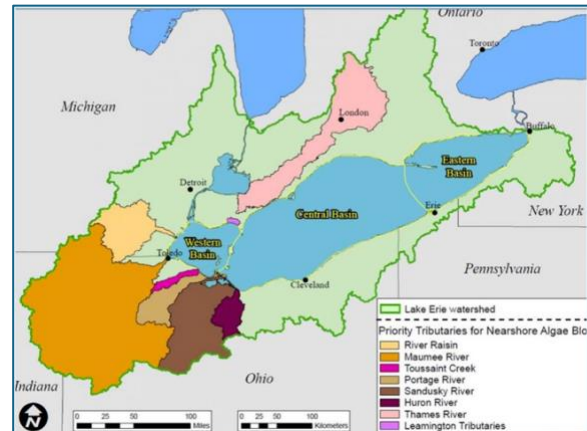


Meat and Poultry Processing

LAKE ERIE BASIN

The [Lake Erie Basin](#)¹ drains 30,140 square miles of Ohio, Indiana, Michigan, New York, Pennsylvania, and Ontario. Lake Erie, the shallowest of the five Great Lakes, provides drinking water to [11 million people](#).² Western Lake Erie, with a watershed covering [almost 6 million acres](#),³ is the warmest, shallowest, and most biologically productive part of the Great Lakes, and it is often a water quality trend indicator for all the Great Lakes.



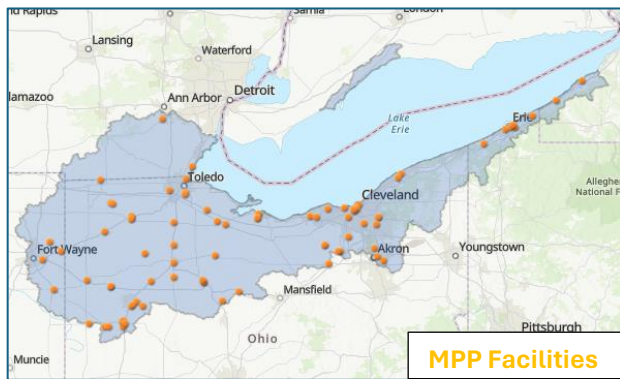
Lake Erie became the poster child for the benefits of the 1972 Clean Water Act – going from extensive Harmful Algal Blooms (“HABs”) into the early 1980’s to almost no harmful algae at the turn of the century. The [Great Lakes Water Quality Agreement](#)⁴ (“GLWQA”) set phosphorus reduction targets in the 1972 agreement, which were ultimately [deemed successful](#),⁵ and by the 1990’s, the HABs were nearly non-existent. Unfortunately, that progress was lost due to increasing nutrient and other pollutant loading from point and nonpoint sources in the basin with the result being annual, massive HABs that can generally cover 300 to over 700 square miles of Lake Erie each summer.



According to the [National Oceanic and Atmospheric Administration](#)⁶ (“NOAA”), “Western Lake Erie has been plagued by an increase of HABs intensity over the past decade. These blooms consist of cyanobacteria or blue-green algae, which are capable of producing toxins that pose a risk to human and animal health, foul coastlines, and impact communities and businesses that depend on the lake.” In 2014, for example, over 500,000 people in Toledo, Ohio were told not to drink the treated water due to the presence of an algal toxin, microcystin, in the public water supply’s intake from an [enormous harmful algae bloom](#)⁷ in Lake Erie. Because of this, the 2012 [GLWQA Annex 4](#)⁸ established new phosphorus loading reduction targets in 2016, which have yet to be met.

For example, Annex 4 established a 40% load reduction target for Total Phosphorus entering the Central and Western Lake Erie Basins, a 40% reduction in spring Total and Soluble Reactive Phosphorus loads to numerous specific watersheds, and plans for the adoption of a [0.5 mg/l Total Phosphorus limit](#)⁹ on municipal wastewater treatment plants discharging more than 1 MGD into the Lake Ontario and Lake Erie Basins.

Meat and Poultry Products (“MPP”) facilities are a major source of inadequately controlled, and [largely unmentioned](#),¹⁰ nutrients and other water pollutants in the Lake Erie Basin, impacting rivers, lakes, and streams throughout the watershed in addition to Lake Erie itself.



EPA has identified at least 85 potential MPP facilities that are either discharging waste directly or indirectly through municipal wastewater treatment plants (“WWTPs”), or are deemed “non-discharging,” in the Lake Erie Basin, but often little information is publicly available about these facilities. See Appendix 1. The Lake Erie Basin is also impacted by pollution from a large number

of Animal Feeding Operations (“AFOs”), contributing to the pollution load from this industry. For example, an [analysis](#)¹¹ of the Western Lake Erie Basin identified more than 2,500 AFOs housing roughly 400,000 cows, 1.8 million hogs, and nearly 24 million chickens and turkeys in the basin, and a [2019 report](#)¹² documented how largely unregulated AFO pollution in the Maumee River watershed helps to fuel Lake Erie’s HABs.

The [Maumee Watershed Nutrient TMDL](#)¹³ establishes Individual [NPDES Wasteload Allocations](#)¹⁴ (“WLAs”) on Total Phosphorus for at least three directly discharging MPP facilities and 11 WWTPs that are either known or suspected to be receiving waste discharges from MPP facilities. The TMDL does not address the other pollutants typically discharged by MPP facilities. It is notable that at least 12 of the 39 total point source dischargers that received WLAs are either a directly discharging MPP facility or a WWTP that may be receiving MPP wastewater, highlighted in yellow on Table A4.5 (below) from the TMDL. Table A4.5 shows these facilities and their substantial existing spring total phosphorus loading to the Maumee watershed from 2017-2021. In 2021, directly discharging MPP facilities contributed the following spring loads of Total Phosphorus to the Maumee River – Campbell Soup Supply (3.5 metric tons), Cooper Farms Cooked Meats (0.10 metric tons), and G.A. Wintzer and Son Co. (1.4 metric tons). This underscores the need for more stringent Effluent Limitation Guidelines (“ELGs”) to reduce pollution discharges from MPP facilities.

Table A4.5. Existing loads for NPDES permits in the grouped load category.

Permit #	Facility Name	Total phosphorus spring load (metric tons)						
		2008	WLA	2017	2018	2019	2020	2021
2PF00000	Toledo Bay View Park	28.6	27.9	18.1	15.1	23.8	21.8	19.6
2PK00000	Lucas Co WRRF	3.9	4.8	6.7	5.5	6.3	5.4	6.3
2PE00000	Lima WWTP	2.1	4.0	2.9	5.0	3.3	3.0	2.4
2PD00008	Findlay WPCF	4.4	3.2	4.8	5.5	5.3	5.5	5.4
2PD00002	Perrysburg WWTP	1.6	2.0	1.2	1.2	1.6	1.7	2.1
2PD00013	Defiance WWTP	1.6	1.5	1.4	0.66	0.86	0.91	2.3
2PD00006	Van Wert WWTP	0.82	1.0	0.91	0.74	1.7	0.69	0.81
2PD00019	Wapakoneta WWTP	1.1	1.0	0.26	0.31	0.28	1.7	1.3
2PD00029	Delphos WWTP	0.04	1.0	0.64	0.10	0.04	0.02	0.10
2PD00018	Bryan WWTP	0.41	0.79	0.40	0.23	0.34	0.49	0.26
2PD00026	St Marys City WWTP	0.39	0.77	0.23	0.28	0.47	0.44	0.22
2PD00028	Ottawa WWTP	0.23	0.77	0.28	0.15	0.15	0.07	0.16
2PD00000	Napoleon WWTP	0.55	0.64	0.70	0.56	0.54	0.29	0.31
2PD00017	Archbold WWTP	0.56	0.64	0.28	0.42	0.39	0.34	0.55
2PB00050	Ada WWTP	0.79	0.51	0.15	0.29	0.20	0.31	0.14
2PK00002	Shawnee No 2 WWTP	0.79	0.51	1.1	0.66	0.87	0.78	0.69
2PC00005	Bluffton WWTP	0.05	0.49	0.03	0.07	0.10	0.09	0.11
2PB00040	Leipsic WWTP	0.70	0.38	0.29	0.35	0.40	0.21	0.24
2PD00016	Wauseon WWTP	0.24	0.38	0.26	0.18	0.22	0.17	0.16
2PH00007	American-Bath WWTP	0.69	0.38	0.59	0.39	0.62	0.52	0.50
2PH00006	American No 2 WWTP	0.31	0.31	0.08	0.15	0.16	0.21	0.24
2PD00003	Montpelier WWTP	1.0	0.26	0.96	0.98	0.23	0.14	0.11
2PB00025	Swanton WRRF	0.80	0.64	0.23	0.10	0.28	0.46	0.18
2PB00042	Hicksville WWTP	0.96	0.40	0.50	0.34	0.76	0.62	0.24
2PB00034	New Bremen WWTP	0.85	0.38	1.5	1.3	1.6	0.73	0.58
2PC00004	Columbus Grove WWTP	1.1	0.35	0.60	0.61	0.58	0.64	0.73
2PB00048	Cridersville WWTP	0.80	0.34	0.43	0.25	0.28	0.34	0.20
2PB00003	Delta WWTP	0.76	0.31	0.70	0.67	0.55	0.99	0.51
2PB00046	Elida WWTP	0.65	0.21	0.86	0.89	0.91	0.99	0.39
2PD00027	Paulding WWTP	0.87	0.55	1.0	0.66	1.1	0.84	1.4
2IF00004	PCS Nitrogen Ohio LP	1.5	1.8	2.0	1.4	0.86	0.74	0.86
2IG00001	Lima Refinery	0.46	0.6	0.55	0.51	0.15	0.24	0.02
2IH00021	Campbell Soup Supply	3.5	2.6	1.8	0.95	2.7	3.5	3.5
2IH00110	Cooper Farms Cooked Meats	0.78	0.12	0.29	0.12	0.11	0.12	0.10
2IK00002	G.A. Wintzer and Son Co	0.17	0.11	0.57	0.94	0.98	0.52	1.4
2IW00010	McDowell/Bowling Green	0.00	0.29	0.27	0.27	0.25	0.26	0.24
2IW00070	Delta WTP	0.00	0.18	0.15	0.16	0.13	0.13	0.15
2IW00190	Napoleon WTP	0.00	0.14	0.001	0.07	0.11	0.13	0.13
NA	Allowance for future growth	-	1.4	-	-	-	-	-

Indirect Discharging Facilities:

Based on a map of indirectly discharging MPP facilities produced by EPA as part of the current ELG rulemaking and an electronic dataset from EPA, it appears that many of the facilities in the Lake Erie Basin are indirect dischargers through municipal WWTPs. Due to the nature of permitting for these facilities under the federal Clean Water Act and state/local laws, access to monitoring and permitting records is often limited. EPA has not established national pretreatment standards for indirectly discharging MPP facilities and, as a result, they are known to be significant contributors of pollutants to the nation’s waters and impose significant economic and environmental burdens on communities and WWTPs.

Approved Municipal Pretreatment Programs:

In Ohio, many municipalities have been [approved](#)¹⁵ to implement the pretreatment program and issue permits directly under their local requirements. For example, the following municipalities have approved pretreatment programs, likely MPP facilities without individual industrial wastewater NPDES permits in their boundaries, and authorization to issue permits to significant industrial dischargers to their systems: Wapakoneta - 2PD00019 (4 MPP facilities), Sandusky - 2PF00001 (4 MPP facilities), and Lima 2PE00000 (4 MPP facilities). Permitting and discharge monitoring records for the MPP facilities in those cities are not available online from ECHO or Ohio EPA, however, one example – an approved program in Delphos, Ohio – demonstrates the impacts that the lack of national pretreatment standards can have on wastewater treatment systems, communities, and water quality.

[Delphos WWTP](#) – This municipal wastewater treatment system serves a population of roughly 7,000 people in the Western Lake Erie Basin. Delphos WWTP has an average design flow of 3.83 MGD and discharges effluent into Jennings Creek, which is impaired by Ammonia, Nutrients, Organic Enrichment, Pathogens, and Sediment. Jennings Creek is a tributary to the Auglaize River, which in turn flows into the Maumee River – a major tributary of Lake Erie. The [NPDES permit](#)¹⁶ for Delphos WWTP does not have any limits on TKN, Nitrate-Nitrite, Metals, or Chlorides and it is authorized to discharge significant amounts of Total Phosphorus (weekly loading – 22 kg/day and weekly concentration – 1.5 mg/l).



There are at least three potential MPP facilities in Delphos, but one of those MPP facilities is a significant industrial user permitted under Delphos' approved pretreatment program – Lakeview Farms. According to the city, [high organic loading](#)¹⁷ attributed to the food processing flows coming from three industries located in Delphos results in waste equivalent to more than 50,000 people and the need for a facility that can handle wastewater loading from a [population equivalent of 70,000](#).¹⁸ Lakeview Farms is the source of [the majority of the flow](#)¹⁹ to one of Delphos WWTP's Lift Stations – Ricker Street Lift Station, which is the Lift Station that handles the majority of the town's industrial wastewater flow.

Multiple problems, including solids buildup and hydraulic flow problems, have caused the facility to not be able to function at its original design capacity and to violate the effluent limitations in its NPDES permit, resulting in the town and its citizens having to incur costs associated with [expensive treatment plant upgrades](#).²⁰ According to [ECHO](#), those NPDES effluent limit violations are continuing with exceedances in 11 of the last 12 quarters for one

or more of the following parameters: BOD, E. coli, Ammonia-N, D.O., Total Phosphorus, and Toxicity. Despite this reality, as of August of 2023, Lakeview Farms was reportedly [asking](#)²¹ Delphos to provide additional sewer infrastructure, which requires additional funding from the town, to support the company’s \$24-35 million plant expansion and an “express sewer” for a new plant called Rode’s Meats.

[ECHO](#) data show that Delphos WWTP is contributing significant loading of multiple pollutants to Jennings Creek, including BOD (689,435 lbs./yr. – 2023), Total Nitrogen (24,206 lbs./yr. – 2023), TDS (1,871,303 lbs./yr. – 2023), and TSS (808,109 lbs./yr. - 2023).

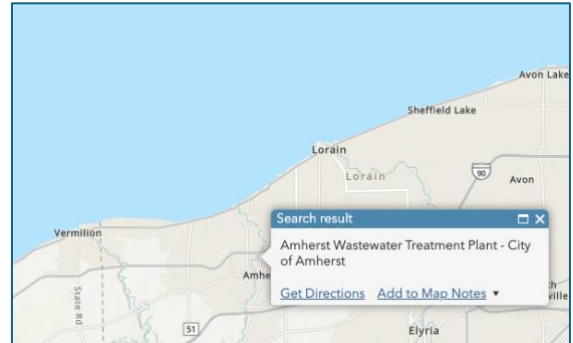
DMR and TRI Multi-Year Loading Report								
DELPHOS WWTP								
DELPHOS, OH, 45833								
FRS ID: 110039778005								
NPDES ID(s): OH0024929								
TRI ID(s): None								
Discharges to Chemical Groups by Pounds (lb)								
Units: <input checked="" type="radio"/> Pounds <input type="radio"/> TWPE								
Chemical Group ↑	2020 DMR (lb/yr) ↓	2020 TRI (lb/yr) ↓	2021 DMR (lb/yr) ↓	2021 TRI (lb/yr) ↓	2022 DMR (lb/yr) ↓	2022 TRI (lb/yr) ↓	2023 DMR (lb/yr) ↓	2023 TRI (lb/yr) ↓
▶ AMMONIA	223	--	158	--	1,731	--	342	--
▶ BIS(2-ETHYLHEXYL) PHTHALATE	0	--	0	--	0	--	0	--
▶ BOD, carbonaceous, 05 day, 20 C	426,390	N/A	582,947	N/A	793,612	N/A	689,435	N/A
▶ CADMIUM AND CADMIUM COMPOUNDS	0	--	0	--	0	--	0	--
▶ CHROMIUM AND CHROMIUM COMPOUNDS	0	--	0	--	0	--	0	--
▶ COPPER AND COPPER COMPOUNDS	0	--	2.13	--	21.53	--	0	--
▶ CYANIDE AND CYANIDE COMPOUNDS	0	--	0	--	0	--	0	--
▶ LEAD AND LEAD COMPOUNDS	0	--	0	--	0	--	0	--
▶ MERCURY AND MERCURY COMPOUNDS	0.0051	--	0.0035	--	0.0045	--	0.0009	--
▶ NICKEL AND NICKEL COMPOUNDS	0	--	0	--	0	--	0	--
▶ NITRATE COMPOUNDS	22,932	--	30,369	--	19,730	--	24,206	--
▶ Nitrogen	22,932	N/A	30,369	N/A	19,730	N/A	24,206	N/A
▶ Oil and grease	0	N/A	0	N/A	1,356	N/A	2,490	N/A
▶ PHOSPHATE	160	N/A	378	N/A	143	N/A	825	N/A
▶ Phosphorus	357	N/A	1,053	N/A	295	N/A	1,188	N/A
▶ SILVER AND SILVER COMPOUNDS	0	--	0	--	0	--	0	--
▶ Solids, total dissolved	2,170,706	N/A	1,815,978	N/A	1,787,934	N/A	1,871,031	N/A
▶ Solids, total suspended	524,647	N/A	501,397	N/A	355,488	N/A	808,109	N/A
▶ ZINC AND ZINC COMPOUNDS	53.54	--	62.39	--	54.63	--	66.8	--

Ohio EPA-Issued Pretreatment Permits:

In other municipalities, Ohio EPA [retains authority](#)²² to issue significant industrial user [permits](#)²³ to MPP and other industrial facilities that discharge into municipal WWTPs. Records relating to the discharges from MPP facilities into these WWTPs are also limited,

however, it is clear from the available records for several locations that the significant industrial user permits and NPDES permits are not adequately controlling pollution from these facilities. For example:

Amherst WPCCC – This municipal wastewater treatment [system](#)²⁴ serves a population of 12,393 in the City of Amherst and a portion of Amherst Township. Amherst WPCCC has an average design flow of 3.5 MGD and discharges effluent into Lower Beaver Creek, which is impaired by Pathogens and other causes. Lower Beaver Creek is located in the Central Lake Erie Basin and flows into Lake Erie.



Amherst WPCCC has one significant industrial user under the pretreatment program, an MPP facility – [AdvancePierre Foods, Inc.](#),²⁵ a wholly-owned [subsidiary of Tyson Foods](#). According to [ECHO](#), AdvancePierre Foods is located in an area with 6 EJ Indexes greater than the 80 percentile within one mile of the facility, including wastewater discharges at 84. The pretreatment permit for this facility authorizes a flow rate of 50,000 GPD and it does not contain any concentration or loading limits on Ammonia-N, Pathogens, Total Nitrogen, TKN, Nitrate-Nitrite, Metals, or Chlorides. The permit does not contain a concentration limit on Total Phosphorus, and it authorizes the facility to discharge high loads of Total Phosphorus (14.2 kg/day), TSS (756.6 kg/day), and CBOD (936.2 kg/day) into Amherst WPCCC.

The [NPDES permit](#)²⁶ for Amherst WPCCC does not have any limits on TKN, Nitrate-Nitrite, most Metals, or Chlorides, and it authorizes the discharge of high amounts of Total Phosphorus (weekly loading – 19.9 kg/day and weekly concentration – 1.5 mg/l). According to [ECHO](#), in the last 12 quarters, this plant has violated its permit limits for BOD (10/01/23 – 12/31/23 47%), D.O. (07/01/23 – 9/30/23 23%), and TSS (10/01/23 – 12/31/23 56%).

Given the lack of protective limits in the WPCCC’s NPDES permit and AdvancePierre Food’s pretreatment permit, it is not surprising that [ECHO](#) data show that Amherst WPCCC is contributing significant loads of several pollutants associated with MPP facilities to Lower Beaver Creek, including Nitrogen (58,826 lbs./yr. – 2022), Phosphorus (4,670 lbs./yr. – 2022) and TDS (4,036,899 lbs./yr.– 2022), which then flows a short distance into Lake Erie.

DMR and TRI Multi-Year Loading Report

AMHERST WPCC
AMHERST, OH, 44001

FRS ID: 110000735269

NPDES ID(s): OH0021628

TRI ID(s): None

Discharges to Chemical Groups by Pounds (lb)

Units: Pounds TWPE

Chemical Group	2020 DMR (lb/yr)	2020 TRI (lb/yr)	2021 DMR (lb/yr)	2021 TRI (lb/yr)	2022 DMR (lb/yr)	2022 TRI (lb/yr)	2023 DMR (lb/yr)
▶ AMMONIA	1,128	--	1,996	--	1,584	--	3,170
▶ BOD, carbonaceous, 05 day, 20 C	37,655	N/A	4,674	N/A	3,390	N/A	6,715
▶ CADMIUM AND CADMIUM COMPOUNDS	2.59	--	0	--	0	--	0
▶ CHROMIUM AND CHROMIUM COMPOUNDS	0	--	0	--	0	--	0
▶ COPPER AND COPPER COMPOUNDS	20.34	--	6.32	--	9.22	--	8.38
▶ CYANIDE AND CYANIDE COMPOUNDS	0	--	0	--	0	--	0.0094
▶ LEAD AND LEAD COMPOUNDS	0	--	0	--	0	--	0
▶ MERCURY AND MERCURY COMPOUNDS	0.0015	--	0.0004	--	0.001	--	0.0044
▶ NICKEL AND NICKEL COMPOUNDS	0	--	0	--	0	--	0
▶ NITRATE COMPOUNDS	47,160	--	40,124	--	50,121	--	32,487
▶ Nitrogen	47,160	N/A	40,124	N/A	58,826	N/A	38,118
▶ Oil and grease	0	N/A	0	N/A	0	N/A	0
▶ PHOSPHATE	4,687	N/A	4,444	N/A	3,441	N/A	2,950
▶ Phosphorus	5,600	N/A	4,855	N/A	4,670	N/A	3,953
▶ Solids, total dissolved	4,639,065	N/A	4,438,246	N/A	4,036,899	N/A	3,739,924
▶ Solids, total suspended	47,130	N/A	16,234	N/A	9,569	N/A	16,583
▶ Total Kjeldahl Nitrogen	47,160	N/A	40,124	N/A	58,826	N/A	38,118
▶ ZINC AND ZINC COMPOUNDS	248	--	249	--	206	--	185

N/A - Chemical is not covered by the [TRI Program](#)

North Baltimore WWTP - This municipal wastewater treatment system serves a village of roughly 4,200 people in Southern Wood County. North Baltimore WWTP has an average design flow of 0.80 MGD and discharges effluent into Rocky Ford Creek, which is impaired by Pathogens and sediment. Rocky Ford Creek flows into the Portage River, which is a [priority watershed](#) for Phosphorus reductions under the GLWQA and a major tributary to Lake Erie in the Western Lake Erie Basin. North Baltimore has at least one MPP facility that



is a permitted significant industrial user under the pretreatment program – [National Beef](#).²⁷ The pretreatment permit for this facility contains no concentration or loading limits for any pollutant, besides a limit on pH. As a result, there are no limits in National Beef’s permit on TSS, Total Phosphorus, Oil and Grease, CBOD, Nitrogen or Nitrogen Compounds, Ammonia-N, Metals, Chlorides, Pathogens, or any other parameter typically associated with MPP facilities.

The [NPDES permit](#)²⁸ for North Baltimore WWTP lacks any concentration or load limits on TKN, Total Nitrogen, Nitrate-Nitrite, Phosphorus, most Metals, and Chlorides. According to [ECHO](#), the plant reports significant loadings of multiple pollutants to Rocky Ford Creek, including Nitrogen (20,939 lbs./yr. – 2023) and Total Dissolved Solids (820,223 lbs./yr. – 2023).

