samples shall be collected at a location representative of the quality of wastestream immediately prior to the use-disposal practice.
- B. Monitoring Procedures. Monitoring must be conducted by a certified laboratory according to test procedures approved under *Pretreatment Program Chapter 2 Section 14*, unless other test procedures have been specified in this permit.
- C. Penalties for Tampering. The *Pretreatment Program* provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both. (*See Chapter 2 section 19 of the Pretreatment Program for more detail*).
- D. Reporting of Monitoring Results. Monitoring results obtained during the previous month shall be summarized for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on the 28th of April 2014. If no discharge occurs during the reporting period, "no discharge" shall be reported. Legible copies of these, and all other reports required herein, shall be signed and certified in accordance with the requirements of *Signatory Requirements (see Part IV.G)*, and submitted to the Pretreatment Coordinator, SBWRD at the following addressee:

Original to: Snyderville Basin Water Reclamation District
2800 Homestead Road
Park City, Utah 84098

- E. Compliance Schedules: Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 21 days following each schedule date.
- F. Additional Monitoring by the Permittee: If the permittee monitors any parameter more frequently than required by this permit, using test procedures approved under the Pretreatment Program or as otherwise specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated. Only those parameters required by the permit need to be reported.
- G. Records Contents. Records of monitoring information shall include:

- 1. The date, exact place, and time of sampling or measurements;
- 2. The individual(s) who performed the sampling or measurements;

3. The date(s) and time(s) analyses were performed;
 4. The individual(s) who performed the analyses;
 5. The analytical techniques or methods used; and,
 6. The results of such analyses.
- H. Retention of Records. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of the General Manager at any time. A copy of this SBWRD permit must be maintained on site during the duration of activity at the permitted location.
- I. Twenty-Four Hour Notice of Noncompliance Reporting.
1. The permittee shall (orally) report any noncompliance which may seriously endanger health or environment as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of circumstances. The report shall be made to SBWRD, (435) 649-7993 ext. 238. Permittee must also repeat the sampling and submit in writing the results of this second analysis within 30 days of the results of the first violation.
 2. The following occurrences of noncompliance shall be reported by telephone (435) 649-7993 ext. 238 as soon as possible but no later than 24 hours from the time the permittee becomes aware of the circumstances:
 - a. Any noncompliance which may endanger health or the environment;
 - b. Any unanticipated bypass which exceeds any effluent limitation in the permit (See *Part III.G, Bypass of Treatment Facilities*);
 - c. Any upset which exceeds any effluent limitation in the permit (See *Part III.H, Upset Conditions*); or,
 - d. Violation of a maximum daily discharge limitation for any of the pollutants listed in the permit.
 3. A written submission shall be provided within five working days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. The estimated time noncompliance is expected to continue if it has not been corrected;
 - d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - e. Steps taken, if any, to mitigate the adverse impacts on the environment and human health during the noncompliance period.
 4. The General Manager may waive the written report on a case-by-case basis if the oral

report has been received within 24 hours by SBWRD, (435) 649-7993.

5. Reports shall be submitted to the addresses in *Part II.D, Reporting of Monitoring Results*.
 6. Re-sampling for violations must be accomplished within 30 days from the time permittee becomes aware of the sampling results.
- J. Other Noncompliance Reporting. Instances of noncompliance not required to be reported within 24 hours shall be reported at the time that monitoring reports for *Part II.D* are submitted. The reports shall contain the information listed in *Part II.I.3*.
- K. Inspection and Entry. The permittee shall allow the General Manager, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:
1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit.
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,
 4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the *Pretreatment Program*, any substances or parameters at any location.
- L. Slug Discharge Control Plan.
- a. Each Industrial User shall provide protection from accidental and slug discharges of pollutants regulated under these Rules and Regulations. Facilities to prevent the discharge of spills or slug loads shall be provided and maintained at the Industrial User's expense.
 - b. The District shall evaluate whether each Significant Industrial User needs a Slug Discharge Control Plan or other action to control spills and slug discharges. The District may require an Industrial User to develop, submit for approval, and implement a Slug Discharge Control Plan or take such other action that may be necessary to control spills and slug discharges.
 - c. A Slug Discharge Control Plan shall address, at a minimum, the following:
 1. Detailed plans (schematics) showing facility layout and plumbing representative of operating procedures;
 2. Description of contents and volumes of any process tanks;
 3. Description of discharge practices, including non-routine batch discharges;
 4. Listing of stored chemicals, including location and volumes;
 5. Procedures for immediately notifying the District of any spill or Slug Discharge. It is the responsibility of the Industrial User to comply with the reporting requirements in Section 16;
 6. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading

operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response; and

7. Any other information as required by the District.
- d. Notice to employees. A notice shall be permanently posted on the Industrial User's bulletin board or other prominent place advising employees who to call in the event of an accidental or slug discharge. Employers shall ensure that all employees who work in any area where an accidental or slug discharge may occur or originate are advised of the emergency notification procedures.
 - e. Reports of Potential Problems – Slug and Spills.
 - f. In the case of any changes at its facility affecting potential for a Slug Discharge as defined in Section 3 or any actual discharge, including, but not limited to, spills, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a discharge that may cause potential problems for the POTW, the Industrial User shall immediately telephone and notify the District of the incident. This notification shall include:
 1. Name of the facility
 2. Location of the facility
 3. Name of the caller
 4. Date and time of discharge
 5. Date and time discharge was halted
 6. Location of the discharge
 7. Type of waste and estimated volume of discharge
 8. Estimated concentration of pollutants in discharge
 9. Corrective actions taken to halt the discharge
 10. Method of disposal if applicable
 - g. Within five (5) working days following such discharge, the Industrial User shall, unless waived by the District, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the Industrial User to prevent similar future occurrences. Such notification shall not relieve the Industrial User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the Industrial User of any fines, penalties, or other liability which may be imposed pursuant to these Rules and Regulations.

III. COMPLIANCE RESPONSIBILITIES

- A. Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the *Pretreatment Program* and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give advance notice to the General Manager of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- B. Penalties for Violations of Permit Conditions: The *Pretreatment Program* provides that any person who violates a permit condition implementing provisions of the *Pretreatment Program* is subject to a civil penalty not to exceed \$10,000 per violation per day. Any person who willfully or negligently violates permit conditions of the *Pretreatment Program* is subject to fines pursuant to *Chapter 2 section 19* of the *Pretreatment Program*. Nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.

- C. Need to Halt or Reduce Activity not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- E. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- F. Removed Substances. Collected screening, grit, solids, sludges, or other pollutants removed in the course of treatment shall be buried or disposed of in such a manner so as to prevent any pollutant from entering any waters of the state or creating a health hazard. Sludge/digester supernatant and filter backwash shall not directly enter either the final effluent or waters of the state by any other direct route.
- G. Bypass of Treatment Facilities.
1. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded (i.e. for essential maintenance to assure efficient operation). These bypasses are not subject to the provisions of paragraphs 2 and 3 of this section. Return of removed substances, as described in *Part III.F*, to the discharge stream shall not be considered a bypass under the provisions of this paragraph.
 2. Notice:
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice at least ten (10) days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required under *Part II.I, Twenty-Four Hour Reporting*.
 3. Prohibition of bypass:
 - a. Bypass is prohibited and the General Manager may take enforcement action against a permittee for a bypass, unless:
 - (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
 - (3) The permittee submitted notices as required under paragraph 2 of this

section.

- b. The General Manager may approve an anticipated bypass, after considering its adverse effects, if the General Manager determines that it will meet the three conditions listed above in paragraph 3.a of this section.

H. Upset Conditions.

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of paragraph 2. of this section are met. The General Manager's administrative determination regarding a claim of upset cannot be judicially challenged by the permittee until such time as an action is initiated for noncompliance.
2. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required under *Part II.I, Twenty-Four Hour Notice of Noncompliance Reporting*; and,
 - d. The permittee complied with any remedial measures required under *Part III.D, Duty to Mitigate*.
3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

I. Toxic Pollutants. The permittee shall comply with effluent standards or prohibitions established under the Pretreatment Program for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.