DMR and TRI Multi-Year Loading Report

NORTH BALTIMORE WWTP
NORTH BALTIMORE, OH, 45872

FRS ID: 110012138677

NPDES ID(s): OH0020117, OH0041637

TRI ID(s): None

Discharges to Chemical Groups by Pounds (lb)								
Units: <input checked="" type="radio"/> Pounds <input type="radio"/> TWPE								
Chemical Group ↑	2020 DMR (lb/yr) ↓	2020 TRI (lb/yr) ↓	2021 DMR (lb/yr) ↓	2021 TRI (lb/yr) ↓	2022 DMR (lb/yr) ↓	2022 TRI (lb/yr) ↓	2023 DMR (lb/yr) ↓	
▶ AMMONIA	1,041	--	1,537	--	1,114	--	1,711	
▶ BOD, carbonaceous, 05 day, 20 C	4,096	N/A	4,027	N/A	3,894	N/A	3,692	
▶ BROMODICHLOROMETHANE	0	--	0.118	--	0.126	--	0	
▶ BROMOMETHANE	0	--	0	--	0	--	0	
▶ CADMIUM AND CADMIUM COMPOUNDS	0	--	0	--	0	--	0	
▶ CHLOROMETHANE	0	--	0	--	0	--	0	
▶ CHROMIUM AND CHROMIUM COMPOUNDS	0	--	0.851	--	2.14	--	0	
▶ COPPER AND COPPER COMPOUNDS	11.69	--	7.86	--	8.67	--	0	
▶ DIBROMOCHLOROMETHANE	0	N/A	0.04	N/A	0.0442	N/A	0	
▶ DICHLOROMETHANE	0	--	0	--	0	--	0	
▶ LEAD AND LEAD COMPOUNDS	0	--	0	--	0	--	0	
▶ MERCURY AND MERCURY COMPOUNDS	0.0002	--	0.0007	--	0.0006	--	0	
▶ NICKEL AND NICKEL COMPOUNDS	0	--	5.75	--	12.2	--	0	
▶ NITRATE COMPOUNDS	22,175	--	22,848	--	21,073	--	20,939	
▶ Nitrogen	22,175	N/A	22,848	N/A	21,073	N/A	20,939	
▶ Oil and grease	0	N/A	359	N/A	0	N/A	722	
▶ Phosphorus	953	N/A	1,172	N/A	1,017	N/A	1,051	
▶ Solids, total dissolved	963,090	N/A	1,004,167	N/A	979,818	N/A	820,223	
▶ Solids, total suspended	5,895	N/A	6,256	N/A	5,627	N/A	5,107	
▶ Total Residual Chlorine	0	N/A	0	N/A	0	N/A	0	
▶ TRIBROMOMETHANE	0	--	0	--	0	--	0	
▶ TRICHLOROMETHANE	0	--	0.492	--	0.486	--	0.24	
▶ Trihalomethane, tot.	0.497	N/A	--	N/A	--	N/A	--	
▶ ZINC AND ZINC COMPOUNDS	38.82	--	39.8	--	30.69	--	21.48	

DIRECT DISCHARGERS

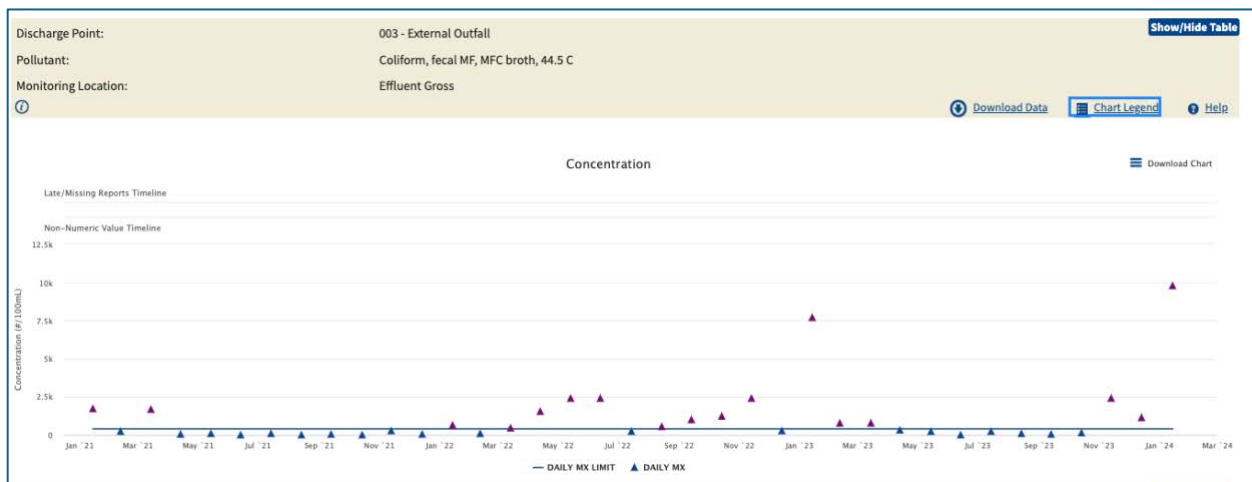
[G. A. Wintzer & Son Company](#), (“G.A. Wintzer”) is a Rendering and Byproduct Processing facility located in Wapakoneta, OH. The facility discharges effluent to Pusheta Creek and an unnamed tributary of Pusheta Creek, which is impaired by unknown causes and Pathogens, in the Western Lake Erie Basin. Pusheta Creek is a tributary to the Auglaize River, which in turn flows into the Maumee River – a major tributary to Lake Erie. The Auglaize River below Pusheta Creek to above Jennings Creek is subject to an EPA



approved TMDL for Ammonia, Phosphorus, Pathogens, and Sediment, according to [Ohio’s 2020 Integrated Water Quality Monitoring and Assessment Report](#).²⁹

The [NPDES permit](#)³⁰ for G.A. Wintzer authorizes the facility to discharge Total Nitrogen from 3 Outfalls, each with design flows of 0.25 MGD, at a very high concentration of 194 mg/l and high load of 184 kg/day. The permit does not contain any limits on Total Phosphorus, TKN, Nitrate-Nitrite, Chlorides, or most Metals.

In addition to the lack of adequately protective NPDES effluent limits, the G.A. Wintzer facility has been identified as being in Significant Noncompliance with its NPDES permit for 7 of the last 13 quarters and in violation of its NPDES permit for 4 other of those 13 quarters. For example, with regard to Fecal Coliform, a number of exceedances are reported on [ECHO](#):



According to [ECHO](#), G.A. Wintzer is contributing significant loading of pollutants to Pusheta Creek, including Nitrogen (116,342 lbs./yr. – 2023) and TDS (1,367,529 lbs./yr. – 2023).

DMR and TRI Multi-Year Loading Report

G. A. WINTZER & SON COMPANY
WAPAKONETA, OH, 45895

FRS ID: 110001630496

NPDES ID(s): OH0002593

TRI ID(s): None

Discharges to Chemical Groups by Pounds (lb)

Units: Pounds TWPE

Chemical Group ↑	2020 DMR (lb/yr) ↓	2020 TRI (lb/yr) ↓	2021 DMR (lb/yr) ↓	2021 TRI (lb/yr) ↓	2022 DMR (lb/yr) ↓	2022 TRI (lb/yr) ↓	2023 DMR (lb/yr) ↓
▶ AMMONIA	423	--	46.98	--	61.63	--	159
▶ BOD, 5-day, 20 deg. C	603	N/A	993	N/A	4,179	N/A	4,173
▶ BOD, carbonaceous, 05 day, 20 C	670	N/A	333	N/A	1,005	N/A	--
▶ CADMIUM AND CADMIUM COMPOUNDS	0	--	0	--	0	--	0
▶ Chemical oxygen demand (COD)	--	N/A	--	N/A	3,688	N/A	4,647
▶ CHROMIUM AND CHROMIUM COMPOUNDS	0	--	0.0029	--	0	--	0
▶ COPPER AND COPPER COMPOUNDS	3.02	--	0	--	0	--	0
▶ CYANIDE AND CYANIDE COMPOUNDS	0	--	0	--	0	--	0
▶ LEAD AND LEAD COMPOUNDS	0	--	0	--	0	--	0
▶ NICKEL AND NICKEL COMPOUNDS	0	--	0	--	2.26	--	0
▶ NITRATE COMPOUNDS	--	--	--	--	36,355	--	55,976
▶ Nitrogen	--	N/A	--	N/A	85,125	N/A	116,342
▶ Oil and grease	0	N/A	0	N/A	0	N/A	0
▶ Phosphorus	3,123	N/A	6,778	N/A	5,400	N/A	5,439
▶ Residue, tot fltrble (dried at 105 C)	1,230,256	N/A	1,036,544	N/A	791,417	N/A	--
▶ Solids, total dissolved	--	N/A	--	N/A	1,335,378	N/A	1,367,529
▶ Solids, total suspended	6,265	N/A	5,717	N/A	13,304	N/A	9,626
▶ Total Kjeldahl Nitrogen	--	N/A	--	N/A	85,125	N/A	116,342
▶ ZINC AND ZINC COMPOUNDS	7.85	--	3.52	--	12.44	--	5.43

N/A - Chemical is not covered by the TRI Program

[Cooper Farms Cooked Meats](#) is a Poultry Slaughtering and Processing facility located in Van Wert, OH. The facility discharges effluent into Lower Town Creek, which is impaired by Pathogens and is listed as a High Priority for TMDL development on [Ohio's 2020 Integrated Water Quality Monitoring and Assessment Report](#).³¹ Lower Town Creek is a tributary of the Lower Auglaize River in the Maumee watershed and is [impacted](#)³² by excess Nitrogen and Phosphorus downstream from Cooper Farms Cooked Meats and other NPDES dischargers.



The [NPDES Permit](#)³³ for Cooper Farms does not contain any concentration or load limits on Total Phosphorus, TKN, Chlorides, or Metals and contains a very high maximum concentration limit for Total Nitrogen (400 mg/l) without any load limit. Due to the lack of adequately protective permit limits, [ECHO](#) shows high loadings of multiple pollutants including Nitrogen (38,310 lbs./yr. – 2023) and Total Filterable Residue (4,942,781 lbs./yr. – 2023).

DMR and TRI Multi-Year Loading Report

COOPER FARMS COOKED MEATS VAN WERT
VAN WERT, OH, 45891

FRS ID: 110006263729
 NPDES ID(s): OH0132772
 TRI ID(s): 4589WWHPCR6793U

Discharges to Chemical Groups by Pounds (lb)

Units: Pounds TWPE

Chemical Group ↑	2020 DMR (lb/yr) ↓	2020 TRI (lb/yr) ↓	2021 DMR (lb/yr) ↓	2021 TRI (lb/yr) ↓	2022 DMR (lb/yr) ↓	2022 TRI (lb/yr) ↓	2023 DMR (lb/yr) ↓
▶ AMMONIA	14,434	0	30,391	--	26,136	--	39,424
▶ BOD, 5-day, 20 deg. C	--	N/A	--	N/A	--	N/A	0
▶ BOD, carbonaceous, 05 day, 20 C	13,925	N/A	16,587	N/A	17,219	N/A	13,045
▶ Nitrogen	17,473	N/A	26,714	N/A	31,600	N/A	38,310
▶ Oil and grease	0	N/A	403	N/A	0	N/A	0
▶ Oxidants, total residual	0	N/A	0	N/A	0	N/A	0
▶ Phosphorus	656	N/A	1,115	N/A	665	N/A	839
▶ Residue, tot filtrble (dried at 105 C)	2,177,592	N/A	3,821,652	N/A	4,194,567	N/A	4,942,781
▶ Solids, total suspended	25,961	N/A	31,702	N/A	42,871	N/A	30,509
▶ Total Residual Chlorine	0	N/A	0	N/A	0	N/A	0

N/A - Chemical is not covered by the [TRI Program](#)
 --- Pollutant or chemical was not reported in DMR or TRI for the reporting year
 0 - Zero discharge reported

[Download Discharges to Chemical Groups](#)

Campbell Soup Supply Company

(“Campbell”) is a heat process and canned food facility located in Napoleon, OH. The facility discharges effluent into the Maumee River and unnamed tributaries of the Maumee River, which is impaired for algal growth, Nutrients, and Pathogens. The [NPDES permit](#)³⁴ for Campbell contains effluent limitations for 6 Outfalls. Under the permit, interim effluent limitations will be in place for 36 months after March 1, 2022, for Outfall 001 (10 MGD) – where process



wastewater is discharged directly into the Maumee River. The permit does not contain concentration or loading limits on Ammonia-N (during Winter), TKN, Nitrate-Nitrite, Total Nitrogen, Chlorides, or many Metals, with the exception of Outfall 099 (canmaking), and, for Outfall 001, it allows Campbell to contribute high concentrations (1.5 mg/l maximum) and loading (56.8 kg/day) of Total Phosphorus to the Maumee River.

In addition to the lack of adequately protective effluent limits in the facility’s NPDES permit, according to [ECHO](#), the Campbell facility has been identified as being in Significant Noncompliance with its NPDES permit for a wide range of parameters in 12 of the last 13 quarters and in violation of its NPDES permit for the most recent of those quarters.

On March 20, 2024, Campbell was [sued](#)³⁵ in federal district court by Environment America and Lake Erie Waterkeeper for its ongoing violations of the federal Clean Water Act, including violations of its NPDES permit limits for CBOD, E. coli, Phosphorus, Nitrogen, TSS, and Oil and Grease, and for violations of the permit’s requirement to maintain D.O. above specified levels. Campbell was also [sued](#) by the U.S. Department of Justice in the same court on March 20, 2024, for years of Clean Water Act violations, which the United States alleges are due to Campbell’s wastewater treatment plant not being “designed to handle the wastewater generated by current operations.”

According to [ECHO](#), Campbell is contributing significant loading of multiple pollutants to the Maumee River, including Ammonia-N (26,643 lbs./yr. – 2023), BOD (537,781 lbs./yr. – 2023), Nitrogen (36,570 lbs./yr. – 2023), Phosphorus (18,756 lbs./yr. – 2023), TDS (9,093,590 lbs./yr. – 2023), and TSS (570,808 lbs./yr. – 2023). In fact, Campbell is one of the largest NPDES-permitted sources of phosphorus loading in the Western Lake Erie Basin.

DMR and TRI Multi-Year Loading Report

CAMPBELL SOUP PLANT
 NAPOLEON, OH, 43545

FRS ID: 110006108942

NPDES ID(s): OH0003298

TRI ID(s): 43545CMPBLEASTM

Discharges to Chemical Groups by Pounds (lb)

Units: Pounds TWPE

Chemical Group	2020 DMR (lb/yr)	2020 TRI (lb/yr)	2021 DMR (lb/yr)	2021 TRI (lb/yr)	2022 DMR (lb/yr)	2022 TRI (lb/yr)	2023 DMR (lb/yr)
▶ ALUMINUM	11,831	N/A	4,457	N/A	1,245	N/A	2,458
▶ AMMONIA	20,511	--	21,603	--	22,373	--	26,643
▶ BOD, carbonaceous, 05 day, 20 C	488,812	N/A	689,132	N/A	825,934	N/A	537,781
▶ BROMOMETHANE	--	--	--	--	0	--	0
▶ CHROMIUM AND CHROMIUM COMPOUNDS	0.0985	--	51.02	--	7.46	--	9.38
▶ COPPER AND COPPER COMPOUNDS	--	--	--	--	69.67	--	96.93
▶ CYANIDE AND CYANIDE COMPOUNDS	0	--	0	--	0.0064	--	0.0489
▶ DICHLOROPHENOXYACETIC ACID, 2,4-	0	--	0	--	0	--	0
▶ FLUORIDE	3,726	N/A	3,763	N/A	4,446	N/A	3,843
▶ LEAD AND LEAD COMPOUNDS	--	19	--	--	--	18.09	--
▶ NITRATE COMPOUNDS	12,942	19,123	45,521	--	12,304	--	36,570
▶ Nitrogen	12,942	N/A	45,521	N/A	12,304	N/A	36,570
▶ Oil and grease	565	N/A	103,987	N/A	63,918	N/A	44,486
▶ Oxidants, total residual	0	N/A	0	N/A	0	N/A	0
▶ Phosphorus	21,280	N/A	21,643	N/A	22,894	N/A	18,756
▶ Solids, total dissolved	10,134,153	N/A	11,018,315	N/A	9,183,760	N/A	9,093,590
▶ Solids, total suspended	494,800	N/A	746,483	N/A	761,554	N/A	570,808
▶ STRONTIUM	12,348	N/A	10,146	N/A	--	N/A	--
▶ Total Residual Chlorine	25.29	N/A	51.13	N/A	4,375	N/A	0
▶ ZINC AND ZINC COMPOUNDS	1,883	--	878	--	850	--	1,708

CONCLUSION

EPA states that MPP facilities are one of the largest industrial sources of nutrient pollution in the nation's waters. In many watersheds in the U.S., including Lake Erie, governments and communities are struggling to reduce nutrients inputs to reduce HABs and other harmful impacts. EPA can help to get much needed nutrient discharge reductions for U.S. waters by finalizing strong nutrient ELGs for direct and indirect discharging MPP facilities. This is also essential for supporting WWTPs that are bearing the costs associated with MPP wasteloads and for reducing costs and impacts to the Environmental Justice communities.

Appendix I - List of Potential MPP Facilities from EPA Data (Direct, Indirect, and “Non-Discharging”)

Facility Name	Latitude	Longitude
A to Z Portion Control Meats, Inc.	40.89475	-83.89013
AdvancePierre Foods, Inc.	41.41823	-82.19797
American Soy Products, Inc.	42.18816	-83.76461
Americold Logistics, LLC	41.41241	-84.09869
Athens Foods, Inc.	41.40523	-81.7876
AVF Holding LLC	41.16386	-81.51838
Beef Jerky Unlimited	41.80842	-83.44745
BEF Foods, Inc.	40.69689	-84.09563
Better Baked Foods of Erie, LLC	42.1196	-80.01968
Better Baked Foods, LLC	42.21115	-79.8309
Brinkman Turkey Farms, Inc.	40.93094	-83.65067
Buckhead Meat Midwest Inc.	41.60402	-83.52805
Campbell Soup Supply Company	41.39772	-84.10293
Carle's Bratwurst, Inc.	40.8109	-82.9604
Classic Delight, Inc.	40.52669	-84.38614
Conagra Brands, Inc.	41.52086	-84.31809
CONCERTED MANUF. OF NEVADA OH	40.73506	-83.12847
Cooper Hatchery, Inc.	40.90499	-84.57198
Custom Culinary, Inc	41.4768	-82.00504
Decko Products, Inc.	41.43568	-82.74431
Decko Products, Inc.	41.43717	-82.74255
Diversified Warehouse Solutions LLC	40.85497	-84.31937
Erie Bone Broth, LLC	41.50818	-81.6776
Exel Inc. dba HLS Supply Chain (USA)	41.04306	-83.64302
E-Z Shop Kitchen, Inc.	41.34975	-83.10201
Frozen Specialties, Inc.	41.51583	-84.2978
G. A. WINTZER & SON COMPANY	40.52939	-84.19075
G.A. Wintzer & Son Co.	40.57086	-84.19654
Gor-May Enterprises, Inc	41.48455	-81.72829
Grabill Country Meats #1, Inc.	41.20777	-84.96875
H P SCHMITT PACKING CO INC	40.83333	-84.91667

Hillsdale County Meats	41.7052	-84.42651
Hydrofresh HPP	40.85489	-84.31935
Integrated Marketing Technologies, Inc.	41.2504	-81.79071
Interstate Cold Storage, Inc.	41.07193	-85.0399
Interstate Cold Storage, Inc.	41.4137	-84.09574
J. H. Routh Packing Co	41.3986	-82.7596
J.E.S. Foods, Inc.	40.55822	-84.54496
J.H. Routh Packing Co.	41.39896	-82.75988
Jones-Hamilton Co.	41.59285	-83.52644
Just Mike's Jerky Company	41.13623	-81.87873
Kah and Company Incorporated	40.57805	-84.1804
KALMBACH FEEDS INC	40.88999	-83.32994
KALMBACH MOLASSES	40.88691	-83.32633
Keller Packaging of Napoleon	41.38974	-84.09582
Keystone Meats Inc.	40.73109	-84.03808
KTF Protein Solutions Inc.	40.52812	-84.34415
Lakeview Farms	40.85602	-84.32249
Magnus International Group	41.75636	-81.23123
McDonald Meats Inc.	41.99215	-80.34826
MEDINA MEATS	41.18498	-82.03911
Medina Meats Inc	41.18473	-82.03817
More Than Gourmet	41.05953	-81.41565
More Than Gourmet	41.09634	-81.48753
National Beef Ohio, LLC	41.18536	-83.64616
Nestle Prepared Foods Company	41.40486	-81.46728
Nestle Professional	41.47569	-81.69833
NESTLE PURINA PETCARE COMPANY	42.49005	-79.30625
Nestle R&D Center Inc.	41.40947	-81.47112
North American Cold Storage, Inc.	41.1372	-84.84391
Olson Commercial Cold Storage	41.28997	-84.38454
Petrition	41.04075	-82.00437
Pinata Foods, Inc.	41.45628	-81.72866
Pioneer Packing Company, Inc.	41.36379	-83.64501
Progressive Food Products	41.10303	-83.20365

PSD PARTNERS LLC - MPK COMPLEX	40.90444	-83.33778
RF Acquisition Corp.	40.55193	-84.16469
Root's Poultry, Inc.	41.37652	-83.18489
Rudolph Foods Company, Inc.	40.6954	-83.98179
Sandridge Food Corporation	41.13826	-81.90135
Shaker Valley Foods, Inc	41.46451	-81.73322
Sharpy's Food Systems, LLC.	41.35374	-81.49382
Signature Sauces	41.36205	-81.6301
Smith Provision Company, Inc	42.10224	-80.11678
Spagel Brothers Inc.	42.11777	-80.06081
Speciality Steak Service	42.13853	-80.04236
Stanley's Market Brands LLC	41.71106	-83.51835
Stino Da Napoli	41.4832	-81.83395
Symrise Inc.	41.40742	-82.12878
Tanks Meats, Inc.	41.46719	-83.29798
The Honey Baked Ham Company, LLC	41.61916	-83.68828
THE IAMS CO	41.12382	-83.9577
The Original Crunch Roll Factory, LLC	42.33122	-79.57973
Weaver Meats Inc	41.72265	-81.26023
Wright Distribution Center, Inc.	40.7022	-84.08534

END NOTES

¹ Lake Erie Waterkeeper, *Lake Erie Facts*, available at: <https://www.lakeeriewaterkeeper.org/lake-erie-facts.html>.

² U.S. EPA, *Lake Erie*, at: <https://www.epa.gov/greatlakes/lake-erie#:~:text=About%20one%2Dthird%20of%20the,eleven%20million%20of%20these%20inhabitants>.

³ U.S. EPA, *Urban Waters and the Western Lake Erie Basin near Toledo (Ohio)*, available at: [https://www.epa.gov/urbanwaterspartners/urban-waters-and-western-lake-erie-basin-near-toledo-ohio#:~:text=Western%20Lake%20Erie%20Basin%20\(WLEB,water%20source%20for%20the%20WLEB](https://www.epa.gov/urbanwaterspartners/urban-waters-and-western-lake-erie-basin-near-toledo-ohio#:~:text=Western%20Lake%20Erie%20Basin%20(WLEB,water%20source%20for%20the%20WLEB).

⁴ U.S. EPA, *Great Lakes Water Quality Agreement*, available at: <https://www.epa.gov/glwqa>.

⁵ International Joint Commission, *Great Lakes Water Quality Agreement Turns 50*, (Feb. 8, 2022), available at: <https://www.ijc.org/en/great-lakes-water-quality-agreement-turns-50#:~:text=The%201972%20agreement%20focused%20on,communities%20to%20limit%20phosphorus%20input>. **Exhibit 1**

⁶ NOAA, *Lake Erie Harmful Algal Bloom Forecast*, available at: <https://coastalscience.noaa.gov/science-areas/habs/hab-forecasts/lake-erie/#:~:text=Western%20Lake%20Erie%20has%20been,that%20depend%20on%20the%20lake>. **Exhibit 2**

⁷ U.S. EPA, *Photos of Lakes Before and After Algal Blooms*, available at: <https://www.epa.gov/nutrientpollution/photos-lakes-and-after-algal-blooms#:~:text=Lake%20Erie%2C%20Ohio,-Photo%3A%20U.S.%20EPA&text=In%202014%2C%20a%20toxic%20algal,contact%20with%20their%20tap%20water>.

⁸ U.S. EPA, *Recommended Binational Phosphorus Targets*, available at: <https://www.epa.gov/glwqa/recommended-binational-phosphorus-targets>.

⁹ International Joint Commission, *Annex - 4 Nutrients*, available at: <https://ijc.org/en/who/mission/glwqa/annex4>. **Exhibit 3**

¹⁰ U.S. EPA et al., *U.S. Action Plan for Lake Erie*, (Feb. 2018), available at: https://www.epa.gov/sites/default/files/2018-03/documents/us_dap_final_march_1.pdf.

¹¹ Environmental Working Group, *EWG analysis: In the Western Lake Erie Basin, newly identified animal feeding operation hot spots produce excess manure, threatening waterways and human health*, (July 28, 2022), available at: <https://www.ewg.org/research/ewg-analysis-western-lake-erie-basin-newly-identified-animal-feeding-operation-hot-spots>. **Exhibit 4**

¹² Environmental Working Group, *Manure From Unregulated Factory Farms Fuels Lake Erie's Toxic Algae Blooms*, (Apr. 9, 2019), available at: <https://www.ewg.org/news-insights/news/manure-unregulated-factory-farms-fuels-lake-eries-toxic-algae-blooms>. **Exhibit 5**

¹³ Ohio EPA, *Maumee River Watershed*, available at: <https://epa.ohio.gov/divisions-and-offices/surface-water/reports-data/maumee-river-watershed>.

¹⁴ Ohio EPA, *Maumee River TMDL Appendix 4. Individual NPDES Wasteload Allocations*, available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/tmdl/MaumeeNutrient/Appendix-4-Individual-NPDES-Wasteload-Allocations-Final.pdf>. **Exhibit 6**

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- ¹⁵ Ohio EPA, *List of Approve Pretreatment Programs*, available at: https://epa.ohio.gov/static/Portals/35/pretreatment/Approved_Program_Contacts.xlsx. **Exhibit 7**
- ¹⁶ Ohio EPA, *NPDES Permit City of Delphos 2PD00029*TD*, App. No: OH0024929 (Feb. 1, 2024), available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/2PD00029.pdf>. **Exhibit 8**
- ¹⁷ Kim Riddell, *Wastewater Superintendent City of Delphos, Start-Up and Operations of the City of Delphos MBR / ThermAer ATAD Wastewater Treatment Facility* (2009), available at: https://thermalprocess.com/wp-content/uploads/2022/04/Thermal-Process-Systems_White-Paper_Riddell.pdf. **Exhibit 9**
- ¹⁸ City of Delphos, *Wastewater Overview*, available at: <https://cityofdelphos.com/sites/default/files/Wastewater%20Overview.pdf>. **Exhibit 10**
- ¹⁹ City of Delphos, *2021 Annual Report*, available at: <https://www.cityofdelphos.com/sites/default/files/2021%20Annual%20Report.pdf>. **Exhibit 11**
- ²⁰ Ohio EPA, *Limited Environmental Review and Finding of No Significant Impact, City of Delphos – Allen and Van Wert counties WWTP MBR Buildout*, Loan number – CS390309-0019, (June 16, 2021), available at: <https://www.cityofdelphos.com/sites/default/files/6381%20WWTP%20MBR%20FNSI%20and%20LER.pdf>. **Exhibit 12**
- ²¹ The Delphos Herald, *Lakeview Farms asks for better communication on project*, (Aug. 9, 2023), available at: https://www.delphosherald.com/news/community/lakeview-farms-asks-for-better-communication-on-project/article_f36f5e7e-36f3-11ee-9ada-17485811d132.html. **Exhibit 13**
- ²² Ohio EPA, *Indirect Discharge Permit Program*, (Apr. 2018), available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/pretreatment/IDP-FS.pdf>. **Exhibit 14**
- ²³ Ohio EPA, *Indirect Discharge Permit List*, available at: <https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/indirect-discharge-permits>.
- ²⁴ Ohio EPA, *City of Amherst NPDES Fact Sheet*, (Aug. 31, 2020), available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/3PD00001.fs.pdf>. **Exhibit 15**
- ²⁵ Ohio EPA, *AdvancePierre Foods, Inc. Indirect Discharge Permit 3DP00046*DP*, App. No. OHP000237 (Mar. 1, 2021), available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/3DP00046.pdf>. **Exhibit 16**
- ²⁶ Ohio EPA, *City of Amherst WPCC NPDES Permit 3PD00001*ND*, App. No. OH0021628 (Feb. 1, 2021), available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/3PD00001.pdf>. **Exhibit 17**
- ²⁷ Ohio EPA, *Indirect Discharge Permit for National Beef, LLC 2DP00087*CP*, App. No. OHP000250 (Oct. 1, 2021), available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/2DP00087.pdf>. **Exhibit 18**
- ²⁸ Ohio EPA, *NDPES Permit for Village of North Baltimore 2PB00033*LD*, App. No. OH0020117 (Sept. 1, 2019), available at: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/2PB00033.pdf>. **Exhibit 19**
- ²⁹ Ohio EPA, *2020 Integrated Water Quality Monitoring and Assessment Report – Section J – Excerpt* (May 2020), available at:

https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/tmdl/2020intreport/2020_SectionJ.pdf.

Exhibit 20

³⁰ Ohio EPA, *NPDES Permit for G.A. Wintzer and Son Company 2IK00002*KD*, App. No. OH0002593 (Mar. 1, 2022), available at:

<https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/2IK00002.pdf>. **Exhibit 21**

³¹ **Exhibit 20**, *supra* endnote 29.

³² Ohio EPA, *Biological and Water Quality Study of Lower Auglaize River Tributaries – Excerpt* (Nov. 17, 2016), available at:

<https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/documents/2014%20Lower%20Auglaize%20River%20Tributaries%20TSD.pdf>. **Exhibit 22**

³³ Ohio EPA, *NPDES Permit for Cooper Hatchery Inc. for Cooper Farms Cooked Meats 2IH00110*GD*, App. No. OH0132772 (Mar. 1, 2023), available at:

<https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/permits/doc/2IH00110.pdf>. **Exhibit 23**

³⁴ Ohio EPA, *NPDES Permit for Campbell Soup Supply Company, LLC 2IH00021*KD*, App. No. OH0003298 (Mar. 1, 2022), available at:

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³⁵ Complaint, *Environment America, D/B/A Environment Ohio, and Lake Erie Waterkeeper v. Campbell Soup Supply Company L.L.C.*, Case No. 3:24-cv-00515 (N.D. Ohio filed Mar. 20, 2024), available at:

<https://publicinterestnetwork.org/wp-content/uploads/2024/03/Complaint-EnvOHvsCampbellSoup-March2024.pdf>. **Exhibit 25**

LAKE ERIE BASIN MPP FACILITIES EXHIBITS

EXHIBIT 1



International Joint Commission (/en)

Newsletter

GREAT LAKES CONNECTION (/EN/NEWSLETTER/GREAT-LAKES-CONNECTION)

The following article is from an archived newsletter. See our [Shared Waters newsletter \(https://www.ijc.org/en/newsletter/shared-waters\)](https://www.ijc.org/en/newsletter/shared-waters).



Great Lakes Water Quality Agreement Turns 50



MELANIE LAW February 8, 2022

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There is much to reflect on as the Great Lakes Water Quality Agreement marks its 50th anniversary in 2022.

The Great Lakes and St. Lawrence River hold about one fifth of the earth's fresh surface water (<https://binational.net/wp-content/uploads/2020/05/May-4.2020-2019-SOGL-FINAL.pdf>). For generations, the lakes have been central to the social, cultural and spiritual activities of Indigenous peoples. The abundant natural resources of the Great Lakes ecosystem created the basis for industries crucial to the establishment and development of the Canadian and American economies.

But what is the Great Lakes Water Quality Agreement (<https://www.ijc.org/en/who/mission/glwqa>), exactly, and what is the IJC's role?

The 1909 Boundary Waters Treaty is the basis for the IJC's authority to advise Canadian and US governments on pollution issues in the Great Lakes and connecting channels (<https://www.ijc.org/en/connecting-waters-great-lakes-need-more-monitoring-and-assessment>), laying the foundation for the Great Lakes Water Quality Agreement.

First signed in 1972, the Agreement sets forth a binational framework between Canada and the United States for the purpose of restoring, protecting and enhancing the Great Lakes and the Great Lakes basin.

The 1972 agreement focused on reducing algae by limiting phosphorus inputs, which predominantly impacted ecologically “ (https://clevelandhistorical.org/items/show/58)dead” Lake Erie. To address this issue, Canada and the United States agreed to reduce pollution from industries and communities to limit phosphorus input. Resulting from the collaboration of the two nations, Lake Erie made a quick recovery, exemplifying an “unprecedented success (https://binational.net/glwqa-aqeg/#:~:text=phosphorus%20levels%20in%20the%20great%20lakes%20declined%20significantly%20during%20the%201970s%20and%201980s.%20at%20the%20time%2C%20this%20w in achieving environmental results and demonstrating the value of binational cooperation,” according to a summary at binational.net.

The IJC has many responsibilities under the Great Lakes Water Quality Agreement, including assessing the governments’ progress toward achieving the objectives (https://www.ijc.org/en/who/mission/glwqa#:~:text=concern%2C%20as%20appropriate.-,Article%203,-General%20and%20Specific), of the Agreement, providing advice on matters related to the Great Lakes, facilitating binational collaboration and engaging with the public to take actions to restore and protect these waters.

The 1972 Agreement also established the IJC Great Lakes Water Quality Board and IJC Great Lakes Science Advisory Board to investigate and report on issues of concern and assist in the Commission’s assessment of governments’ progress toward achieving the Agreement’s objectives.

The Great Lakes Water Quality Board serves as the principal policy adviser to the IJC by assisting in the review and assessment of the governments’ implementation of the Agreement and recommending approaches to address challenges facing the lakes. The Great Lakes Science Advisory Board provides advice to the IJC on scientific matters and research, sharing these findings with the Great Lakes Water Quality Board as well. Finally, the 1972 Agreement created the IJC’s Great Lakes Regional Office in Windsor, Ontario, to support the boards and IJC’s work under the Agreement.

Since the original agreement in 1972, Canada and the United States updated the Agreement four times, with the most recent version signed in 2012. Each update incorporated new binational commitments to restore and maintain the Great Lakes through a comprehensive ecosystem approach that accounts for interrelationships among air, water, land and all beings dependent upon them.

The 1987 amendment protocol to the Agreement listed 43 Areas of Concern (AOCs) (https://www.ijc.org/en/what/glwq-aoc)—hotspots of toxic legacy pollution—including 26 in the United States, 12 in Canada and five shared binationally.

To address these Areas of Concern, governments establish Remedial Action Plans (RAPs), which outline how the governments will approach problems and implement solutions to address the given AOC. The process of creating and implementing Remedial Action Plans spanned more than three decades. In that time, governments and partners delisted nine Areas of Concern and designated two as “areas in recovery.” Additionally, the 1987 Agreement introduced a requirement for citizen involvement in RAPs, as local community inputs are crucial in establishing effective and successful plans to best serve Great Lakes residents.

Canadian and U.S. Areas of Concern



As of 2021, nine Areas of Concern delisted and two remain “in recovery.” Credit: [binational.net](https://binational.net/wp-content/uploads/2021/09/Great-Lakes-Drainage-Basin-EN.png) (<https://binational.net/wp-content/uploads/2021/09/Great-Lakes-Drainage-Basin-EN.png>).

The importance of engagement was further recognized in [the 2012 amendment to the Agreement](https://www.ijc.org/en/who/mission/glwqa#:~:text=International%20Joint%20Commission%3B-,Recognizing%20that%20while%20the,objectives%20of%20this%20Agreement%3B,-Determined%20to%20improve) (<https://www.ijc.org/en/who/mission/glwqa#:~:text=International%20Joint%20Commission%3B-,Recognizing%20that%20while%20the,objectives%20of%20this%20Agreement%3B,-Determined%20to%20improve>), whereby “the involvement and participation of State and Provincial Governments, Tribal Governments, First Nations, Métis, Municipal Governments, watershed management agencies, local public agencies, and the Public” are explicitly mentioned as essential to achieving the objectives. The amended 2012 Agreement has a broadened focus to better identify and address current environmental issues impacting the Great Lakes. The update served to modernize existing commitments to best accommodate changing environmental conditions.



Canadian Environment Minister Peter Kent, left, and US Environmental Protection Agency Administrator Lisa Jackson sign the 2012 Great Lakes Water Quality Agreement. Credit: binational.net

Notably, Canada and the United States sought to include inputs from various stakeholders during the amendment process who were pivotal to developing an innovative, modernized Agreement.

These updated commitments are outlined in nine goals and 10 annexes, all with the unified purpose of mitigating further environmental threats before they harm the waters of the Great Lakes.

To increase transparency and accountability, the 2012 Agreement also includes [clearly outlined short- and long-term actions](https://www.canada.ca/en/environment-climate-change/services/great-lakes-protection/canada-united-states-water-quality-agreement.html) (<https://www.canada.ca/en/environment-climate-change/services/great-lakes-protection/canada-united-states-water-quality-agreement.html>), with timeframes for completion. The 2012 Agreement further placed more emphasis on invasive species and climate change as these stressors became more prevalent in the 21st century.

Residents of the Great Lakes region all have a role to play in the restoration and protection of the Great Lakes.

The Agreement guides governments to apply the principle of “[public engagement](https://www.ijc.org/en/who/mission/glwqa#:~:text=(k)%20engagement%20%E2%80%93%20incorporating%20public%20opinion%20and%20advice%2C%20as%20appropriate%2C%20and%20providing%20information%20and%20opportunities) ([https://www.ijc.org/en/who/mission/glwqa#:~:text=\(k\)%20engagement%20%E2%80%93%20incorporating%20public%20opinion%20and%20advice%2C%20as%20appropriate%2C%20and%20providing%20information%20and%20opportunities](https://www.ijc.org/en/who/mission/glwqa#:~:text=(k)%20engagement%20%E2%80%93%20incorporating%20public%20opinion%20and%20advice%2C%20as%20appropriate%2C%20and%20providing%20information%20and%20opportunities)) defined as “incorporating Public opinion and advice, as appropriate, and providing information and opportunities for the Public to participate in activities that contribute to the achievement of the objectives of this Agreement.”

Under the Agreement, it is the IJC's responsibility to provide the public with chances to contribute their input, which can help supplement the IJC's science-based advice to governments on Great Lakes issues. The IJC and its Great Lakes advisory boards provide opportunities for public engagement through public meetings, webinars, workshops, social media and newsletters like this one.

As the Great Lakes Water Quality Agreement marks its 50th anniversary this year, ongoing engagement and contributions from readers like you play a crucial role in the continued success and preservation of the binational partnership under the Agreement.

[Water Quality \(/en/popular-issues/water-quality\)](/en/popular-issues/water-quality)

[Great Lakes Science Advisory Board \(/en/taxonomy/term/15945\)](/en/taxonomy/term/15945)

[Great Lakes Water Quality Board \(/en/taxonomy/term/15946\)](/en/taxonomy/term/15946)



MELANIE LAW

intern

Melanie Law is a fall 2021 intern with the US Section of the IJC in Washington, D.C.

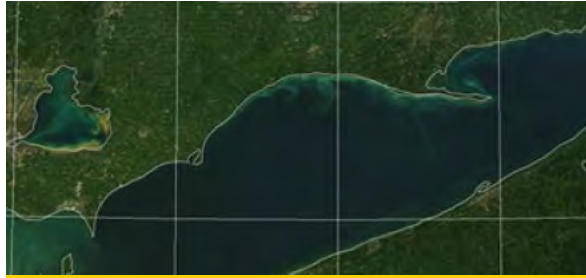
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Great Lakes Day in Washington, D.C., Highlights the Power of Partnerships

[\(/en/great-lakes-day-washington-dc-highlights-power-partnerships\)](/en/great-lakes-day-washington-dc-highlights-power-partnerships)



Great Lakes Advisory Board Studies Explore how to Better Combat Nutrient Imbalances in Lake Erie

(/en/great-lakes-advisory-board-studies-explore-how-better-combat-nutrient-imbances-lake-erie)

Harnessing Community and Science to Prevent and Resolve Disputes Over Shared Waters

(/en/harnessing-community-and-science-prevent-and-resolve-disputes-over-shared-waters)



Fish Need to Breathe: Dissolved Oxygen Study Finds Different Results Across Souris River

(/en/fish-need-breathe-dissolved-oxygen-study-finds-different-results-across-souris-river)

Subscribe to the Shared Waters newsletter

Covering activities in the Canada-United States transboundary region, including the Great Lakes, as they relate to the IJC's mission.

Sign up

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EXHIBIT 2

[Home \(/\)](#) > [Science Areas \(/science-areas/\)](#) > [Harmful Algal Blooms \(/science-areas/habs/\)](#) > [HAB Forecasts \(/science-areas/habs/hab-forecasts/\)](#) > Lake Erie

HARMFUL ALGAL BLOOM FORECASTS

Lake Erie Harmful Algal Bloom Forecast

NOAA provides forecasts for seasonal blooms of cyanobacteria (blue-green algae) in Lake Erie, typically from July to October when warmer water creates favorable bloom conditions. Western Lake Erie has been plagued by an increase of HABs intensity over the past decade. These blooms consist of cyanobacteria or blue-green algae, which are capable of producing toxins that pose a risk to human and animal health, foul coastlines, and impact communities and businesses that depend on the lake. A combination of satellite image (for bloom location and extent), a forecasting and mixing model provide information on the current status of the bloom, forecasted position both at the surface and at depth, and toxicity from field samples. See individual products and our [FAQs \(/science-areas/habs/hab-forecasts/lake-erie/faqs/\)](#) for more information.

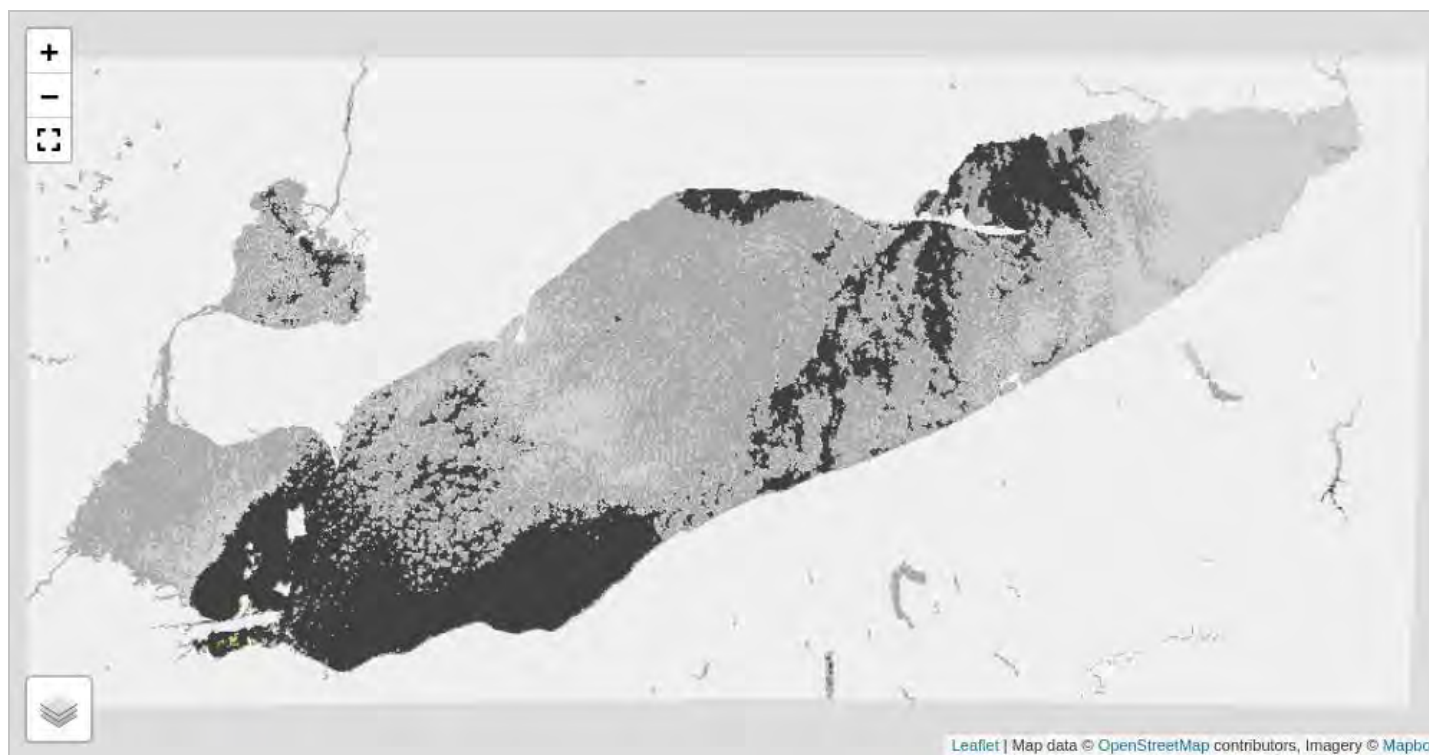
Forecast Products

[Download Latest Forecast Bulletin \(PDF\)](#)

[Access Archived Forecast Bulletin for the Bloom Season \(https://app.coastalscience.noaa.gov/habs_explorer/index.php?\)](https://app.coastalscience.noaa.gov/habs_explorer/index.php?)

⚠ The 2023 cyanobacteria bloom has ended. The seasonal assessment can be found at Lake Erie 2023 Bloom Assessment (PDF). We will return in May 2024 with more information. For images of western Lake Erie, check the western Lake Erie HAB Monitoring Page (<https://coastalscience.noaa.gov/research/stressor-impacts-mitigation/hab-monitoring-system/cyanobacteria-algal-bloom-from-satellite-in-western-lake-erie-basin/>). --HAB forecast team 11/13/2023

The past few days of imagery can be seen at the HAB monitoring site (<https://coastalscience.noaa.gov/research/stressor-impacts-mitigation/hab-monitoring-system/cyanobacteria-algal-bloom-from-satellite-in-western-lake-erie-basin/>). The Lake Erie Forecast is operated by the National Centers for Coastal Ocean Science. Contact hab@noaa.gov for technical Questions. Last Updated: 2023-11-13 11 AM EST



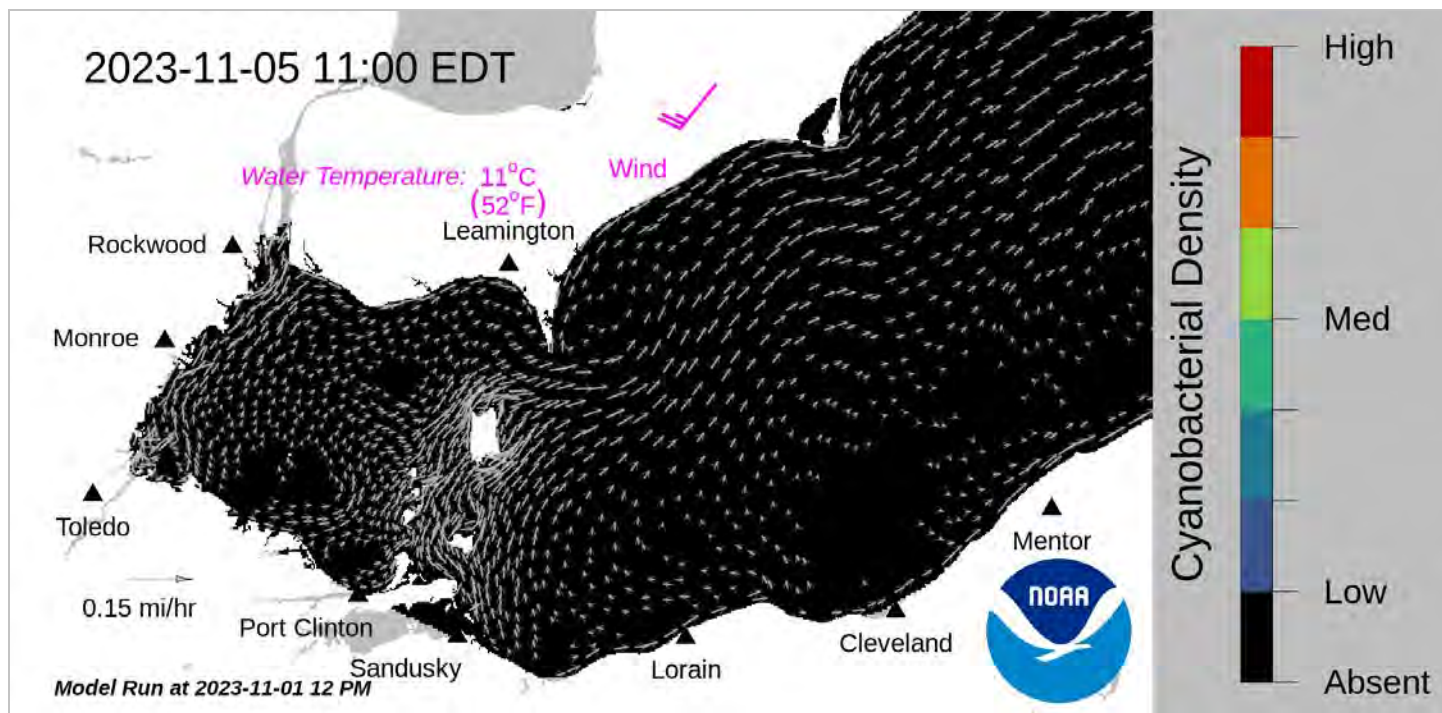
Observed Bloom Position

(from most recent satellite image)

Current satellite imagery from the Ocean Land Color Imager (OLCI) and true color imagery showing bloom location and extent.

Please note, 11/01/2023 is the last bloom position for the 2023 bloom season.

[View Product \(/research/stressor-impacts-mitigation/hab-forecasts/lake-erie/satellite-imagery/\)](/research/stressor-impacts-mitigation/hab-forecasts/lake-erie/satellite-imagery/)



Forecasted Bloom Position

(from modelling)

Forecasted extent and position of the bloom for a minimum of 96 hours, based on a combination of a hydrodynamic modeled currents and satellite imagery for initial bloom location.

Please note, 11/01/2023 is the last model run for the 2023 bloom season.

[View Product \(/research/stressor-impacts-mitigation/hab-forecasts/lake-erie/bloom-position-forecast/\)](/research/stressor-impacts-mitigation/hab-forecasts/lake-erie/bloom-position-forecast/)



Vertical Mixing Forecast

Forecast of the potential for mixing over the next at least 96 hours, to determine the likelihood that the bloom is at the surface or subsurface.

Please note, 11/01/2023 is the last mixing forecast for the 2023 bloom season.