J. Changes in Discharge of Toxic Substances. Notification shall be provided to the General Manager as soon as the permittee knows of, or has reason to believe:

1. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - a. One hundred micrograms per liter (100 ug/L);
 - b. Two hundred micrograms per liter (200 ug/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with the Pretreatment Program
2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - a. Five hundred micrograms per liter (500 ug/L)

- b. One milligram per liter (1 mg/L) for antimony:
- c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with the Pretreatment Program.

K. Industrial Pretreatment. Any wastewaters discharged to the sanitary sewer, either as a direct discharge or as a hauled waste, are subject to federal, state and local pretreatment regulations. Pursuant to Section 307 of *The Water Quality Act of 1987*, the permittee shall comply with all applicable federal General Pretreatment Regulations promulgated at *40 CFR 403*, the State Pretreatment Requirements at *UAC R-317-8-8*, and any specific local discharge limitations developed by the Public Owned Treatment Works (POTW) accepting the wastewaters.

In addition, in accordance with *40 CFR 403.12(p)(1)*, the permittee must notify the POTW, the EPA Regional Waste Management Director, and the state hazardous waste authorities, in writing, if they discharge any substance into a POTW which if otherwise disposed of would be considered a hazardous waste under *40 CFR 261*. This notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous or batch).

IV. GENERAL REQUIREMENTS

- A. Planned Changes. The permittee shall give notice to the General Manager as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in the permit. In addition, if there are any planned substantial changes to the permittee's existing sludge facilities or their manner of operation or to current sludge management practices of storage and disposal, the permittee shall give notice to the General Manager of any planned changes at least 30 days prior to their implementation.
- B. Anticipated Noncompliance. The permittee shall give advance notice to the General Manager of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. This permit may be modified, revoked or reissued if or when SBWRD is subject to new or revised discharge limitations issued by state or federal regulatory agencies. SBWRD anticipates more stringent discharge limitations, specifically on metals, as a result of TMDL and other studies on Silver Creek and the related waters of the Silver Creek watershed.
- D. Duty to Reapply. The conditions of an expired permit continue in force until the effective date of a new permit if:
 - a. The permittee has submitted a timely application for a new permit: and
 - b. S.B.W.R.D., through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of the previous permit.
 - c. Effect Permit continued under this paragraph remains fully effective and enforceable until the effective date of a new permit.
 - d. The permittee shall apply for the new permit at least 90 days prior to expiration of existing

permit.

- E. Duty to Provide Information. The permittee shall furnish to the General Manager, within a reasonable time, any information which the General Manager may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the General Manager, upon request, copies of records required to be kept by this permit.
- F. Other Information. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the General Manager, it shall promptly submit such facts or information.
- G. Signatory Requirements. All applications, reports or information submitted to the General Manager shall be signed and certified.
1. All permit applications shall be signed by either a principal executive officer or ranking elected official.
 2. All reports required by the permit and other information requested by the General Manager shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the General Manager, and;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
 3. Changes to authorization. If an authorization under paragraph *IV.G.2* is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph *IV.G.2* must be submitted to the General Manager prior to or together with any reports, information, or applications to be signed by an authorized representative.
 4. Certification. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
- H. Penalties for Falsification of Reports. The *Pretreatment Program* provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per

violation, or by both. (*See Chapter 2 section 19 of the Pretreatment Program*).

- I. Availability of Reports. Except for data determined to be confidential under *UAC R317-8-3.2*, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of General Manager. As required by the *Pretreatment Program*, permit applications, permits and effluent data shall not be considered confidential.
- J. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the permittee of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under the *Pretreatment Program*.
- K. Property Rights. The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- L. Severability. The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, are held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- M. Transfers. This permit may be automatically transferred to a new permittee if:
 1. The current permittee notified the General Manager at least 20 days in advance of the proposed transfer date;
 2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
 3. The General Manager does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 2 above.
- N. Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable regulation under authority preserved by SBWRD through the *Pretreatment Program*.
- O. Spill Control Plan. Permittee must provide a copy of current spill control management plan describing in detail said plan. If no plan is available, a spill control management plan will be required to be developed.