[View Product \(/research/stressor-impacts-mitigation/hab-forecasts/lake-erie/mixing-forecast/\)](/research/stressor-impacts-mitigation/hab-forecasts/lake-erie/mixing-forecast/)

HAB Alerts

HABs in Lake Erie pose a risk to human and animal health, foul coastlines, and negatively impact communities and businesses. Sign up to receive Lake Erie HAB updates via email.



SUBSCRIBE ([HTTPS://PUBLIC.GOVDELIVERY.COM/ACCOUNTS/USNOAANOS/SUBSCRIE](https://public.govdelivery.com/accounts/USNOAANOS/subscrib))

2023 Western Lake Erie Projections

The early season projection estimates bloom severity based on Maumee River discharge and modeled phosphorus loads. It is issued weekly from May until the seasonal forecast is announced.

- [2023 Western Lake Erie Seasonal Projections \(PDF\)](#)

- [View Early Season Projection and Seasonal Assessment Archives](https://products.coastalscience.noaa.gov/habs_explorer/index.php?path=ejc1L1hweDc1czRKdHVYZGVQUGHkMVMwbG9SZW5TZkJ3cmpsWHZ0bzNvaz0=) (https://products.coastalscience.noaa.gov/habs_explorer/index.php?path=ejc1L1hweDc1czRKdHVYZGVQUGHkMVMwbG9SZW5TZkJ3cmpsWHZ0bzNvaz0=)
-

2023 Lake Erie Seasonal Forecast Event

The official seasonal forecast for Lake Erie was announced on June 29, 2023 during a live webinar hosted in collaboration with [Ohio Sea Grant](https://ohioseagrant.osu.edu/) (<https://ohioseagrant.osu.edu/>). Read the press release [here](https://www.noaa.gov/news-release/smaller-than-average-harmful-algal-bloom-predicted-for-western-lake-erie) (<https://www.noaa.gov/news-release/smaller-than-average-harmful-algal-bloom-predicted-for-western-lake-erie>).

Additional Resources

- [Archived Lake Erie Forecasts](https://www.ncei.noaa.gov/access/metadata/landing-page/bin/iso?id=gov.noaa.nodc:NOS-HABOFS-LakeErie) (<https://www.ncei.noaa.gov/access/metadata/landing-page/bin/iso?id=gov.noaa.nodc:NOS-HABOFS-LakeErie>)
- [More information](/science-areas/habs/hab-monitoring-system/more-information/) (</science-areas/habs/hab-monitoring-system/more-information/>) about our bloom monitoring imagery
- [FAQs](/science-areas/habs/hab-forecasts/lake-erie/faqs/) (</science-areas/habs/hab-forecasts/lake-erie/faqs/>) - Frequently Asked Questions about cyanobacteria and the forecasts NOAA issues
- [Contributors and Data Providers](/science-areas/habs/hab-forecasts/contributors/) (</science-areas/habs/hab-forecasts/contributors/>)
- [Lake Erie HAB Forecast Guide \(PDF\)](#) - User guide to help navigate the forecast products

For other data on Lake Erie HABs, visit one of these websites:

- [NOAA GLERL - HAB Program](http://www.glerl.noaa.gov/res/HABs_and_Hypoxia/) (http://www.glerl.noaa.gov/res/HABs_and_Hypoxia/)
- [NOAA GLERL - Great Lakes Coastal Forecasting System](http://www.glerl.noaa.gov/res/glcfs/) (<http://www.glerl.noaa.gov/res/glcfs/>)
- [NOAA National Weather Service, Cleveland](http://www.weather.gov/cle/) (<http://www.weather.gov/cle/>)
- [Ohio EPA](http://epa.ohio.gov/ddagw/HAB.aspx) (<http://epa.ohio.gov/ddagw/HAB.aspx>)
- [Ohio State University](https://ohioseagrant.osu.edu/research/live/water) (<https://ohioseagrant.osu.edu/research/live/water>)

- Heidelberg University, [National Center for Water Quality Research](https://ncwqr.org/) (<https://ncwqr.org/>)

For safety information on these blooms, visit the [Ohio EPA website](http://epa.ohio.gov/habalgae.aspx) (<http://epa.ohio.gov/habalgae.aspx>).

About NCCOS

NCCOS delivers ecosystem science solutions for stewardship of the nation’s ocean and coastal resources to sustain thriving coastal communities and economies.

Quick Links

- > [NCCOS Strategic Plan \(PDF\)](#)
- > [NCCOS Accomplishments \(PDF\)](#)
- > [NCCOS Organizational Chart \(PDF\)](#)
- > [NCCOS Staff Biographies \(/about/staff/\)](/about/staff/)
- > [For Employees \(https://sites.google.com/a/noaa.gov/nccos-for-employees/home\)](https://sites.google.com/a/noaa.gov/nccos-for-employees/home)

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EXHIBIT 3



International Joint Commission (/en)
(/en)

Great Lakes Water
Quality Agreement
(/en/who/mission/glwqa)

Annex 1 - Areas of
Concern
(/en/who/mission/glwqa/

Annex 2 - Lakewide
Management
(/en/who/mission/glwqa/

Annex 3 - Chemicals
of Mutual Concern
(/en/who/mission/glwqa/

Annex 4 - Nutrients
(/en/who/mission/glwqa/

Annex 5 -
Discharges from
Vessels
(/en/who/mission/glwqa/

Annex 4 - Nutrients

A. Purpose

The purpose of this Annex is to contribute to the achievement of the General and Specific Objectives of this Agreement by coordinating binational actions to manage phosphorus concentrations and loadings, and other nutrients if warranted, in the Waters of the Great Lakes.

B. Lake Ecosystem Objectives

To achieve the purpose of this Annex and pursuant to Article 3(1)(b)(i), the Parties hereby adopt Lake Ecosystem Objectives related to nutrients, including:

1. minimize the extent of hypoxic zones in the Waters of the Great Lakes associated with excessive phosphorus loading, with particular emphasis on Lake Erie;
2. maintain the levels of algal biomass below the level constituting a nuisance condition;
3. maintain algal species consistent with healthy aquatic ecosystems in the nearshore Waters of the Great Lakes;

Annex 6 - Aquatic
Invasive Species
(/en/who/mission/glwqa/

Annex 7 - Habitat
and Species
(/en/who/mission/glwqa/

Annex 8 -
Groundwater
(/en/who/mission/glwqa/

Annex 9 - Climate
Change Impacts
(/en/who/mission/glwqa/

Annex 10 - Science
(/en/who/mission/glwqa/

4. maintain cyanobacteria biomass at levels that do not produce concentrations of toxins that pose a threat to human or ecosystem health in the Waters of the Great Lakes;
5. maintain an oligotrophic state, relative algal biomass, and algal species consistent with healthy aquatic ecosystems, in the open waters of Lakes Superior, Michigan, Huron and Ontario; and
6. maintain mesotrophic conditions in the open waters of the western and central basins of Lake Erie, and oligotrophic conditions in the eastern basin of Lake Erie.

C. Substance Objectives

To achieve Lake Ecosystem Objectives, the Parties deem it essential to establish Substance Objectives, in accordance with Article 3(1)(b)(ii), for phosphorus concentrations for the open waters and nearshore areas of each Great Lake. To achieve these Substance Objectives for phosphorus concentrations, the Parties shall develop phosphorus loading targets and allocations for each Party for each Great Lake, as required.

The Parties shall retain the following Substance Objectives on an interim basis for phosphorus concentration in the open Waters of the Great Lakes until updated:

Interim Substance Objectives for Total Phosphorus Concentration in Open Waters (ug/l) (as represented by Spring means)

Lake Superior	5
Lake Huron	5
Lake Michigan	7

Lake Erie (western basin)	15
Lake Erie (central basin)	10
Lake Erie (eastern basin)	10
Lake Ontario	10

To help achieve these Substance Objectives, the Parties shall use the following phosphorus loading targets for the Waters of the Great Lakes on an interim basis until the loading targets are updated:

Interim Phosphorus Load Targets (Metric Tonnes Total P Per Year)	
Lake Superior	3400
Lake Michigan	5600
Main Lake Huron	2800
Georgian Bay	600
North Channel	520
Saginaw Bay	440
Lake Erie	11000
Lake Ontario	7000

The Parties, in cooperation and consultation with State and Provincial Governments, Tribal Governments, First Nations, Métis, Municipal Governments, watershed management agencies, other local public agencies, and the Public, shall:

1. for the open Waters of the Great Lakes:

- (a) review the interim Substance Objectives for phosphorus concentrations for each Great Lake to assess adequacy for the purpose of meeting Lake Ecosystem Objectives, and revise as necessary;
- (b) review and update the phosphorus loading targets for each Great Lake; and
- (c) determine appropriate phosphorus loading allocations, apportioned by country, necessary to achieve Substance Objectives for phosphorus concentrations for each Great Lake;

2. for the nearshore Waters of the Great Lakes:

- (a) develop Substance Objectives for phosphorous concentrations for nearshore waters, including embayments and tributary discharge for each Great Lake; and
- (b) establish load reduction targets for priority watersheds that have a significant localized impact on the Waters of the Great Lakes.

In establishing Substance Objectives for phosphorus concentrations and phosphorus loading targets, the Parties shall take into account the bioavailability of various forms of phosphorus, related productivity, seasonality, fisheries productivity requirements, climate change, invasive species, and other factors, such as downstream impacts, as necessary.

The Parties shall complete this work for Lake Erie within three years of entry into force of this Agreement and complete this work for the other Great Lakes on a schedule to be determined by the Parties.

The Parties shall periodically review the Substance Objectives for phosphorus concentrations, phosphorus loading targets, and phosphorus loading allocations, apportioned by country to ensure that Lake Ecosystem Objectives are met.

The Parties shall establish Substance Objectives, loading targets and loading allocations for other nutrients apportioned by country, as required, to control the growth of nuisance and toxic algae to achieve Lake Ecosystem Objectives.

D. Programs and Other Measures

The Parties, in cooperation and consultation with State and Provincial Governments, Tribal Governments, First Nations, Métis, Municipal Governments, watershed management agencies, other local public agencies, and the Public, shall develop and implement the following programs and other measures to achieve the Lake Ecosystem and Substance Objectives for phosphorus concentrations, loading targets, and loading allocations apportioned by country, established pursuant to this Annex:

1. the Parties shall assess and, where necessary, develop and implement regulatory and non-regulatory programs to reduce phosphorus loading from urban sources including:
 - (a) programs to prevent further degradation of the Waters of the Great Lakes from wastewater treatment plants located in the Great Lakes basin;
 - (b) programs to optimize existing wastewater treatment facilities;
 - (c) programs to ensure that construction and operation of municipal wastewater treatment facilities that discharge one million liquid gallons or more per day achieve a maximum effluent concentration of 1.0 milligram per litre total phosphorus for plants in the basins of Lakes Superior, Michigan, and Huron, and of 0.5 milligram per litre total phosphorus for plants in the basins of Lakes Ontario and Erie;
 - (d) more stringent restrictions on phosphorus discharges from wastewater treatment plants may be considered as action plans are developed and implemented; and

(e) new approaches and technologies for the reduction of phosphorus from wastewater, storm water discharge, and other urban sources;

2. the Parties shall develop and implement regulatory and non-regulatory programs to reduce phosphorus loading from industrial discharges, and continue to develop and implement new technologies, as necessary;

3. the Parties shall assess and, where necessary, develop and implement regulatory and non-regulatory programs to reduce phosphorus loading from agricultural and rural non-farm point and non-point sources including:

(a) programs to assess the effectiveness of current phosphorus management options including best management practices; and

(b) programs to support the ongoing development and implementation of new approaches and technologies for the reduction of phosphorus from agricultural and rural non-farm sources;

4. the Parties shall take appropriate measures to reduce phosphorus in household laundry and dishwashing detergents and household cleaners to 0.5 percent by weight, where necessary to meet the Substance Objectives for phosphorus concentrations, loading targets, and loading allocations apportioned by country to be developed pursuant to this Annex;

5. the Parties shall evaluate programs and practices to manage phosphorus inputs;

6. the Parties shall develop for Lake Erie, within five years of entry into force of this Agreement and for other Great Lakes as required, phosphorus reduction strategies and domestic action plans to meet Substance Objectives for phosphorus concentrations, loading targets, and loading allocations apportioned by country, developed pursuant to this Annex. These strategies and action plans shall include:

(a) assessment of environmental conditions;

- (b) identification of priorities for binational research and monitoring; and
- (c) identification of priorities for implementation of measures to manage phosphorous loading to the Waters of the Great Lakes;

7. the Parties shall identify watersheds that are a priority for nutrient control, and shall develop and implement management plans, including phosphorus load reduction targets and controls, for these watersheds, as appropriate.

E. Science

The Parties, in cooperation and consultation with State and Provincial Governments, Tribal Governments, First Nations, Métis, Municipal Governments, watershed management agencies, other local public agencies, and the Public, shall undertake the necessary research, monitoring and modeling to establish, report and assess Substance Objectives for phosphorus concentrations, loading targets, and loading allocations apportioned by country for the management of phosphorus and other nutrients, as required, and to further the understanding of issues such as:

1. nutrient distribution and movement within the Great Lakes;
2. the causes of toxic algal blooms and nuisance algal blooms;
3. phosphorus sources and forms;
4. nutrient conditions and biological responses in the Great Lakes;
5. adverse effects from excessive inputs of phosphorus;
6. the influence of climate change on nutrient inputs to the Waters of the Great Lakes and the formation of algae and other emerging issues related to nutrients;

7. non-point source phosphorus control methods;
8. the use of objectives and targets based on soluble reactive phosphorus (or bioavailable phosphorus), or use of surrogate measures; and
9. improved technologies and management practices.

The Parties shall do the following to maximize the effectiveness of the scientific activities referred to in this Annex:

1. establish and regularly review and revise binational priorities for nutrient science; and
2. collect and share binational monitoring data and other scientific information related to nutrients in the Waters of the Great Lakes.

F. Reporting

The Parties shall report on progress toward implementation of this Annex every three years through the Progress Report of the Parties. This report shall document:

1. Lake Ecosystem Objectives and Substance Objectives;
2. implementation of the binational strategies and domestic action plans;
3. changes in phosphorus loading and concentrations; and
4. progress toward achievement of the Substance Objectives for phosphorus concentrations, loading targets and loading allocations apportioned by country, established under to this Annex.

[◀ Annex 3 - Chemicals ... \(/en/who/mission/glwqa/annex3\)](/en/who/mission/glwqa/annex3)

[Up \(/en/who/mission/glwqa\)](/en/who/mission/glwqa)

[Annex 5 - Discharges... ▶ \(/en/who/mission/glwqa/annex5\)](/en/who/mission/glwqa/annex5)

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EXHIBIT 4

KNOW YOUR ENVIRONMENT. PROTECT YOUR
HEALTH.



EWG analysis: In the Western Lake Erie Basin, newly identified animal feeding operation hot spots produce excess manure, threatening waterways and human health

By **Ethan Bahe** (</who-we-are/our-team/ethan-bahe>) (EWG), **Anne Schechinger** (</news-insights/our-experts/anne-schechinger>) (EWG), Sarah Porter (Formerly EWG)

JULY 28, 2022



Jump to:

[Methodology \(/wlea\]gaemethods?auHash=91t9EtKDxcYiAfz9Taj3h6hxnQAOpCRlFu9sglMJUzw\)](https://www.ewg.org/research/ewg-analysis-western-lake-erie-basin-newly-identified-animal-feeding-operation-hot-spots)

A new EWG analysis has identified and mapped more than 2,500 animal feeding operations in the Western Lake Erie Basin, a **watershed** ([https://www.epa.gov/urbanwaterspartners/urban-waters-and-western-lake-erie-basin-near-toledo-ohio#:~:text=Western%20Lake%20Erie%20Basin%20\(WLEB,water%20source%20for%20the%20WLEB,](https://www.epa.gov/urbanwaterspartners/urban-waters-and-western-lake-erie-basin-near-toledo-ohio#:~:text=Western%20Lake%20Erie%20Basin%20(WLEB,water%20source%20for%20the%20WLEB,)) encompassing nearly 6 million acres in Indiana, Michigan and Ohio that drains into Lake Erie, which has a well-known toxic algae bloom every summer. These facilities house about 400,000 cows, 1.8 million hogs and nearly 24 million chickens and turkeys.

Until now, no one has known where all the facilities in the basin are located or what's happening to the massive amounts of manure the animals produce. That's because states and the federal government only track the largest factory farms, which are called confined animal feeding operations, or CAFOs, and require a permit to be built.

Operations whose size falls below a certain threshold are not required to get state or federal permits, and once they're up and running, their owners don't need to account for the waste the animals produce – or where it goes.

We found over 2,200 unpermitted facilities in the Western Lake Erie Basin – 90 percent of all animal operations in the watershed. And though these operations are smaller than permitted CAFOs, collectively they produce most manure in the basin.

The most common way to dispose of livestock manure is to apply it to cropland as a fertilizer, typically with commercial fertilizer. The manure is largely managed in a liquid form – a combination of feces, urine and water – so it is heavy and costly to transport. That means manure is **usually applied** (<https://www.sciencedirect.com/science/article/abs/pii/S0380133019301765>) to fields close to where it is produced, most often within a few miles.

EWG's report and map pinpoint hot spots in the Western Lake Erie Basin with high densities of animal agriculture operations, from small to large facilities. Our calculations show that, in several of these places, there is likely not enough cropland near operations to absorb the massive amounts of nutrients – primarily nitrogen and phosphorus – in the manure all these animals produce. So some of the algae-bloom-feeding phosphorus that manure contains is almost certainly running off farm fields and into nearby waterways.

This report builds on our groundbreaking [2019 report](https://www.ewg.org/interactive-maps/2019_maumee/), spotlighting how manure from mostly unregulated animal feeding operations in the Maumee River Basin contributes significantly to pollution in the Maumee River and western Lake Erie. By extending our analysis to the entire Western Lake Erie Basin, including a 5-mile buffer, the new report provides a more complete picture of the livestock facilities whose manure contributes phosphorus to Lake Erie.

EWG's report and maps vividly illustrate how thousands of permitted and unpermitted animal feeding operations are contributing to water pollution issues in Lake Erie and beyond. And by shining a light on hot spots where facilities are particularly dense, we're hoping to help state agencies in Indiana, Michigan and Ohio determine where to focus efforts to better track and manage these facilities and the enormous quantities of manure they produce and apply to crops.

Animal facility hot spots threaten human health and water quality

Many of the basin's animal agriculture hot spots are miles away from Lake Erie, but nutrient runoff from crop

bloom and posing a risk to the millions of people who rely on Lake Erie as a source for drinking water and recreation. The risk of runoff **increases during severe storm events** (<https://spectrumnews1.com/oh/columbus/news/2021/10/01/-warmer-climate--severe-weather-events-disrupt-weather-patterns--farming--sewage-systems>), which will happen with increasing frequency as the climate crisis accelerates.

Other algae blooms within the Western Lake Erie Basin are also fed by agricultural runoff. EWG's map shows that the area near Grand Lake St. Marys, Ohio, is an animal feeding operation hot spot. The lake has had toxic algae blooms for many years, and **this year** (<https://www.dailystandard.com/archive/2022-05-20/stories/45343/state-issues-no-contact-advisory-for-grand-lake>) a bloom had already appeared in May.

Toxic algae is not the only problem caused by excess manure and fertilizer. Polluted runoff containing nitrate gets into **drinking water** (<https://www.ewg.org/interactive-maps/2020-nitrate-pollution-of-drinking-water-for-more-than-20-million-americans-is-getting-worse/>), leading to public health problems. Animal manure contains fecal coliform bacteria like E. coli, which can cause gastrointestinal sicknesses when it gets into drinking water in **private wells** (<https://www.ewg.org/interactive-maps/2019-iowa-wells/>). And livestock facilities also emit air pollutants such as hydrogen sulfide, ammonia and particulate matter that cause health problems like **respiratory issues** (https://www.cdc.gov/nceh/ehs/docs/understanding_cafos_nalboh.pdf) in nearby communities.

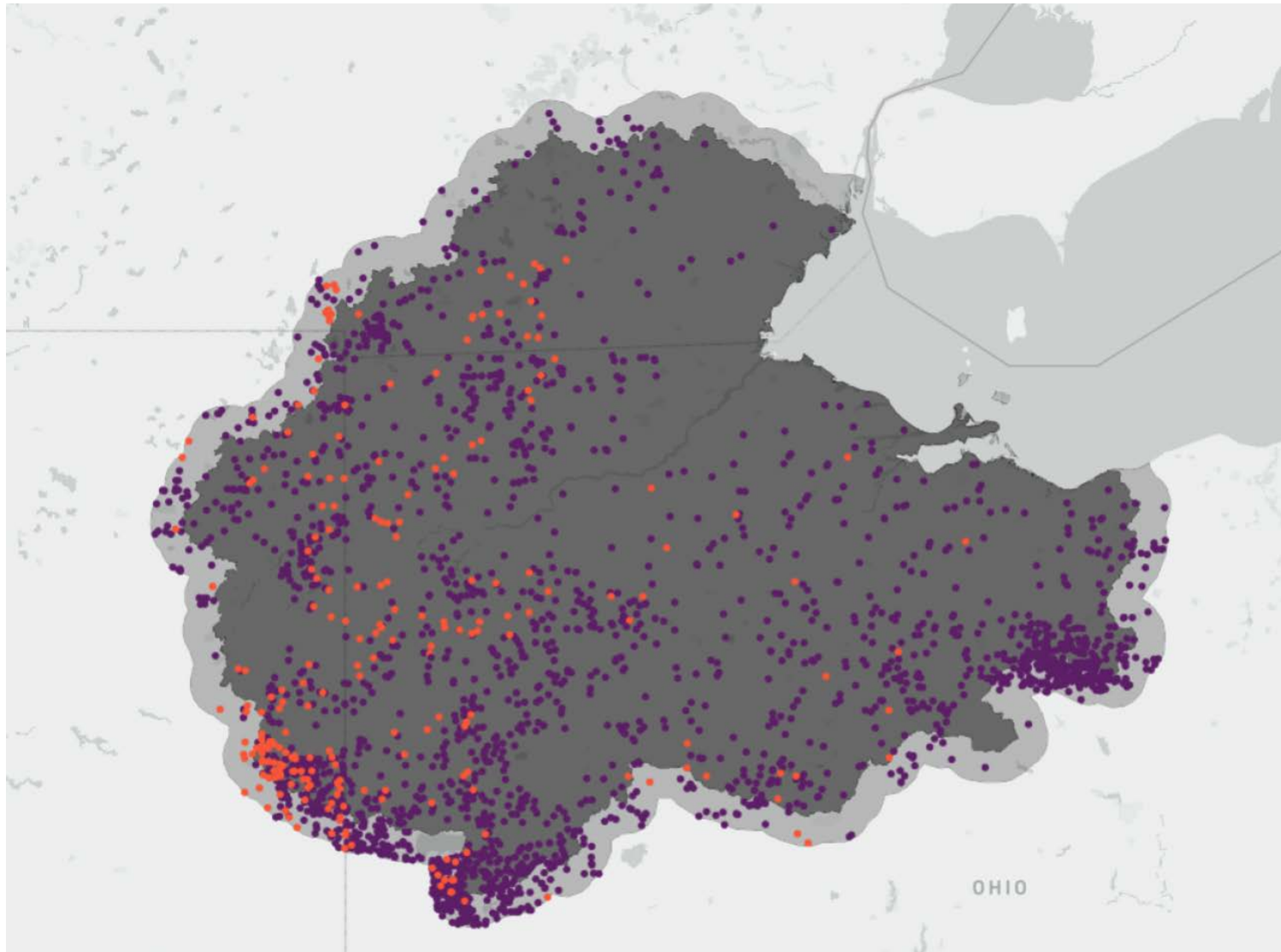
These problems are well known: The American Public Health Association **issued a statement** (<https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2020/01/13/precautionary-moratorium-on-new-and-expanding-concentrated-animal-feeding-operations>) in 2019 urging a halt to all new or expanding factory farms due to the damage they inflict on public health.

Regulators do not track most animal operations in the Western Lake Erie Basin

For this report, we expanded our spatial footprint to the entire 11,870-square-mile Western Lake Erie Basin, scouring aerial photography from the Department of Agriculture's National Agriculture Imagery Program (<https://www.fsa.usda.gov/programs-and-services/aerial-photography/imagery-programs/naip-imagery/>) to find unpermitted operations and using state records for permitted facilities.

Manure from both permitted and unpermitted facilities is applied to cropland as a fertilizer. Since manure is expensive to transport, most is applied to cropland within (<https://www.sciencedirect.com/science/article/abs/pii/S0380133019301765>) 5 miles of animal feeding operations. So manure applied in the basin may be produced just outside of it. That's why we included animal operations and cropland within 5 miles of the watershed's border.

In total, EWG identified 2,519 total animal feeding operations, in and just outside the Western Lake Erie Basin, with about 400,000 cows, 1.8 million hogs and nearly 24 million poultry (chickens and turkeys).



FEATURED MAP

Interactive map: Locations of animal feeding operations in the Western Lake Erie Basin

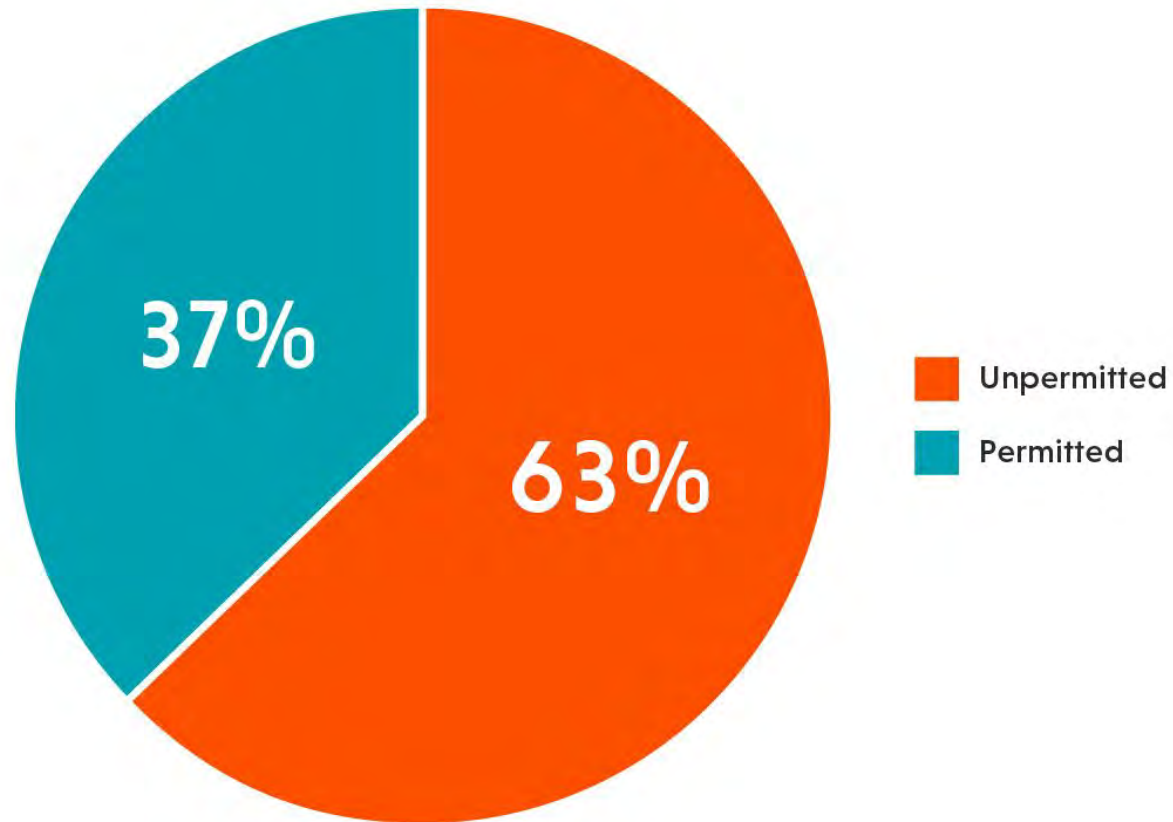
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This map shows the locations of animal feeding operations in the Western Lake Erie Basin, and within a 5-mile buffer of the basin.

[CLICK HERE \(HTTPS://WWW.EWG.ORG/INTERACTIVE-MAPS/2022-AFOS-IN-WESTERN-LAKE-ERIE-BASIN/MAP/\)](https://www.ewg.org/interactive-maps/2022-afos-in-western-lake-erie-basin/map/)

A total of 240 CAFOs were found to have permits from their respective states. Although permitted operations make up less than 10 percent of animal facilities, they account for 37 percent of the total phosphorus from manure produced in the basin.

The other 90 percent, or 2,279 operations, are unpermitted, and account for 63 percent of the manure phosphorus produced. State agencies have little to no information about these operations.



Source: EWG via NAIP aerial photography, ODA, EGLE, IDEM and Midwest Plan Service.

Indiana has the highest percentage of permitted operations, 22 percent, because the state requires smaller facilities to have permits. Department rules prevent operations and permits in Michigan and just prevent

Of the 2,519 permitted and unpermitted animal feeding operations, over half – 59 percent – house either dairy or beef cows. Two-thirds of these operations are considered small, housing fewer than 200 cows.

Just 11 percent of cattle operations are considered large, housing more than 500 cows, but these operations, mostly large dairies, account for over one-third of total phosphorus from manure. Beef and dairy cows from operations of all sizes account for 56 percent of the phosphorus from manure applied to crop fields in the study area.

Hogs generate the next highest amount of manure phosphorus applied to crop fields, with 30 percent of the total. Poultry operations accounted for the least amount, at 14 percent, but these numbers are on the rise. EWG found that swine and poultry facilities had the **largest growth in new operations** ([https://www.ewg.org/interactive-maps/2019_maumee/#:~:text=Manure%20production%20in%20the%20Maumee,in%202018%20\(Table%206\),](https://www.ewg.org/interactive-maps/2019_maumee/#:~:text=Manure%20production%20in%20the%20Maumee,in%202018%20(Table%206),)) in the Maumee River basin between 2005 and 2018.

Phosphorus is likely overapplied to fields in animal facility hot spots

EWG quantified the amount of manure produced by all animal feeding operations and mapped the likely locations of manure application to crop fields in and just outside the Western Lake Erie Basin.

For permitted operations, we relied on state records. For unpermitted operations, we used animal agriculture industry standards to analyze the footprint of each operation we found in aerial imagery and estimate the total number of animals housed and the amount of phosphorus-rich manure produced.

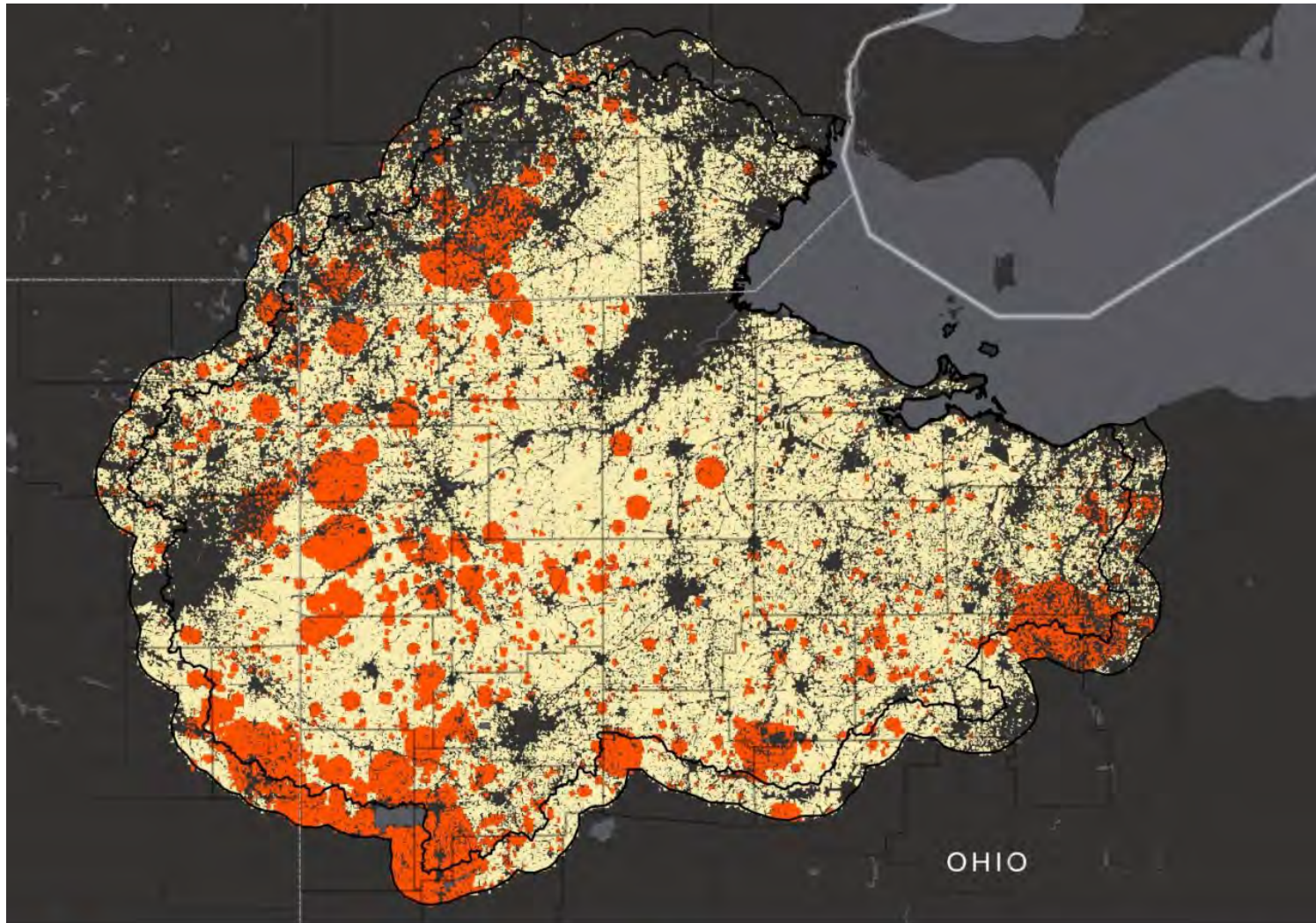
Crops take up phosphorus from the soil as they grow. The phosphorus is then removed from the system when the crops are harvested. EWG found that every year, an estimated 31,178 tons of phosphorus from manure is produced by all the livestock operations and applied to cropland within and just beyond the borders of the Western Lake Erie Basin.

EWG modeled manure application to over 200,000 crop fields to meet the phosphorus removal capacity of crops grown over the course of their rotation from 2015 through 2020. (See Methodology for more information.)

The total amount of phosphorus produced by animal feeding operations accounts for about 23 percent of the total amount of phosphorus removed by the nearly 6 million acres of cropland each year. This means that crops remove more phosphorus than is applied in manure each year, but localized areas of manure overapplication lead to phosphorus runoff.

The analysis revealed several distinct spatial areas where the risk of overapplication of manure phosphorus is high because of the density of animal feeding operations in these hot spots and inadequate cropland available for manure application. EWG found 116 animal feeding operations whose owners would need to go farther than 3 miles to find a field available for manure spreading without phosphorus overapplication, and 55 operations whose owners would need to go farther than 5 miles.

Manure potentially applied to crop fields surrounding animal feeding operations within the WLEB and a five-mile border



■ Manure applied to meet phosphorus recommendations ■ Eligible cropland — Western Lake Erie Basin and 5-mile buffer

Source: EWG via NAIP aerial photography, ODA, EGLE, IDEM and Midwest Plan Service.

When assessing the availability of land for manure spreading by watershed, in 12 percent of subwatersheds, or 50 of 428, at least half the cropland in the subwatershed was required to avoid manure phosphorus overapplication between 2015 and 2020. In nine watersheds, more than 90 percent of the cropland was required. The most distinct of these livestock operation hot spots are located near the outer edges of the WLEB. In some areas, EWG found little risk of overapplication from manure.

Crops don't just get phosphorus from manure. Commercial fertilizer containing phosphorus is also applied to farm fields. According to county-level estimates of phosphorus from commercial fertilizer from a [2021 U.S. Geographical Survey report](https://pubs.er.usgs.gov/publication/ofr20201153) (<https://pubs.er.usgs.gov/publication/ofr20201153>), an estimated 94,065 tons of commercial phosphorus were sold in the study area in 2017. This means there is an even greater risk of overapplication of nutrients than that posed by manure alone.

What should be done

Regulated operations must go through a comprehensive analysis of nutrient inputs, but with two-thirds of manure phosphorus currently coming from unregulated facilities, not enough is being done to understand and manage the amount of manure being produced from all animal operations in and just outside the basin.

States must assess the amount of manure being produced by animal operations and the capacity of available land areas to handle an increasing manure nutrient load. Our analysis reveals a high level of spatial variability as well

Important tactics for operations of all sizes to use to prevent nutrient runoff include better management of manure waste, sufficient space for grazing animals, prevention of livestock getting into streams and application of manure at recommended rates and timing.

Additionally, farmers in animal feeding operation hot spots should implement conservation practices on crop fields that are most likely to experience phosphorus runoff. For example, the Michigan Department of Environment, Great Lakes, and Energy and the Michigan Department of Agriculture and Rural Development are working with farmers in the Western Lake Erie Basin to get targeted conservation practices on farm fields in the areas where they would have the biggest impact on reducing phosphorus runoff. More such programs should be implemented and prioritized by the basin states.

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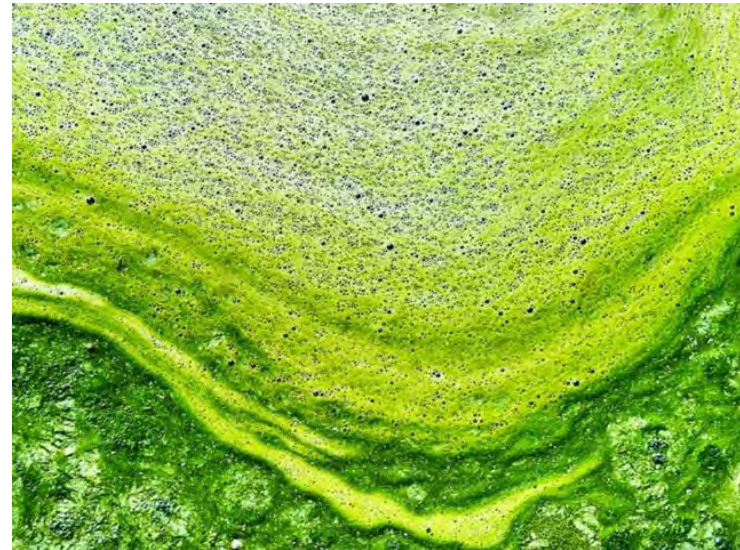
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EXHIBIT 5

KNOW YOUR ENVIRONMENT. PROTECT YOUR
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Manure From Unregulated Factory Farms Fuels Lake Erie's Toxic Algae Blooms

By Donald Carr (EWG)

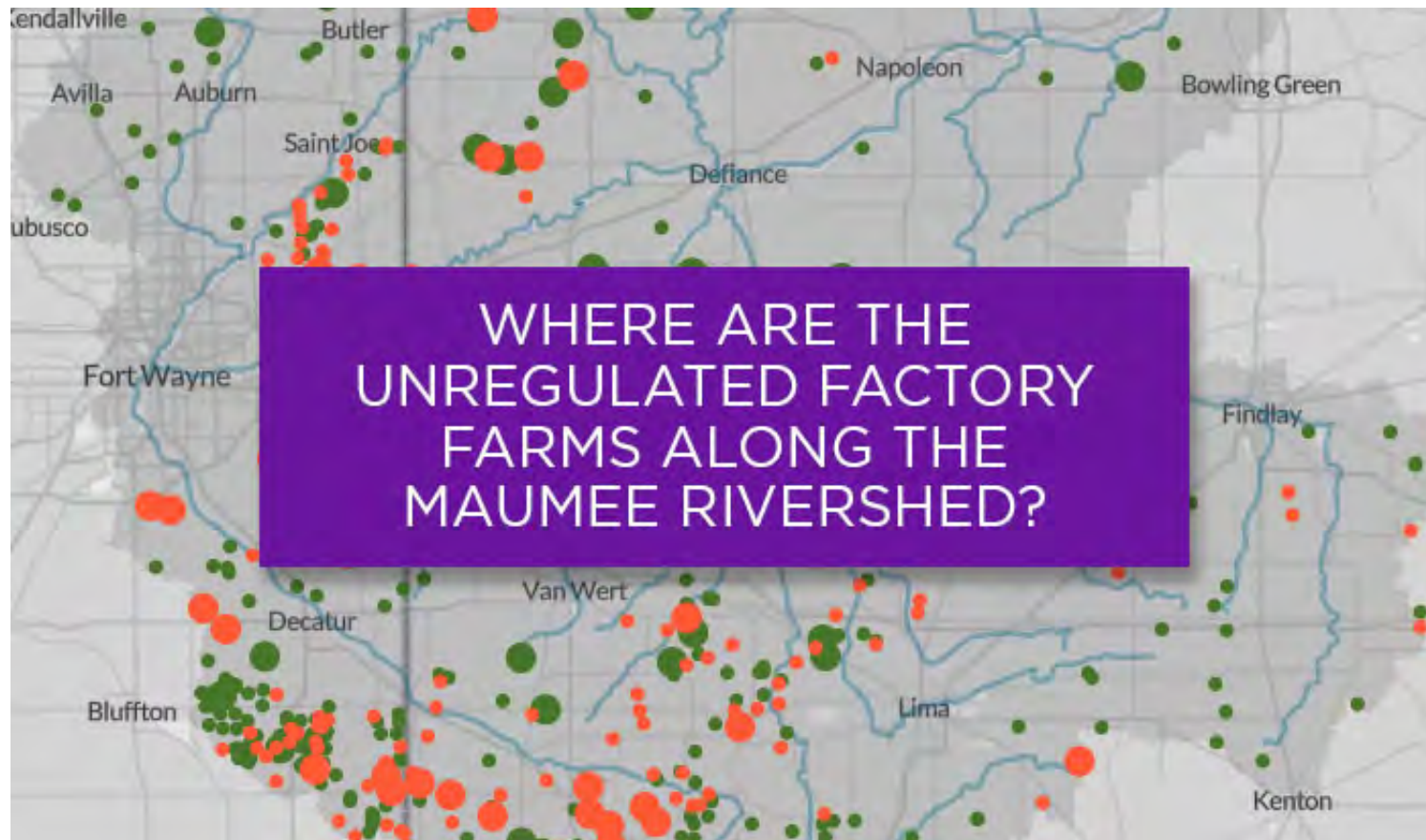
APRIL 9, 2019



Across America, outbreaks of toxic algae, triggered by polluted farm runoff, are increasing in frequency and severity, fouling drinking water with dangerous toxins. In 2014, [an algae outbreak in Lake Erie](https://www.youtube.com/watch?v=LqXKWT9cyOk) contaminated the tap water for 500,000 people in and around Toledo, Ohio, rendering it unsafe to drink for three days.

Lake Erie is fed by the Maumee River, whose vast watershed includes hundreds of factory farms with hogs, cattle and poultry that produce millions of pounds of manure annually. Manure is rich in phosphorus, which feeds the algae blooms that infest the lake each year. But there has been scant verifiable information about how much the manure from factory farms is to blame for the pollution pouring into Lake Erie – until now.

An EWG and Environmental Law & Policy Center investigation used **[aerial imaging and satellite mapping](https://www.ewg.org/interactive-maps/2019_maumee/)** (https://www.ewg.org/interactive-maps/2019_maumee/) to show that from 2005 to 2018, the number of animal factory farms in the Maumee watershed increased by more than 40 percent. The amount of manure from these farms increased from 3.9 million tons in 2005 to 5.5 million tons in 2018. And shockingly, most of the manure comes from factory farms that lack state permits and are therefore immune to regulation.



(https://www.ewg.org/interactive-maps/2019_maumee/)

The vast majority of the Maumee watershed is in Ohio. EWG and ELPC's investigation found that well over half of the manure polluting the Ohio portion of the watershed comes from unregulated factory farms. Almost 80

In Ohio, animal feeding operations don't need a permit unless they confine more than 2,500 hogs weighing more than 55 pounds, or 10,000 hogs weighing less than 55 pounds. Operators who want to avoid regulation can simply keep the number of animals on each farm just below the threshold.

Absent a permit, we know nothing about an animal feeding operation except what can be gleaned from aerial imagery. Even state officials admit they're in the dark. The minutes of a June 2017 meeting of the state's

Concentrated Animal Feeding Advisory Committee (<https://agri.ohio.gov/wps/portal/gov/oda/divisions/livestock-environmental-permitting/resources/caff-advisory-landing-page>) reported that “[I]t is a huge challenge to really know what is out there in regards to medium-sized animal feeding facilities.”



For more than a decade, **scientists have warned** (http://blog.cleveland.com/metro/2010/08/scientists_say_the_toxic_blue.html) that the deluge of animal waste flowing from the Maumee would make algae outbreaks in Lake Erie worse. State officials have repeatedly vowed to clean up the runoff – most notably after the Toledo crisis – but the plague has continued, because of the undue political influence of Ohio's huge agriculture industry.

Ag interests have blocked progress with aggressive lobbying and public relations spin that have traded on farming's bucolic image to head off regulation, including the collection of reliable data. As **Toledo Mayor Wade Kapszukiewicz** (<https://www.toledoblade.com/local/2018/05/02/Kapszukiewicz-goes-after-Farm-Bureau-and-legislature-at-algae-conference.html>), said last year: “We live in a state where our legislature is a wholly owned subsidiary of the farm bureau.”

For most of his two terms, former Ohio Gov. John Kasich embraced the fallacy that voluntary conservation efforts could measurably lessen pollution of the lake. In 2018, in his administration's waning days, he **declared eight watersheds in the western basin of Lake Erie in distress**, (<http://www.presspublications.com/21593-kasich-designates-eight-watersheds-in-distress-in-western-basin-of-lake-erie>), directing state agencies to draft rules for managing phosphorous from manure and chemical fertilizers. But agricultural interests stymied the proposal.

Kasich's successor, Gov. Mike DeWine, is now avoiding meaningful action by proposing an “H2Ohio” fund to be used for water protection. Another voluntary measure, the proposal amounts to loading taxpayer money into a cannon and shooting it out over the lake in the hope that some will land on a farmer willing to stop nutrient runoff.

- “Unfortunately, we also already know that voluntary pollution control does not work. The challenge is going to be for Mr. DeWine to stand up – stand up to the agriculture lobby in Columbus.” ([The Toledo Blade](https://www.toledoblade.com/opinion/editorials/2019/03/19/save-lake-erie-pollution-governor-mike-dewine/stories/20190315147), <https://www.toledoblade.com/opinion/editorials/2019/03/19/save-lake-erie-pollution-governor-mike-dewine/stories/20190315147>, March 19.)
- “Anything less than a full-court press by the DeWine administration on the Maumee’s pollution, to rein in those special interests who think the common property of all Ohioans should be one industry’s private sewer, would be unacceptable.” ([The Cleveland Plain Dealer](https://www.cleveland.com/opinion/2019/03/gov-mike-dewine-wants-to-keep-lake-erie-a-jewel-good-but-more-than-just-an-h2o-fund-is-needed-editorial.html), <https://www.cleveland.com/opinion/2019/03/gov-mike-dewine-wants-to-keep-lake-erie-a-jewel-good-but-more-than-just-an-h2o-fund-is-needed-editorial.html>, March 22.)

Out of desperation, in February Toledo held a [special election](https://www.csmonitor.com/Environment/2019/0321/Can-a-lake-have-rights-Toledo-votes-yes) to confer on Lake Erie the legal rights “to exist, flourish, and naturally evolve.” The Lake Erie Bill of Rights would give any resident of Toledo legal standing to file suit on behalf of the lake. A member of the grassroots group who campaigned for the measure – a mother who was in the hospital giving birth during the 2014 algae crisis – said: “We can’t rely on the [Environmental Protection Agency] to do anything at this point.”

The Ohio Farm Bureau wasted no time in striking back. A day after the referendum passed, a Farm Bureau member filed a lawsuit challenging the constitutionality and legal status of the Lake Erie Bill of Rights. The Farm Bureau immediately pledged its full support of the lawsuit.

The Farm Bureau is trying to perpetuate the myth that manure from factory farms plays only a limited role in feeding the annual algae outbreak. [EWG and ELPC’s investigation](https://www.ewg.org/interactive-maps/2019_maumee/) proves otherwise. Application of commercial chemical fertilizers in the Maumee basin have declined since the 1980s, and the

acreage planted in row crops has been relatively unchanged. But the phosphorous load from manure has increased by two-thirds.

What's the solution?

Madeline Fleisher, senior attorney for the Midwest-based nonprofit [Environmental Law and Policy Center](http://elpc.org/) (<http://elpc.org/>) in Ohio, says the crucial first step is to develop a legal limit under the Clean Water Act, called a Total Maximum Daily Load, for the amount of phosphorus allowed to enter Lake Erie, rather than continuing to pursue ineffective voluntary approaches. This would provide a framework for targeted reductions of manure and commercial fertilizer and provide an enforcement mechanism, especially combined with an effort to require more industrial animal farms to obtain Clean Water Act permits for their manure discharges.

For more information about our findings [click here](https://www.ewg.org/maumeemethodology) (<https://www.ewg.org/maumeemethodology>).

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EXHIBIT 6

Appendix 4. Individual NPDES Wasteload Allocations

This appendix presents the wasteload allocations the individually permitted facilities within this TMDL project. Table A4.1 shows the wasteload allocations for the regular effluent discharge of the NPDES permits that are in the grouped load category for consideration of a general permit. Table A4.2 shows the remainder of the discharging facilities wasteload allocations. Note that the wasteload allocations on those first two tables does not include the combined sewage overflows for communities with CSOs. Table A4.3 presents the combined sewer overflow wasteload allocations.

At the end of this appendix is an analysis of the load discharged in recent years from the facilities in the proposed grouped load category.

Table A4.1. Wasteload allocations for individual discharging NPDES permits in the grouped load category.

Permit #	Facility Name	Spring season total phosphorus (metric tons)	Daily* total phosphorus (kg)
Proposed grouped load		64.1	418.8
2PF00000	Toledo Bay View Park WWTP	27.9	182.1
2PK00000	Lucas Co WRRF	4.8	31.5
2PE00000	Lima WWTP	4.0	25.9
2PD00008	Findlay WPCF	3.2	21.0
2PD00002	Perrysburg WWTP	2.0	13.0
2PD00013	Defiance WWTP	1.5	9.8
2PD00019	Wapakoneta WWTP	1.5	9.8
2PD00006	Van Wert WWTP	1.0	6.5
2PD00029	Delphos WWTP	1.0	6.2
2PD00018	Bryan WWTP	0.77	5.1
2PD00026	St Marys City WWTP	0.75	4.9
2PD00028	Ottawa WWTP	0.75	4.9
2PK00002	Shawnee No 2 WWTP	0.75	4.9
2PD00000	Napoleon WWTP	0.62	4.1
2PD00017	Archbold WWTP	0.62	4.1
2PB00050	Ada WWTP	0.50	3.3
2PC00005	Bluffton WWTP	0.47	3.1
2PB00040	Leipsic WWTP	0.37	2.4
2PD00016	Wauseon WWTP	0.37	2.4
2PH00007	American-Bath WWTP	0.37	2.4
2PH00006	American No 2 WWTP	0.30	2.0
2PD00003	Montpelier WWTP	0.25	1.6
2PB00025	Swanton WRRF	0.39	2.5
2PB00042	Hicksville WWTP	0.40	2.6
2PB00034	New Bremen WWTP	0.38	2.5
2PC00004	Columbus Grove WWTP	0.35	2.3
2PB00048	Cridersville WWTP	0.34	2.2
2PB00046	Elida WWTP	0.34	2.2
2PB00003	Delta WWTP	0.31	2.0

Permit #	Facility Name	Spring season total phosphorus (metric tons)	Daily* total phosphorus (kg)
2PD00027	Paulding WWTP	0.30	2.0
2ID00018	Toledo HBI Facility	0.43	2.8
2IF00004	PCS Nitrogen Ohio LP	1.8	12.0
2IG00001	Lima Refinery	0.6	3.7**
2IH00021	Campbell Soup Supply	2.5	16.3
2IH00110	Cooper Farms Cooked Meats	0.12	0.81
2IK00002	G.A. Wintzer and Son Co	0.11	0.69
2IW00010	McDowell/Bowling Green	0.29	1.9
2IW00070	Delta WTP	0.18	1.2
2IW00190	Napoleon WTP	0.14	0.91

* The targets in this TMDL were developed by Annex 4 of the Great Lakes Water Quality Agreement which make it clear that the cumulative 'spring' (March-July) loading is what needs to be managed. The Clean Water Act, as interpreted by courts firmly establishes that TMDLs require an expression of daily load. The daily loads in this table are equivalent to the total springtime load (March – July) divided by the total number of days in the season (153 days). The total maximum daily load is not equivalent to a maximum daily limit as described in U.S. EPAs Technical Support Document for Water Quality-based Toxics Control (U.S. EPA, 1991). Ohio EPA has proposed the use of a general permits (see section 7.3.1.2) for developing permit limits consistent with the assumptions and WLAs in this table.

**The discharge from the Lima Refinery is operated as an intermittent discharge. Since daily loads were calculated by assuming the discharge occurs every day this fact should be considered, and daily maximum loading limits adjusted as needed if they are developed.

Table A4.2. Wasteload allocations for individual discharging NPDES permits not in the grouped load category.

Permit #	Facility Name	County	Spring season total phosphorus (metric tons)	Daily total phosphorus (kg)
2IN00004	General Motors LLC	Defiance	0.20	1.3
2ID00015	North Star BlueScope Steel LLC	Fulton	0.065	0.42
2ID00014	Worthington Industries Inc	Fulton	0.0082	0.054
2IF00008	Chemtrade Logistics Inc	Allen	0.034	0.22
2IC00024	Ohio Electro Polishing Co Inc	Van Wert	4.3E-04	0.0028
2IN00030	Pilkington North America Inc	Wood	0.0017	0.011
2IH00107	Spangler Candy Co	Williams	0.0066	0.043
2IH00113	Bunge North America East LLC	Van Wert	0.015	0.10
2IN00212	Koneta Rubber Co	Auglaize	0.0017	0.011
2IR00025	Federal Mogul Corp	Van Wert	0.061	0.40
2PA00002	Ottoville WWTP	Putnam	0.40	2.6
2PA00026	Haskins WWTP	Wood	0.23	1.5
2PA00029	Grand Rapids WWTP	Wood	0.053	0.35
2PA00031	Edon WWTP	Williams	0.15	1.0
2PA00047	Kalida STP	Putnam	0.42	2.7
2PA00049	LaFayette WWTP	Allen	0.083	0.54
2PB00005	Convoy WWTP	Van Wert	0.26	1.7
2PB00009	Stryker STP	Williams	0.29	1.9
2PB00011	Weston WWTP	Wood	0.35	2.3
2PB00021	West Unity STP	Williams	0.20	1.3
2PB00030	Ohio City WWTP	Van Wert	0.12	0.75
2PB00039	Liberty Center WWTP	Henry	0.37	2.4
2PC00000	Spencerville WWTP	Allen	0.21	1.4
2PG00119	DFGC Black LLC	Mercer	0.0037	0.024
2PA00017	Sherwood WWTP	Defiance	0.18	1.2
2PA00019	Payne WWTP	Paulding	0.12	0.78
2PA00023	Harrod WWTP	Allen	0.053	0.35
2PA00050	Arlington WWTP	Hancock	0.12	0.8
2PA00052	Fort Jennings WWTP	Putnam	0.0042	0.028
2PA00054	Uniopolis WWTP	Auglaize	0.026	0.17
2PA00056	McClure WWTP	Henry	0.12	0.77
2PA00058	Mendon WWTP	Mercer	0.15	1.0
2PA00059	New Knoxville STP	Auglaize	0.14	0.89
2PA00091	Florida WWTP	Henry	0.030	0.20
2PA00096	Jenera WWTP	Hancock	0.026	0.17
2PA00098	Malinta WWTP	Henry	0.030	0.20
2PA00099	Wharton WWTP	Wyandot	0.0027	0.018
2PA00103	Buckland WWTP	Auglaize	0.018	0.12

Permit #	Facility Name	County	Spring season total phosphorus (metric tons)	Daily total phosphorus (kg)
2PB00006	Pioneer WWTP	Williams	0.25	1.6
2PB00018	Beaverdam WWTP	Allen	0.042	0.28
2PB00024	Tontogany WWTP	Wood	0.084	0.55
2PB00041	Holgate WWTP	Henry	0.064	0.42
2PB00043	Hamler WWTP	Henry	0.073	0.48
2PB00044	Forest WWTP	Hardin	0.085	0.56
2PB00045	Fayette WWTP	Fulton	0.042	0.28
2PB00047	Edgerton WWTP	Williams	0.71	4.6
2PB00049	Continental WWTP	Putnam	0.049	0.32
2PB00061	Dunkirk WWTP	Hardin	0.040	0.26
2PC00002	Deshler WWTP	Henry	0.31	2.0
2PD00001	Rockford STP	Mercer	0.35	2.3
2PG00014	Pettisville WWTP	Fulton	0.090	0.59
2PG00046	Nettle Lake Area STP	Williams	0.028	0.18
2PH00018	Williams Co South Central SD	Williams	0.20	1.3
2PR00067	UMC Widewater Retreat and Ministry Ctr	Henry	0.0019	0.012
2PR00108	Exit One WWTP	Williams	0.0011	0.0071
2PR00272	Lazy River Campground	Williams	0.060	0.39
1PR00034	The Way International	Shelby	0.037	0.24
2PA00013	Willshire WWTP	Van Wert	0.12	0.80
2PA00022	Middle Point WWTP	Van Wert	0.11	0.69
2PA00033	Cecil WWTP	Paulding	0.015	0.10
2PA00073	Latty WWTP	Paulding	0.023	0.15
2PA00085	Grover Hill WWTP	Paulding	0.041	0.27
2PA00100	Westminster WWTP	Allen	0.027	0.17
2PA00105	Belmore Wastewater Improvements 2016	Putnam	0.015	0.096
2PG00013	Sherwood Forest Subdiv	Auglaize	0.016	0.10
2PG00038	Mast Estates WWTP	Allen	0.016	0.11
2PG00049	Middle Gordon Creek Subdiv WWTP	Defiance	0.0092	0.060
2PG00052	Evergreen Lane Office Complex	Defiance	7.7E-04	0.0050
2PG00055	Evansport WWTP	Defiance	0.055	0.36
2PG00067	Norlick Place WWTP	Williams	0.046	0.30
2PG00073	Beverly Hills Subdiv	Auglaize	0.017	0.11
2PG00083	Country Acres Golf Club	Putnam	0.021	0.14
2PG00084	Hickory Hills WWTP	Williams	0.0077	0.050
2PG00086	Hillside Country Living WWTP	Williams	0.049	0.32
2PG00087	Lakeland Woods SD	Williams	0.032	0.21

Permit #	Facility Name	County	Spring season total phosphorus (metric tons)	Daily total phosphorus (kg)
2PG00090	Arrowhead Estates WWTP	Auglaize	0.0086	0.056
2PG00092	Pleasantview Estates Subdiv	Auglaize	0.027	0.18
2PG00093	Sharlon Subdiv	Auglaize	0.0061	0.040
2PG00097	NWS Williamsburg on the River WWTP	Wood	0.074	0.48
2PG00105	Forest Lane Subdiv	Auglaize	0.0096	0.063
2PG00109	Pleasant View Subdiv	Fulton	0.017	0.11
2PG00110	Airport Industrial Park	Fulton	0.0034	0.022
2PG00112	Putnam Co MRDD Brookhill Ctr	Putnam	0.0028	0.018
2PG00120	Country Time Subdiv WWTP	Mercer	0.0066	0.043
2PH00020	Industrial Corridor Sewer System	Fulton	0.19	1.3
2PP00001	Harrison Lake St. Park WWTP	Fulton	0.019	0.13
2PP00006	LHS Maumee Youth Center	Henry	0.0032	0.021
2PP00019	ODOT Dist 1 Park No 1-26 & 25 (outfall 001)	Hancock	0.014	0.092
2PP00019	ODOT Dist 1 Park No 1-26 & 25 (outfall 002)	Hancock	0.013	0.085
2PP00025	ODOT Rest Area 7-26	Auglaize	0.032	0.21
2PP00026	ODOT Rest Area 7-33	Auglaize	0.0084	0.055
2PP00035	ODOT Park 1-27	Van Wert	0.005	0.033
2PP00047	Kunkle Maintenance Bldg	Williams	7.0E-05	4.6E-04
2PR00098	Sycamore Springs Golf Course STU 1	Hancock	3.3E-04	0.0022
2PR00105	Altenloh Brinck & Co US Inc	Williams	9.1E-04	0.0060
2PR00126	Wapakoneta Country Club	Auglaize	2.0E-04	0.0013
2PR00129	Kunkle Schoolhouse	Williams	1.1E-04	7.3E-04
2PR00141	Manufactured Housing Enterprises Inc	Williams	0.0020	0.013
2PR00146	Camp Berry	Hancock	0.0019	0.012
2PR00157	Delphos Country Club	Putnam	2.1E-04	0.0014
2PR00163	Bavarian Club Inc	Henry	2.1E-05	1.4E-04
2PR00195	Colonial Golfers Club Inc	Allen	6.1E-05	4.0E-04
2PR00256	Wapakoneta Lima S. KOA	Auglaize	0.0050	0.032
2PR00262	Glacier Hill Lakes No 1	Auglaize	0.015	0.098
2PR00276	Motor Inn Auto Truck Stop STU 1	Mercer	6.3E-04	0.0041
2PR00286	Emerging Streams Ministries	Williams	4.1E-05	2.7E-04
2PR00288	Oak Haven Res. Care Center	Putnam	0.0055	0.036
2PR00294	E-Z Campground	Auglaize	0.0047	0.031
2PR00295	Pioneer Boy Scout Camp	Williams	0.0037	0.024
2PR00298	Heritage Springs Cmpgrd	Hancock	0.0014	0.0094

Permit #	Facility Name	County	Spring season total phosphorus (metric tons)	Daily total phosphorus (kg)
2PS00015	Timberwoods Camping	Van Wert	4.3E-06	2.8E-05
2PT00018	Northeastern Local Schools	Defiance	0.0017	0.011
2PT00019	The Ridge Project, Inc.	Henry	6.6E-04	0.004
2PT00025	Miller City High Sch WWTP	Putnam	0.013	0.084
2PT00031	Cory Rawson Mid & Sr HS	Hancock	0.0073	0.048
2PT00037	Riverdale Local Schls	Hancock	0.018	0.12
2PT00039	Wayne Trace Jr & Sr HS	Paulding	0.0062	0.040
2PT00043	Hardin-Northern Schools	Hardin	0.0029	0.019
2PT00056	Sisters of Notre Dame WQT	Lucas	0.0048	0.032
2PW00006	K/Z Sewer Dist	Auglaize	0.0080	0.052
2PW00007	Country Club Hills Property Owners Assoc WWTP	Auglaize	0.0022	0.015
2PW00018	County Line Investments LCC	Allen	0.0013	0.0086
2PW00024	Bentbrook Subdiv WWTP	Van Wert	0.0093	0.061
2PY00005	Maurers MHP	Wood	0.030	0.20
2PY00019	Forrest Park MHP	Fulton	0.0067	0.044
2PY00022	Swanton Meadows MHP	Fulton	0.051	0.331
2PY00026	River Bend MHP LLC	Henry	0.0028	0.018
2PY00038	PMN Camelot South MHP	Fulton	0.012	0.079
2PY00043	C. M. Estates LLC	Putnam	0.0055	0.036
2PY00044	Brentwood MHP	Paulding	0.0040	0.026
2PY00060	Country Court MHP	Fulton	0.0023	0.015
2PY00061	Riverview MHP	Wood	0.0021	0.014
2PY00064	Grandview LLC DBA Whispering Winds MH Community	Lucas	0.015	0.098
2PY00065	Park Place	Defiance	0.018	0.12
2PY00067	Arrowhead Lake MHP (outfall 001)	Lucas	0.028	0.18
2PY00067	Arrowhead Lake MHP (outfall 002)	Lucas	0.014	0.093
2PY00071	Country Side MHP	Wood	0.0043	0.028
2PY00076	Lakeside Estates MHP	Auglaize	0.0047	0.031
2PA00039	Rawson WWTP	Hancock	0.11	0.71
2PA00045	Mt Blanchard WWTP	Hancock	0.014	0.094
2PA00016	Vanlue STP	Hancock	0.073	0.48
2PA00090	Custar WWTP	Wood	0.044	0.29
2PS00014	Huggy Bear Campground	Van Wert	0.060	0.39
2PR00166	Camp Libbey	Defiance	1.1E-04	7.4E-04
2PH00022	Auglaize River Sewer Lagoon System	Defiance	0.060	0.39
2PA00095	Ney WWT Lagoon	Defiance	0.052	0.34
2PR00248	Woodbridge Campground	Paulding	0.0031	0.021

Permit #	Facility Name	County	Spring season total phosphorus (metric tons)	Daily total phosphorus (kg)
2PB00031	Oakwood WWTP	Paulding	0.025	0.17
2PA00037	Antwerp WWTP	Paulding	0.32	2.1
2PB00029	Pandora WWTP	Putnam	0.26	1.7

Table A4.3. Wasteload allocations for combined sewer overflows.

Permit #	Facility Name	Spring season total phosphorus (metric tons)	Daily total phosphorus (kg)
2PF00000	Toledo Bay View Park WWTP	0.17	1.1
2PE00000	Lima WWTP	0.083	0.54
2PD00008	Findlay WPCF	0.016	0.11
2PD00019	Wapakoneta WWTP	0.0079	0.052
2PD00000	Napoleon WWTP	2.7E-04	0.0018
2PD00013	Defiance WWTP*	0.032	0.21
2PB00042	Hicksville WWTP	0.032	0.21
2PD00006	Van Wert WWTP	0.020	0.13
2PD00016	Wauseon WWTP	0.012	0.080
2PB00003	Delta WWTP	0.0022	0.014
2PD00029	Delphos WWTP	1.5E-04	0.0010
2PA00019	Payne WWTP	0	0
2PD00002	Perrysburg WWTP	0	0
2PD00003	Montpelier WWTP	0	0
2PB00045	Fayette WWTP	0	0
2PD00027	Paulding WWTP	0	0
2PB00030	Ohio City WWTP	0	0
2PC00004	Columbus Grove WWTP	0	0
2PB00061	Dunkirk WWTP	0	0
2PB00029	Pandora WWTP	0	0
2PB00044	Forest WWTP	0	0
2PC00002	Deshler WWTP	0	0
2PB00040	Leipsic WWTP	0	0
2PB00025	Swanton WRRF	0	0

The feasibility the proposed group permit is assessed for the spring seasons of 2017 through 2021. The spring season total phosphorus load for each facility is calculated using the same methods documented in the TMDL for calculating baseline loads for discharging wastewater treatment plants (Section 3.3.3). Table A4.5 shows the results of this analysis for each facility along with their 2008 spring season loads and their individual wasteload allocation from Table A4.1. The facilities' load is summed to determine each spring season's grouped load.

The results of this analysis ranges from 48.0 metric tons (in 2018) to 59.1 (in 2019). These spring totals are compared to the grouped WLA of 64.1 metric tons. That value is the sum of the wasteload allocations from Table A4.1 above. This analysis shows that the grouped WLA would not have been exceeded in any of these recent spring seasons. Figure A4.1 shows these results graphically.

There is 1.4 metric tons of total phosphorus proposed to be reserved as an allowance of future growth for this group of facilities. Were this load added to these recent load totals the cap would still not be exceeded.

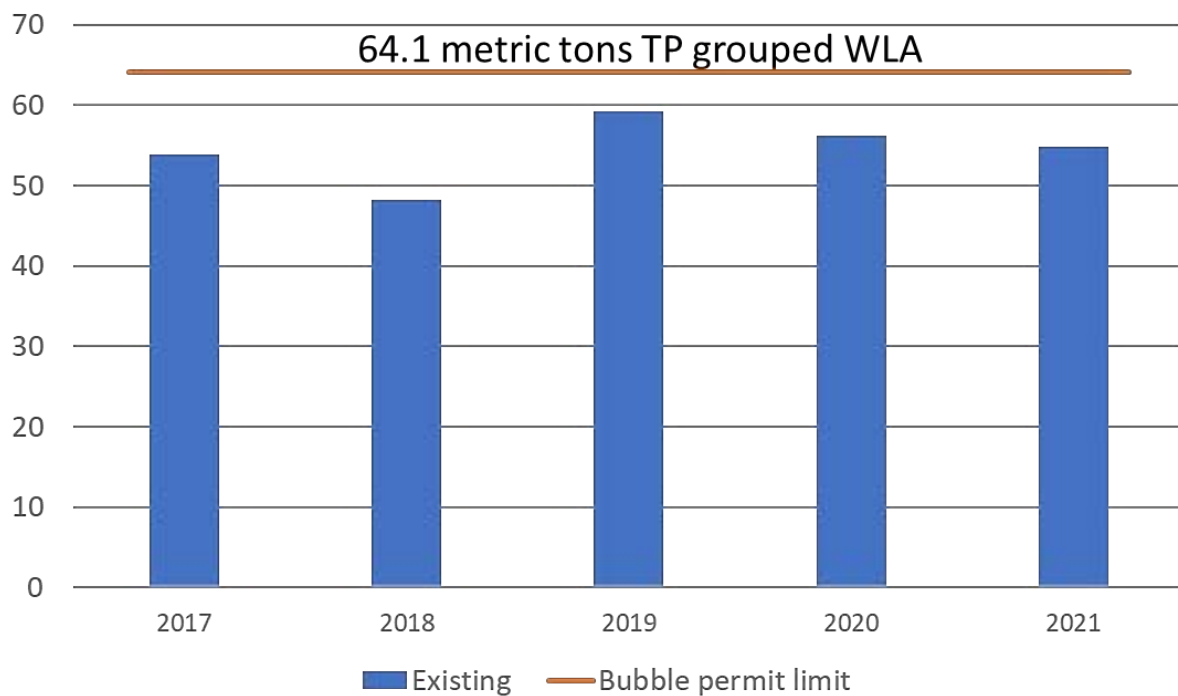


Figure 1. Analysis of the total phosphorus load for the facilities proposed to be grouped and governed by a general permit.

Table A4.5. Existing loads for NPDES permits in the grouped load category.

Permit #	Facility Name	Total phosphorus spring load (metric tons)						
		2008	WLA	2017	2018	2019	2020	2021
2PF00000	Toledo Bay View Park	28.6	27.9	18.1	15.1	23.8	21.8	19.6
2PK00000	Lucas Co WRRF	3.9	4.8	6.7	5.5	6.3	5.4	6.3
2PE00000	Lima WWTP	2.1	4.0	2.9	5.0	3.3	3.0	2.4
2PD00008	Findlay WPCF	4.4	3.2	4.8	5.5	5.3	5.5	5.4
2PD00002	Perrysburg WWTP	1.6	2.0	1.2	1.2	1.6	1.7	2.1
2PD00013	Defiance WWTP	1.6	1.5	1.4	0.66	0.86	0.91	2.3
2PD00006	Van Wert WWTP	0.82	1.0	0.91	0.74	1.7	0.69	0.81
2PD00019	Wapakoneta WWTP	1.1	1.0	0.26	0.31	0.28	1.7	1.3
2PD00029	Delphos WWTP	0.04	1.0	0.64	0.10	0.04	0.02	0.10
2PD00018	Bryan WWTP	0.41	0.79	0.40	0.23	0.34	0.49	0.26
2PD00026	St Marys City WWTP	0.39	0.77	0.23	0.28	0.47	0.44	0.22
2PD00028	Ottawa WWTP	0.23	0.77	0.28	0.15	0.15	0.07	0.16
2PD00000	Napoleon WWTP	0.55	0.64	0.70	0.56	0.54	0.29	0.31
2PD00017	Archbold WWTP	0.56	0.64	0.28	0.42	0.39	0.34	0.55
2PB00050	Ada WWTP	0.79	0.51	0.15	0.29	0.20	0.31	0.14
2PK00002	Shawnee No 2 WWTP	0.79	0.51	1.1	0.66	0.87	0.78	0.69
2PC00005	Bluffton WWTP	0.05	0.49	0.03	0.07	0.10	0.09	0.11
2PB00040	Leipsic WWTP	0.70	0.38	0.29	0.35	0.40	0.21	0.24
2PD00016	Wauseon WWTP	0.24	0.38	0.26	0.18	0.22	0.17	0.16
2PH00007	American-Bath WWTP	0.69	0.38	0.59	0.39	0.62	0.52	0.50
2PH00006	American No 2 WWTP	0.31	0.31	0.08	0.15	0.16	0.21	0.24
2PD00003	Montpelier WWTP	1.0	0.26	0.96	0.98	0.23	0.14	0.11
2PB00025	Swanton WRRF	0.80	0.64	0.23	0.10	0.28	0.46	0.18
2PB00042	Hicksville WWTP	0.96	0.40	0.50	0.34	0.76	0.62	0.24
2PB00034	New Bremen WWTP	0.85	0.38	1.5	1.3	1.6	0.73	0.58
2PC00004	Columbus Grove WWTP	1.1	0.35	0.60	0.61	0.58	0.64	0.73
2PB00048	Cridersville WWTP	0.80	0.34	0.43	0.25	0.28	0.34	0.20
2PB00003	Delta WWTP	0.76	0.31	0.70	0.67	0.55	0.99	0.51
2PB00046	Elida WWTP	0.65	0.21	0.86	0.89	0.91	0.99	0.39
2PD00027	Paulding WWTP	0.87	0.55	1.0	0.66	1.1	0.84	1.4
2IF00004	PCS Nitrogen Ohio LP	1.5	1.8	2.0	1.4	0.86	0.74	0.86
2IG00001	Lima Refinery	0.46	0.6	0.55	0.51	0.15	0.24	0.02
2IH00021	Campbell Soup Supply	3.5	2.6	1.8	0.95	2.7	3.5	3.5
2IH00110	Cooper Farms Cooked Meats	0.78	0.12	0.29	0.12	0.11	0.12	0.10
2IK00002	G.A. Wintzer and Son Co	0.17	0.11	0.57	0.94	0.98	0.52	1.4
2IW00010	McDowell/Bowling Green	0.00	0.29	0.27	0.27	0.25	0.26	0.24
2IW00070	Delta WTP	0.00	0.18	0.15	0.16	0.13	0.13	0.15
2IW00190	Napoleon WTP	0.00	0.14	0.001	0.07	0.11	0.13	0.13
NA	Allowance for future growth	-	1.4	-	-	-	-	-

EXHIBIT 7

List of Ohio Wastewater Treatment Plants with Approved Pretreatment Programs

Last Updated: October 13, 2021

NPDES Permit	Wastewater Treatment Plant Name	Sewer Authority	Physical Address - Street	Physical Address - City	Physical Address - Zip	Mailing Address	County
0PDD0003	Chillicothe	Chillicothe, city of	405 Environmental Way	Chillicothe	45601	Same as physical address	Ross
0PDD0004	Coshocton	Coshocton, city of	2742 C. R. 271	Coshocton	43812	Same as physical address	Coshocton
0PDD0008	Jackson	Jackson, city of	145 Broadway Street	Jackson	45640	Same as physical address	Jackson
0PDD0012	New Philadelphia WWTP	City of New Philadelphia WWTP	166 East High Avenue	New Philadelphia	44663	Same as physical address	Tuscarawas
0PDD0016	Marietta	Marietta, city of	440 East 8th Street	Marietta	45750	Same as physical address	Washington
0PDD0020	Cambridge	Cambridge, city of	1700 Burgess Avenue	Cambridge	43725	Same as physical address	Guernsey
0PE00000	Zanesville	City of Zanesville	1730 Moxahala Avenue	Zanesville	43701	Same as physical address	Muskingum
0PQ00000	Eastern Ohio Regional Wastewater Authority (EORWA)	Eastern Ohio Regional Wastewater Authority (EORWA)	6000 North Guernsey Street	Bellaire	43912	P.O. Box 508, Bridgeport, Ohio 43912	Belmont
1PC00001	Eaton	Eaton, city of	901 South Barron Street	Eaton	45320	Same as physical address	Preble
1PC00002	Harrison	Harrison, city of	10999 Campbell Road	Harrison	45030	Same as physical address	Hamilton
1PC00004	Mason	Mason, city of	3920 N. State Route 42	Mason	45040	Same as physical address	Warren
1PD00000	Bellefontaine	Bellefontaine, city of	610 South Troy Road	Bellefontaine	43311-9602	Same as physical address	Logan
1PD00004	Franklin Regional	Municipalities of Franklin, Germantown, and Carlisle	201 Baxter Drive	Franklin	45005	Same as physical address	Warren
1PD00005	Greenville	Greenville, city of	209 North Ohio Street	Greenville	45331	Same as physical address	Darke
1PD00008	Piqua	Piqua, city of	121 Bridge Street	Piqua	45356	Same as physical address	Miami
1PD00009	Sidney	Sidney, city of	201 West Poplar	Sidney	45365	Same as physical address	Shelby
1PD00011	Urbana	Urbana, city of	205 South Main Street	Urbana	43078	Same as physical address	Champaign
1PD00013	Wilmington	Wilmington, city of	475 S. Nelson Ave.	Wilmington	45177	Same as physical address	Clinton
1PD00015	Ford Road	Xenia, city of	779 Ford Road	Xenia	45385	101 North Detroit Street, Xenia, Ohio 45385	Greene
1PD00016	Glady Run	Xenia, city of	2381 Bellbrook Avenue	Xenia	45385	101 North Detroit Street, Xenia, Ohio 45385	Greene
1PD00019	Troy	Troy, city of	100 South Market Street	Troy	45373-0617	Same as physical address	Miami
1PD00020	Tri-Cities North Regional Wastewater Authority	Tri-Cities North Regional Wastewater Authority	3777 Old Needmore Road	Dayton	45424	Same as physical address	Montgomery
1PE00002	Hamilton	Hamilton, city of	2451 River Road	Hamilton	45015	Same as physical address	Butler
1PE00003	Middletown	Middletown, city of	300 Oxford State Road	Middletown	45044	Same as physical address	Butler
1PE00007	Springfield	City of Springfield	965 Dayton Avenue	Springfield	45506	Same as physical address	Clark
1PF00000	Dayton	Dayton, city of	2800 Guthrie Road	Dayton	45418	Same as physical address	Montgomery
1PK00003	Beavercreek	Greene County	420 Factory Road	Beavercreek	45434	667 Dayton-Xenia Road, Xenia, Ohio 45385-2665	Greene
1PK00005	Sycamore Creek	Metropolitan Sewer District of Greater Cincinnati	9273 Old Remington Road	Cincinnati	45204	1600 Gest Street, Cincinnati, Ohio 45204	Hamilton
1PK00006	Muddy Creek	Metropolitan Sewer District of Greater Cincinnati	6125 River Road	Cincinnati	45233	1600 Gest Street, Cincinnati, Ohio 45204	Hamilton
1PK00009	Lower East Fork	Clermont County Water Resources Division	1005 State Route 50	Milford	45150	1003 US 50, Milford, Ohio 45150	Clermont
1PK00010	Middle East Fork	Clermont County Water Resources Division	4409 Haskell Lane	Batavia	45103	1003 US 50, Milford, Ohio 45150	Clermont
1PK00011	LeSourdsville	Butler County	5260 Hamilton-Middletown Road	Hamilton	45011	130 High Street, Hamilton, Ohio 45011	Butler
1PK00014	Sugarcreek	Greene County	2365 State Route 725	Spring Valley	45370	667 Dayton-Xenia Road, Xenia, Ohio 45385-2665	Greene
1PK00015	Taylor Creek	Metropolitan Sewer District of Greater Cincinnati	6975 East Miami River Road	Cincinnati	45204	1600 Gest Street, Cincinnati, Ohio 45204	Hamilton
1PK00016	Upper Mill Creek	Butler County	6055 Centre Park Drive	West Chester	45235	130 High Street, Hamilton, Ohio 45011	Butler
1PK00017	O'Bannon	Clermont County Water Resources Division	1270 Neale Lane	Loveland	45140	1003 US 50, Milford, Ohio 45150	Clermont
1PK00019	Polk Run	Metropolitan Sewer District of Greater Cincinnati	9744 East Kemper Road	Loveland	45140	1600 Gest Street, Cincinnati, Ohio 45204	Hamilton
1PK00020	Indian Creek	Metropolitan Sewer District of Greater Cincinnati	1 Harbor Drive	North Bend	45052	1600 Gest Street, Cincinnati, Ohio 45204	Hamilton
1PL00000	Little Miami	Metropolitan Sewer District of Greater Cincinnati	225 Wilmer Avenue	Cincinnati	45226	1600 Gest Street, Cincinnati, Ohio 45204	Hamilton
1PL00001	Eastern Regional	Montgomery County	1802 Spaulding Road	Kettering	45432	4257 Dryden Road, Dayton, Ohio 45439-1431	Montgomery
1PL00002	Western Regional	Montgomery County	4111 Hydraulic Road	West Carrollton	45449	4257 Dryden Road, Dayton, Ohio 45439-1431	Montgomery
1PM00001	Mill Creek	Metropolitan Sewer District of Greater Cincinnati	1600 Gest Street	Cincinnati	45204	Same as physical address	Hamilton
2PD00004	Clyde	Clyde, city of	749 West McPherson Highway	Clyde	43410	Same as physical address	Sandusky
2PD00005	Willard	Willard, city of	631 South Myrtle Avenue	Willard	44890	Same as physical address	Huron
2PD00006	Van Wert	Van Wert, city of	7998 State Route 127 North	Van Wert	45891	Same as physical address	Van Wert
2PD00007	Fremont	Fremont, city of	1019 Sand Road	Fremont	43420	Same as physical address	Sandusky
2PD00008	Findlay	Findlay, city of	1201 South River Road	Findlay	45640	Same as physical address	Hancock
2PD00009	Bowling Green	Bowling Green, city of	901 North Dunbridge Road	Bowling Green	43402	Same as physical address	Wood
2PD00010	Ashland	Ashland, city of	206 Claremont Ave.	Ashland	44805	Same as physical address	Ashland
2PD00011	Marion	Marion, city of	1810 Marion-Agosta Road	Marion	43302	Same as physical address	Marion
2PD00013	Defiance	Defiance, city of	26273 State Route 281 East	Defiance	43512	Same as physical address	Defiance
2PD00016	Wauseon	Wauseon, city of	230 Clinton Street	Wauseon	43567	Same as physical address	Fulton
2PD00017	Archbold	Archbold, city of	515 Short Buehrer Road	Archbold	43502	Same as physical address	Fulton
2PD00018	Bryan	Bryan, city of	1521 Evansport Road	Bryan	43506	P.O. Box 190, Bryan, Ohio 43506	Williams
2PD00019	Wapakoneta	Wapakoneta, city of	201 Herbstritt Court	Wapakoneta	45895	701 Parlette Court, P.O. Box 269, Wapakoneta, Ohio 45895	Auglaize
2PD00024	Norwalk	Norwalk, city of	201 Woodlawn Avenue	Norwalk	44857	Same as physical address	Huron
2PD00025	Tiffin	Tiffin, city of	961 North Water Street	Tiffin	44883-1124	Same as physical address	Seneca
2PD00026	St. Marys	St. Marys, city of	410 Defiance Road	St. Marys	45885	Same as physical address	Auglaize
2PD00029	Delphos	Delphos, city of	608 North Canal Street	Delphos	45833	Same as physical address	Van Wert
2PD00030	Galion	Galion, city of	6374 Hosford Road	Galion	44833	Same as physical address	Crawford
2PD00031	Fostoria	Fostoria, city of	1301 Perrysburg Road	Fostoria	44830	213 South Main Street, Fostoria, Ohio 44830	Seneca
2PD00035	Oregon	Oregon, city of	5350 Seaman Road	Oregon	43616-0541	Same as physical address	Lucas
2PD00036	Shelby	Shelby, city of	3626 London West Rd.	Shelby	44875	Same as physical address	Shelby
2PD00037	Bellevue	Bellevue, city of	117 North Sandusky Street	Bellevue	44811	Same as physical address	Huron
2PE00000	Lima	Lima, city of	1200 Fort Amunds Road	Lima	45804	50 Town Square, Lima, Ohio 45802	Allen

2PE0001	Mansfield	Mansfield, city of	385 South Illinois Avenue	Mansfield	44905	Same as physical address	Richland
2PF0000	Toledo Bay View Water Reclamation	Toledo, city of	348 South Erie Street	Toledo	43602-1633	Same as physical address	Lucas
2PF0001	Sandusky Water Pollution Control	Sandusky, city of	222 Miess Street	Sandusky	44870	Same as physical address	Erie
2PK0000	Lucas County Water Resource Recovery Facility	Lucas County	5758 North River Road	Waterville	43566	Same as physical address	Lucas
3PD0000	Alliance	Alliance, city of	12251 Rockhill Avenue N.E.	Alliance	44601	Same as physical address	Stark
3PD0002	Conneaut	Conneaut, city of	1206 Broad Street Extension	Conneaut	44030	294 Main Street, Conneaut, Ohio 44030	Lake
3PD0003	Avon Lake	Avon Lake, city of	33370 Lake Road	Avon Lake	44012	Same as physical address	Lorain
3PD0004	Barberton	Barberton, city of	576 West Park Ave.	Barberton	44203	Same as physical address	Summit
3PD0006	Bedford Heights	Bedford Heights, city of	25301 Solon Road	Bedford Heights	44146	Same as physical address	Cuyahoga
3PD0008	Campbell	Mahoning County	4200 Wilson Avenue	Campbell	44405	7980 East Parkside Drive, Youngstown, Ohio 44512	Mahoning
3PD0009	East Liverpool	East Liverpool, city of	126 West Sixth Street	East Liverpool	43920	Same as physical address	Columbiana
3PD0010	Girard	Girard, city of	945 South State Street	Girard	44420	Same as physical address	Trumbull
3PD0013	Wooster	Wooster, city of	1123 Old Columbus Road	Wooster	44691-4618	Same as physical address	Wayne
3PD0014	Geneva	Geneva, city of	44 North Forest Street	Geneva	44041	Same as physical address	Ashtabula
3PD0016	North Olmsted	North Olmsted, city of	23775 Mastick Rd.	North Olmsted	44070	Same as physical address	Cuyahoga
3PD0017	Orrville	Orrville, city of	1530 N. Main Street	Orrville	44667	Same as physical address	Wayne
3PD0018	Ravenna	Ravenna, city of	210 Parkway	Ravenna	44266	Same as physical address	Lake
3PD0019	Solon	Solon, city of	6951 Cochran Road	Solon	44139	6315 S.O.M Center Road, Solon, Ohio 44139	Cuyahoga
3PD0022	Wadsworth Regional Wastewater Treatment Works	Wadsworth, city of	1015 Airport Drive	Wadsworth	44281	Same as physical address	Medina
3PD0024	Willoughby-Eastlake Water Pollution Control Center	Willoughby, city of	221 Erie Road	Eastlake	44095	Same as physical address	Lake
3PD0027	Salem	Salem, city of	231 South Broadway	Salem	44460	Same as physical address	Columbiana
3PD0029	Painesville	Painesville, city of	1170 North State Street	Painesville	44077	7 Richmond Street, P. O. Box 601, Painesville, Ohio 44077	Lake
3PD0031	Kent	Kent, city of	651 Middlebury Road	Kent	44240	Same as physical address	Portage
3PD0034	Elyria	Elyria, city of	1194 Gulf Road	Elyria	44035	Same as physical address	Lorain
3PD0036	Niles	Niles, city of	34 West State Street	Niles	44446	Same as physical address	Trumbull
3PD0039	Twinsburg	Twinsburg, city of	10231 Ravenna Road	Twinsburg	44087	Same as physical address	Summit
3PD0040	Phillip Q. Maiorana	Lorain, city of	6301 West Erie Avenue	Lorain	44052	1106 First Street, Lorain, Ohio 44052	Lorain
3PD0043	French Creek	North Ridgeville, city of	2350 Abbe Road	Sheffield	44054	Same as physical address	Lorain
3PE0000	Canton	Canton, city of	3930 Central Ave. SE	Canton	44707	Same as physical address	Stark
3PE0001	Westerly	Northeast Ohio Regional Sewer District	5800 West Memorial Shoreway	Cleveland	44102	4747 East 49th Street, Cuyahoga Heights, Ohio 44125	Cuyahoga
3PE0002	Ashtabula	Ashtabula, city of	303 Woodland Avenue	Ashtabula	44004	Same as physical address	Ashtabula
3PE0003	Euclid Parkside	Euclid, city of	585 East 222nd Street	Euclid	44123	Same as physical address	Cuyahoga
3PE0005	Black River	Lorain, city of	100 Alabama Avenue	Lorain	44052	1106 First Street, Lorain, Ohio 44052	Lorain
3PE0006	Youngstown	Youngstown, city of	725 Poland Avenue	Youngstown	44502	Same as physical address	Mahoning
3PE0007	Massillon	Massillon, city of	2700 Treatment Road	Massillon	44646	Same as physical address	Stark
3PE0008	Warren	Warren, city of	2323 Main Avenue S.W.	Warren	44481	Same as physical address	Trumbull
3PE0009	Rocky River	Rocky River, city of	22303 Lake Road	Rocky River	44116	Same as physical address	Cuyahoga
3PF0000	Akron	Akron, city of	2460 Akron Peninsula Road	Akron	44313-4710	Same as physical address	Summit
3PF0001	Easterly	Northeast Ohio Regional Sewer District	14021 Lakeshore Boulevard	Cleveland	44110	4747 East 49th Street, Cuyahoga Heights, Ohio 44125	Cuyahoga
3PF0002	Southerly	Northeast Ohio Regional Sewer District	6000 Canal Road	Cuyahoga Heights	44125	4747 East 49th Street, Cuyahoga Heights, Ohio 44125	Cuyahoga
3PJ0001	Brookfield	Trumbull County	921 Standard Avenue	Masury	44438	7500 Anderson Avenue N.E., Warren, Ohio 44484	Trumbull
3PK0002	Boardman	Mahoning County	7980 East Parkside Drive	Boardman	44512	Same as physical address	Mahoning
3PK0004	Liverpool Wastewater Treatment Plant (#500)	Medina County Sewer District	791 West Smith Road	Medina	44256	Same as physical address	Medina
3PK0009	Mosquito Creek	Trumbull County	7500 Anderson Avenue N.E.	Warren	44484	Same as physical address	Trumbull
3PK0011	Meander	Mahoning County	3264 State Route 46	Mineral Ridge	44440	7980 East Parkside Drive, Youngstown, Ohio 44512	Mahoning
3PK0012	Fishcreek (Plant #25)	Summit County	2910 North River Drive	Stow	44224	1180 South Main Street #201, Akron, Ohio 44301-1254	Summit
3PK0013	Upper Tuscarawas (Plant 36)	Summit County	1100 Loamshire Road	Akron	44319	1180 South Main Street #201, Akron, Ohio 44301-1254	Summit
3PK0014	Streetsboro-Hudson Regional Wastewater Treatment Plant	Portage County Board of Commissioners	9501 Jefferson Street	Streetsboro	44241	8116 Infirmary Road, Ravenna, Ohio 44266	Portage
3PK0032	Madison	Lake County	7815 Cashen Road	Madison	44057	105 Main Street, Painesville, Ohio 44077	Lake
3PK0033	Garyl L. Kron	Lake County	8471 Lakeshore Boulevard	Mentor	44060	105 Main Street, Painesville, Ohio 44077	Lake
4PB0005	Hebron	Hebron, city of	116 W. Main Street	Hebron	43025	Same as physical address	Franklin
4PC0003	London	London, city of	4080 State Route 56	London	43140	Same as physical address	Madison
4PC0007	Heath	Heath, city of	70 Dorsey Mill Rd.	Heath	43056	Same as physical address	Licking
4PD0001	Lancaster	Lancaster, city of	800 South Lawrence St.	Lancaster	43130	Same as physical address	Fairfield
4PD0002	Washington Court House	Washington Court House, city of	1210 South Elm St.	Washington Court House	43160	Same as physical address	Fayette
4PD0003	Circleville	Circleville, city of	799 West Main Street	Circleville	43113	P. O. Box 209, Circleville, Ohio 43113	Pickaway
4PD0004	Upper Olentangy	Delaware, city of	225 Cherry St.	Delaware	43015	Same as physical address	Delaware
4PD0010	Mount Vernon	Mount Vernon, city of	3 Cougar Drive	Mount Vernon	43050	Same as physical address	Knox
4PD0012	Upper Hocking	Lancaster, city of	1424 Campground Rd.	Lancaster	43130	Same as physical address	Fairfield
4PE0001	Newark	Newark, city of	40 West Main St.	Newark	43055	Same as physical address	Licking
4PE0002	Marysville	Marysville, city of	620 N. Main St.	Marysville	43040	Same as physical address	Union
4PF0000	Jackson Pike	Columbus, city of	2104 Jackson Pike	Columbus	43223	1250 Fairwood Avenue Room 186, Columbus, Ohio 43206-3372	Franklin
4PF0001	Southerly	Columbus, city of	6977 South High Street	Lockbourne	43137	1250 Fairwood Avenue Room 186, Columbus, Ohio 43206-3372	Franklin
4PK0001	Olentangy Environmental Control Center	Delaware County	10333 Olentangy River Road	Powell	43065	Same as physical address	Delaware

EXHIBIT 8

Ohio EPA Permit No.: 2PD00029*TD
Application No: OH0024929

Action Date: January 9, 2024
Effective Date: February 1, 2024
Expiration Date: January 31, 2029

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

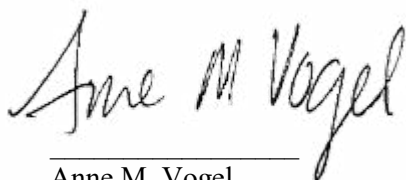
In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

City of Delphos

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Delphos wastewater treatment works, located at 24793 Pohlman Rd., Delphos, Ohio, Allen County, and discharging to Jennings Creek at River Mile 5.1 in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Anne M. Vogel
Director

Total Pages: 56

PART I, A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PD00029001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	7.0	-	-	-	-	-	1/Day	Multiple Grab	Summer
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Multiple Grab	Winter
00530 - Total Suspended Solids - mg/l	-	-	18	12	-	261	174	3/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10.0	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	1.0	0.67	-	15	9.7	3/Week	24hr Composite	June - Sep
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	1.5	1.0	-	22	15	3/Week	24hr Composite	Mar-May & Oct-Nov
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	3.5	2.3	-	51	33	3/Week	24hr Composite	Dec. - Feb.
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	22.0	15.0	1/Week	24hr Composite	All
00671 - Orthophosphate, Dissolved (as P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Tox1
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	3/Week	Grab	Summer
32106 - Chloroform - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	4.1	0.0247	-	0.000059	1/Month	Grab	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	1.0	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual - 4
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUC	-	-	-	1.0	-	-	-	2/Year	24hr Composite	Semi-annual - 4
61427 - Acute Toxicity, Pimephales promelas - TUa	1.0	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual - 4
61428 - Chronic Toxicity, Pimephales promelas - TUC	-	-	-	1.0	-	-	-	2/Year	24hr Composite	Semi-annual - 4
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	9	6	-	130	86	3/Week	24hr Composite	Summer
80082 - CBOD 5 day - mg/l	-	-	15	10	-	217	145	3/Week	24hr Composite	Winter

Notes for Station Number 2PD00029001:

* Effluent loadings based on average design flow of 3.83 MGD.

a. Mercury - See Part II, Items W and X.

b. Renewal of Mercury Variance - See Part II, Item Y.

c. Free cyanide - See Part II, Item S.

d. Dissolved Orthophosphate - See Part II, Item T.

e. Biomonitoring - See Part II, Item AA.

f. Quarterly Tox 1 monitoring means samples shall be collected during the months January, April, July and October.

g. Semi-annual - 4 monitoring means samples shall be collected during the months April and October.

h. The Maumee Watershed Nutrient TMDL and total phosphorus general permit - See Part II, Item AB.

PART I, B. CSO LIMITATIONS AND MONITORING REQUIREMENTS

1. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029002, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - CSO Monitoring - 002 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total	All

Notes for Station Number 2PD00029002:

- a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.
- b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.
- d. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- e. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- f. Overflow Volume shall be reported on each day there is a discharge through this station.
- g. Combined Sewer Overflows - See Part II, Items D, E, F, and G.

PART I, B. CSO LIMITATIONS AND MONITORING REQUIREMENTS

2. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029005, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - CSO Monitoring - 005 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

Notes for Station Number 2PD00029005:

- a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.
- b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.
- d. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- e. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- f. Overflow Volume shall be reported on each day there is a discharge through this station.
- g. Combined Sewer Overflows - See Part II, Items D, E, F, and G.

PART I, B. CSO LIMITATIONS AND MONITORING REQUIREMENTS

3. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029006, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - CSO Monitoring - 006 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

Notes for Station Number 2PD00029006:

- a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.
- b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.
- d. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- e. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- f. Overflow Volume shall be reported on each day there is a discharge through this station.
- g. Combined Sewer Overflows - See Part II, Items D, E, F, and G.

PART I, B. CSO LIMITATIONS AND MONITORING REQUIREMENTS

4. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029007, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - CSO Monitoring - 007 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

Notes for Station Number 2PD00029007:

- a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.
- b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.
- d. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- e. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- f. Overflow Volume shall be reported on each day there is a discharge through this station.
- g. Combined Sewer Overflows - See Part II, Items D, E, F, and G.

PART I, B. CSO LIMITATIONS AND MONITORING REQUIREMENTS

5. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029008, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - CSO Monitoring - 008 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

Notes for Station Number 2PD00029008:

- a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.
- b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.
- d. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- e. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- f. Overflow Volume shall be reported on each day there is a discharge through this station.
- g. Combined Sewer Overflows - See Part II, Items D, E, F, and G.

PART I, B. CSO LIMITATIONS AND MONITORING REQUIREMENTS

6. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029010, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - CSO Monitoring - 010 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

Notes for Station Number 2PD00029010:

- a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.
- b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.
- d. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- e. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- f. Overflow Volume shall be reported on each day there is a discharge through this station.
- g. Combined Sewer Overflows - See Part II, Items D, E, F, and G.

PART I, B. CSO LIMITATIONS AND MONITORING REQUIREMENTS

7. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029011, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - CSO Monitoring - 011 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

Notes for Station Number 2PD00029011:

- a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.
- b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.
- d. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- e. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- f. Overflow Volume shall be reported on each day there is a discharge through this station.
- g. Combined Sewer Overflows - See Part II, Items D, E, F, and G.

PART I, B. SSO LIMITATIONS AND MONITORING REQUIREMENTS

8. SSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor at Station Number 2PD00029300, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - SSO Monitoring - 300 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	1/Month	Total	All

Notes for Station Number 2PD00029300:

- a. A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Although the above table indicates that the Measuring Frequency for Overflow Occurrence is 1/Month, the intent of that provision is to specify a reporting frequency for Overflow Occurrence, not a monitoring frequency. The monitoring requirement under this permit is that these overflows shall be monitored on each day when they discharge. Only sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, must be reported under this monitoring station.
- b. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day that enters waters of the state is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, record two occurrences for that day. If overflows from both locations continue on the following day, record two occurrences for the following day. At the end of the month, total the daily occurrences and report this number on Day 1 of the DMR. If there are no overflows during the entire month, report "zero" (0).
- c. All sanitary sewer overflows are prohibited.
- d. See Part II, Items H and I.

PART I, B. SLUDGE LIMITATIONS AND MONITORING REQUIREMENTS

9. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor the treatment works' final sludge at Station Number 2PD00029581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
31641 - Fecal Coliform in Sludge - MPN/G	2000000	-	-	-	-	-	-	1/Quarter	Multiple Grab	Quarterly - Alt.
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.

Notes for Station Number 2PD00029581:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land [FOR 584 TABLES, ADD "for sale/distribution"]. The monitoring data shall be reported on the March, June, September, and December Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period.
- b. Metal analysis must be completed during each reporting period whether or not sewage sludge is removed from the facility and applied to the land. Alternatively, the number of composite samples collected and reported prior to the next land application event shall be increased to account for the reporting period(s) in which land application did not occur. If all accumulated sewage sludge has been removed and hauled to a landfill, incinerated or transferred to another NPDES permit holder, then the metal analysis is not required.
- c. If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis on the DMR and enter "0" for sludge weight and sludge fee weight.
- d. If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- e. If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.
- f. It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.
- g. The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction have been met.
- h. Units of mg/kg are on a dry weight basis.

- i. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.
- j. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- k. To sample for fecal coliform, the treatment plant should collect and analyze a grab sample every other day over a two week period for a total of seven grab samples when practical. Each of the grab samples shall be analyzed independently to determine the MPN/g of fecal coliform in the individual sample. The geometric mean of those seven results shall be reported on the DMR. Each fecal coliform sample must be delivered to the analytical lab within six hours after the sample has been collected, in accordance with the requirements for Part 9221 E. or part 9222 D., "Standard Methods for the Examination of Water and Wastewater". This process must be completed prior to sewage sludge being removed from the treatment facility.
- l. See Part II, Items O, P, Q, and R.

PART I, B. SLUDGE LIMITATIONS AND MONITORING REQUIREMENTS

10. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor the treatment works' final sludge at Station Number 2PD00029584, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 584 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	41	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	39	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	1500	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01052 - Lead, Total In Sludge - mg/kg	840	-	-	300	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	420	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	2800	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	100	-	-	-	1/Quarter	Composite	Quarterly - Alt.
31641 - Fecal Coliform in Sludge - MPN/G	1000	-	-	-	-	-	-	1/Quarter	Multiple Grab	Quarterly - Alt.
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	17	-	-	-	1/Quarter	Composite	Quarterly - Alt.
78465 - Molybdenum In Sludge - mg/kg	75	-	-	75	-	-	-	1/Quarter	Composite	Quarterly - Alt.

Notes for Station Number 2PD00029584:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land , for sale/distribution. The monitoring data shall be reported on the March, June, September, and December Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period.
- b. Metal analysis must be completed during each reporting period whether or not sewage sludge is removed from the facility and applied to the land. Alternatively, the number of composite samples collected and reported prior to the next land application event shall be increased to account for the reporting period(s) in which land application did not occur. If all accumulated sewage sludge has been removed and hauled to a landfill, incinerated or transferred to another NPDES permit holder, then the metal analysis is not required.
- c. If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis on the DMR and enter "0" for sludge weight and sludge fee weight.
- d. If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- e. If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.
- f. It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.
- g. The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction have been met.
- h. Units of mg/kg are on a dry weight basis.

- i. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.
- j. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- k. To sample for fecal coliform, the treatment plant should collect and analyze a grab sample every other day over a two-week period for a total of seven grab samples when practical. Each of the grab samples shall be analyzed independently to determine the MPN/g of fecal coliform in the individual sample. The geometric mean of those seven results shall be reported on the DMR. Each fecal coliform sample must be delivered to the analytical lab within six hours after the sample has been collected, in accordance with the requirements for Part 9221 E. or part 9222 D., "Standard Methods for the Examination of Water and Wastewater". This process must be completed prior to sewage sludge being removed from the treatment facility.
- l. See Part II, Items O, P, Q, and R.

PART I, B. SLUDGE LIMITATIONS AND MONITORING REQUIREMENTS

11. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor the treatment works' final sludge at Station Number 2PD00029586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

Notes for Station Number 2PD00029586:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for disposal in a solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the permittee's facility for disposal in a solid waste landfill during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- d. See Part II, Items O, Q, and R.

PART I, B. SLUDGE LIMITATIONS AND MONITORING REQUIREMENTS

12. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor the treatment works' final sludge at Station Number 2PD00029588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

Notes for Station Number 2PD00029588:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.
- d. See Part II, Items O, Q, and R.

PART I, B. INFLUENT MONITORING REQUIREMENTS

13. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor the treatment works' influent wastewater at Station Number 2PD00029601, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 601 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Day	Multiple Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	3/Week	24hr Composite	All
00720 - Cyanide, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Tox1
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Tox1
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1/Month	Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	3/Week	24hr Composite	All

Notes for Station Number 2PD00029601:

- a. Mercury - See Part II, Item W, X, and Y.
- b. Quarterly Tox 1 monitoring means samples shall be collected during the months January, April, July and October.
- c. Sampling for these parameters shall occur on the same day as sampling at station 2PD00029001, 2PD00029801, and 2PD00029901.

PART I, B. UPSTREAM MONITORING REQUIREMENTS

14. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 2PD00029801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 4
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 4
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 4
61441 - 7-Day Chronic Toxicity Pimephales promelas - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 4

Notes for Station Number 2PD00029801:

- a. Semi-annual - 4 monitoring means samples shall be collected during the months April and October.
- b. Biomonitoring - See Part II, Item AA.
- c. Sampling for these parameters shall occur on the same day as sampling at station 2PD00029001, 2PD00029601, and 2PD00029901.

Part I, B. DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

15. Downstream-Nearfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 2PD00029901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00900 - Hardness, Total (CaCO3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug

Notes for Station Number 2PD00029901:

- a. Sampling for these parameters shall occur on the same day as sampling at station 2PD00029001, 2PD00029601, and 2PD00029801.

PART I, C. - SCHEDULE OF COMPLIANCE

Milestone Summary Report

Section	Report	Event Code	Due Date
Municipal CSO Long Term Control Plan	Overflow Monitoring Report 1	30099	October 1, 2024
Municipal CSO Long Term Control Plan	PCCM Evaluation Report	11099	August 1, 2025
Municipal CSO Long Term Control Plan	Alternatives Analysis Report	15099	February 1, 2026
Municipal Pretreatment Schedule	Effluent Limits For Pollutants	52599	18 months after the permit effective date

1. Municipal Pretreatment Schedule

a. The permittee shall evaluate the adequacy of local industrial user limitations to prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW, pass through the POTW in amounts that exceed water quality standard-based limits, be incompatible with the POTW, or limit wastewater or sludge use options. Technical justification for revising local industrial user limitations to attain compliance with final table limits, along with a pretreatment program modification request, or technical justification for retaining existing local industrial user limitations shall be submitted for acceptance to Ohio EPA, Central Office Pretreatment Unit and to Ohio EPA, Northwest District Office, as soon as possible, but no later than 18 months after the permit effective date (Event Code 52599)

A review of technical information in consideration of local industrial user limitations for total phosphorus is required. The permittee shall determine whether application of local limits will facilitate substantial progress toward achieving a monthly average effluent concentration target of 0.5 mg/L. If local limits are deemed appropriate, a technical justification for assigning local limits to all or individual industrial users consistent with the requirements below shall be submitted to Ohio EPA and local limits must be enacted. Application of local limits for total phosphorus may not be appropriate in some cases. If the permittee determines that local limits for total phosphorus are not appropriate, the permittee shall submit to Ohio EPA data or other evidence produced by the review to support this determination.

Technical justification is also required for arsenic, cadmium, total chromium, dissolved hexavalent chromium, copper, free cyanide, lead, mercury, molybdenum, nickel, selenium, silver, and zinc unless screening of wastewater and sludge indicate these pollutants are not present in significant amounts. Technical justification is also required for any other pollutants where a local limit may be necessary to protect against pass through, interference or sludge disposal.

To demonstrate technical justification for new local industrial user limits or justification for retaining existing limits, a local limits technical justification report shall be submitted to Ohio EPA. The report shall be consistent with the guidance, procedures and methodologies found in Ohio EPA's and USEPA's local limits guidance documents available at:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/pretreatment-program>

The report shall include the following:

- i. Identification of and justification for pollutants of concern for which local limits will be developed.
 - ii. Treatment plant flow and industrial flows to which local limits will be applied. If the POTW is accepting any hauled waste include for each type of hauled waste (e.g. landfill leachate, septage), at least 5 data points detailing the dates and volumes of discharge and sampling results for all the pollutants of concern.
 - iii. Domestic/background concentrations. To determine domestic/background concentrations, the permittee shall, at a minimum, sample at three different locations for five consecutive days or two different locations for seven consecutive days. These locations shall, to the extent possible, convey only domestic wastewater.
 - iv. Treatment plant removal efficiencies. Whenever possible, site-specific removal efficiencies shall be determined using actual plant data with analytical detection levels that are sensitive enough to provide values above the reporting level (RL) or practical quantification limit (PQL).
 - v. A comparison of maximum allowable headworks loadings based on all applicable criteria. Criteria may include sludge disposal, NPDES permit limits, waste load allocation values, and interference with biological processes such as activated sludge, sludge digestion, nitrification, etc. Calculation tables can be found on the Ohio EPA website at:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/pretreatment-program>
 - vi. If revised industrial user discharge limits are proposed, the method of allocating available pollutant loads to industrial users.
 - vii. If narrative or best management practices (BMPs) are proposed as local limits, information on how they will be implemented. When appropriate, industrial user discharge limits may include narrative local limits requiring industrial users to develop and implement BMPs. These narrative local limits may be used either alone or as a supplement to numeric limits.
 - viii. Supporting data, assumptions, and methodologies used in establishing the information in item 1.a through 1.g above.
 - ix. If new or revised industrial user discharge limits are proposed, the stamp and signature of a licensed Ohio professional engineer.
- b. Revisions. The permittee shall submit a revised local limit technical justification report within 90 days of receiving notification from Ohio EPA of deficiencies in the submitted report.
- c. If revisions to local industrial user limitations including best management practices are determined to be necessary, the permittee shall incorporate revised local industrial user limitations in all industrial user control documents, as applicable, no later than 4 months after the date of Ohio EPA's approval.
- d. Sampling Methods
- i. Mercury: If the permittee uses EPA Method 245.1 or 245.2 to sample domestic background locations and mercury concentrations are below detection, the permittee shall use EPA method 1631 or 245.7 to quantify domestic background contributions of mercury.

ii. Free Cyanide: The permittee shall use ASTM D7237, OIA-1677-09, or ASTM D4282-02 to quantify domestic background contributions of free cyanide. [Note: The use of ASTM D4282-02 requires supporting documentation that it meets the requirement of a “sufficiently sensitive” test procedure as defined in 40 CFR 122.44(i)(1)(iv)].

2. Municipal CSO Long Term Control Plan

The City of Delphos shall continue implementation of the “Wastewater Compliance Plan, 2003” including the City’s CSO long term control plan (LTCP), which was conditionally approved by the Ohio EPA on December 16, 2004. The permittee shall take the actions described below as expeditiously as practicable, but not later than the dates developed in accordance with the following schedule:

a. Upon completion of the Phase III upgrades, the permittee shall initiate a Post Construction Compliance Monitoring (PCCM) period to evaluate whether additional collection system improvements, increased storage and/or treatment plant capacity is necessary to meet the LTCP level of control of four CSO events or less in a typical year. The PCCM period shall be conducted for a minimum of 12 months.

b. No later than October 1, 2024, the permittee shall submit to Ohio EPA Northwest District Office a report on the progress of the PCCM period. At a minimum, the report shall include data collected for CSO occurrences, volume, and duration, as well as data characterizing precipitation events that caused CSO events. (Event Code 30099)

c. No later than August 1, 2025, the permittee shall submit to Ohio EPA Northwest District Office a report on the findings of the PCCM period. The report shall include, at a minimum: (Event Code 11099)

i. An evaluation of the impact that the increased storage and treatment capacity has had on CSO volumes, occurrences, and durations.

ii. An evaluation to determine the feasibility of removing or eliminating Stations 2PD00029010 and 2PD00029011.

iii. A statement regarding whether the approved CSO level of control of four events per typical year has been attained.

d. If the permittee determines that the approved CSO level of control has not been attained, the permittee shall conduct an evaluation of alternatives for additional projects to attain the approved CSO level of control. If necessary, the permittee shall submit to Ohio EPA Northwest District Office a report with the results of the alternatives evaluation, including a schedule to implement the recommended alternative, no later than February 1, 2026. (Event Code 15099)

PART II - OTHER REQUIREMENTS

A. Operator Certification Requirements

1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility shall be classified as a Class III treatment works. The permittee shall designate one or more professional operator of record to oversee the technical operation of the treatment works with a valid certification of a class equal to or greater than the classification of the treatment works.

b. All sewerage (collection) systems that are tributary to this treatment works are Class II sewerage systems in accordance with paragraph (B)(1)(b) of rule 3745-7-04 of the Ohio Administrative Code. The permittee shall designate one or more professional operator of record to oversee the technical operation of the sewerage (collection) system with a valid certification of a class equal to or greater than the classification of the sewerage (collection) system.

2. Professional Operator of Record

a. Within three days of a change in a professional operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The notification can be submitted either electronically via the Ohio eBusiness Center website (<https://ebiz.epa.ohio.gov/login.html>) or hard copy. The appropriate form can be found at the following website:

<https://epa.ohio.gov/static/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf?ver=2018-09-11-102530-423>

b. All applications for renewal of this NPDES permit shall include an updated Operator of Record Notification form along with other necessary forms and fees to be considered a complete application.

c. The professional operator of record for a class II, III, or IV treatment works or class II sewerage system may be replaced by a backup professional operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.

d. Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the professional operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup professional operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.

3. Minimum Staffing Requirements

a. The permittee shall ensure that the treatment works professional operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.

b. The permittee shall ensure that the collection system professional operator of record or a professional operator that is certified in the field of wastewater collection or wastewater treatment, class A operators excluded, is physically present at the collection system in accordance with the minimum staffing requirements per paragraph (C)(2) of rule 3745-7-04 of the Ohio Administrative Code. staffing requirements within 12 months of the effective date of this permit.]

c. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (e.g., retirement of a professional operator listed in the approved staffing plan, loss of the professional operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

4. Additional Staffing Requirements

Visits to all treatment works shall be performed by the permittee, the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Visits shall not be necessary when the treatment works is not in operation.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
2PD00029001	Final effluent to Jennings Creek (Lat: 40 N 51' 35.4"; Long: 84 W 20' 32.2")
2PD00029002-011	Combined Sewer Overflow – See Part II, Item D
2PD00029300	System-wide Sanitary Sewer Overflow Occurrences
2PD00029581	Biosolids applied to land.
2PD00029584	Exceptional Quality Biosolids applied to land.
2PD00029586	Biosolids hauled to a landfill
2PD00029588	Biosolids hauled to another NPDES permit holder
2PD00029601	Influent monitoring
2PD00029801	Upstream monitoring (Lat: 40 N 51' 34.9"; Long: 84 W 20' 33.3")
2PD00029901	Downstream monitoring (Lat: 40 N 51' 35.7"; Long: 84 W 20' 32.0")

C. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

D. Combined Sewer Outfalls

The permittee is authorized to discharge from the following combined sewer overflows (CSOs) only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system. See Part I,B for applicable monitoring and reporting requirements. Also see Part III, Item 11.

CSO Station Number	Description of Location	Receiving Stream
2PD00029002	Diversion chamber (Lat: 40 N 51' 32"; Long: 84 W 20' 06")	Jennings Creek
2PD00029005	7th and Scott Streets (Lat: 40 N 50' 56"; Long: 84 W 20' 02")	Flat Fork Creek
2PD00029006	Bredeick and Superior Streets (Lat: 40 N 50' 59"; Long: 84 W 20' 56")	Jennings Creek
2PD00029007	Bredeick between Erie and W. Cleveland Streets (Lat: 40 N 50' 33"; Long: 84 W 21' 02")	Jennings Creek

2PD00029008	Ohio and State Streets (Lat: 40 N 50' 56"; Long: 84 W 20' 59.6")	Jennings Creek
2PD00029010	3rd and State Streets (Lat: 40 N 50' 41"; Long: 84 W 21' 04")	Jennings Creek
2PD00029011	5th and State Streets (Lat: 40 N 50' 52"; Long: 84 W 21' 02")	Jennings Creek

E. Public Notification Requirements for CSO discharges to the Lake Erie Basin

Each permittee with authorized CSO discharges to the Lake Erie Basin must provide public notification of such discharges in accordance with 40 CFR 122.38(a). At a minimum, such notification shall consist of the following:

1. Signage

The permittee shall ensure that adequate signage, where feasible, is posted at all CSO outfall locations and potentially impacted public access areas, as identified in Part II, Item, D. The signage shall adhere to the Outfall Signage requirements of Part II, Item U.

2. Notification of Local Public Health Department(s) and Other Potentially Affected Public Entities

a. Initial Notification

As soon as possible, but no later than four (4) hours after becoming aware of a CSO discharge, the permittee shall notify the appropriate local Department of Health and other affected public entities, as identified in the Public Notification Plan. Such initial notice shall, at a minimum, include the following information:

- i. The name of the affected water body;
- ii. The location of the discharge and potentially impacted public access areas;
- iii. The date and time that the discharge began;
- iv. The approximate time that the discharge ended or if the discharge is ongoing, and;
- v. A point of contact for the permittee.

b. Supplemental Notification

The permittee shall notify the Allen County Department of Health and other affected public entities, as identified in the Public Notification Plan, within seven (7) days of becoming aware of a CSO discharge, unless the information has been provided in an earlier notice. Notification shall include:

- i. The volume of the discharge and;
- ii. The approximate time that the discharge ended.

3. Notification of the Public

a. Initial Notification

As soon as possible, but no later than four (4) hours after becoming aware of a CSO discharge, the permittee shall provide initial notification to the public, as identified in the Public Notification Plan. Such initial notice shall include, at a minimum, the following information:

- i. The name of the affected water body;
- ii. The location of the discharge and potentially impacted public access areas;
- iii. The date and time that the discharge began, and;
- iv. The approximate time that the discharge ended or if the discharge is ongoing.

b. Supplemental Notification

The permittee shall provide supplemental notification to the public, as identified in the Public Notification Plan, within seven (7) days of becoming aware of a CSO discharge, unless the information has been provided in an earlier notice. The notification shall include:

- i. The volume of the discharge and;
- ii. The approximate time that the discharge ended.

4. Annual Report

On or prior to May 1st of each year, the permittee shall make available to the public an Annual Report describing the CSO discharges from its discharge point(s) that occurred in the previous calendar year, in accordance with 40 CFR 122.38(b). Upon public availability of the Annual Report, the permittee shall submit instructions on how to access the Annual Report to Ohio EPA Northwest District Office and U.S. EPA. Such notice to US EPA shall be in the form of an email to NPDES_CSO@epa.gov

At a minimum, the Annual Report shall include:

- a. A description of the location and receiving water for each CSO discharge point, and, if applicable, any treatment provided;
- b. The date, location, approximate duration, measured or estimated volume, and cause (e.g., rainfall, snowmelt) of each wet weather CSO discharge that occurred during the past calendar year;
- c. The date, location, duration, volume, and cause of each dry weather CSO discharge that occurred during the past calendar year;
- d. A summary of available monitoring data for CSO discharges from the past calendar year;
- e. A description of any public access areas potentially impacted by each CSO discharge;
- f. Representative precipitation data in total inches to the nearest 0.1 inch that resulted in a CSO discharge, if precipitation was the cause of the discharge;
- g. Permittee contact information; and
- h. A concise summary of implementation of the nine minimum controls and the status of implementation of the CSO long-term control plan (or other plans to reduce or prevent CSO discharges), including:
 - i. A description of key milestones remaining to complete implementation of the plan; and
 - ii. A description of the average annual number of CSO discharges anticipated after implementation of the long-term control plan (or other plan relevant to reduction of CSO overflows) is completed.

F. The permittee shall monitor the system overflows at stations 2PD00029002 through 2PD00029011 and report to the Ohio EPA in accordance with Part I, B tables 2PD00029002 through 2PD00029011.

Data for the number of occurrence(s) per day, the daily duration, and the total daily flow may be estimated.

G. CSO Nine Minimum Controls

The entire wastewater treatment system shall be operated and maintained so that the total loading of pollutants discharged during wet weather is minimized. To accomplish this, the permittee shall utilize the following technologies:

- 1) provide proper operation and maintenance for the collection system and the combined sewer overflow points;
- 2) provide the maximum use of the collection system for storage of wet weather flow prior to allowing overflows;
- 3) review and modify the pretreatment program to minimize the impact of nondomestic discharges from combined sewer overflows; or if there is no pretreatment program review and modify local programs to minimize the impact of nondomestic discharges from combined sewer overflows;
- 4) maximize the capabilities of the POTW to treat wet weather flows, and maximize the wet weather flow to the wastewater treatment plant within the limits of the plant's capabilities;
- 5) prohibit dry weather overflows;
- 6) control solid and floatable materials in the combined sewer overflow discharge;
- 7) conduct required inspection, monitoring and reporting of CSOs;
- 8) implement pollution prevention programs that focus on reducing the level of contaminants in CSOs; and
- 9) implements a public notification program for areas affected by CSOs, especially beaches and recreation areas.

H. Sanitary Sewer Overflow (SSO) Reporting Requirements

A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. SSOs do not include wet weather discharges from combined sewer overflows specifically listed in Part II of this NPDES permit (if any). All SSOs are prohibited.

1. Reporting for SSOs That Imminently and Substantially Endanger Human Health

a) Immediate Notification

You must notify Ohio EPA (1-800-282-9378) and the appropriate Board of Health (i.e., city or county) within 24 hours of learning of any SSO from your sewers or from your maintenance contract areas that may imminently and substantially endanger human health. The telephone report must identify the location, estimated volume and receiving water, if any, of the overflow. An SSO that may imminently and substantially endanger human health includes dry weather overflows, major line breaks, overflow events that result in fish kills or other significant harm, overflows that expose the general public to contact with raw sewage, and overflow events that occur in sensitive waters and high exposure areas such as protection areas for public drinking water intakes and waters where primary contact recreation occurs.

b) Follow-Up Written Report

Within 5 days of the time you become aware of any SSO that may imminently and substantially endanger human health, you must provide the appropriate Ohio EPA district office a written report that includes:

- (i) the estimated date and time when the overflow began and stopped or will be stopped (if known);
- (ii) the location of the SSO including an identification number or designation if one exists;
- (iii) the receiving water (if there is one);
- (iv) an estimate of the volume of the SSO (if known);
- (v) a description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);
- (vi) the cause or suspected cause of the overflow;
- (vii) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps; and
- (viii) steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

An acceptable 5-day follow-up written report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at:

<https://epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/permits-program-technical-assistance>

2. Reporting for All SSOs, Including Those That Imminently and Substantially Endanger Human Health

a) Discharge Monitoring Reports (DMR)

Sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, shall be reported on your Discharge Monitoring Reports (DMR). You must report the system-wide number of occurrences for SSOs that enter waters of the state in accordance with the requirements for station number 300. A monitoring table for this station is included in Part I, B of this NPDES permit. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, you should record two occurrences for that day. If overflows from both locations continue on the following day, you should record two occurrences for the following day. At the end of the month, total the daily occurrences from all locations on your system and report this number using reporting code 74062 (Overflow Occurrence, No./Month) on the 4500 form for station number 300.

b) Annual Report

You must prepare an annual report of all SSOs in your collection system, including those that do not enter waters of the state. The annual report must be in an acceptable format (see below) and must include:

- (i) A table that lists an identification number, a location description, and the receiving water (if any) for each existing SSO. If an SSO previously included in the list has been eliminated, this shall be noted. Assign each SSO location a unique identification by numbering them consecutively, beginning with 301.
- (ii) A table that lists the date that an overflow occurred, the unique ID of the overflow, the name of affected receiving waters (if any), and the estimated volume of the overflow (in millions of gallons). The annual report may summarize information regarding overflows of less than approximately 1,000 gallons.
- (iii) A table that summarizes the occurrence of water in basements (WIBs) by total number and by

sewershed. The report shall include a narrative analysis of WIB patterns by location, frequency and cause. Only WIBs caused by a problem in the publicly-owned collection system must be included.

Not later than March 31 of each year, you must submit one copy of the annual report for the previous calendar year. The report may be submitted electronically using the NPDES Annual Sanitary Sewer Overflow Report available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, you may submit one hardcopy of the report to Ohio EPA Northwest District Office and one copy to: Ohio EPA; Division of Surface Water; NPDES Permit Unit; P.O. Box 1049; Columbus, OH, 43216-1049. An acceptable annual SSO report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at:

<https://epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/permits-program-technical-assistance>

You also must provide adequate notice to the public of the availability of the report. Adequate public notice would include: notices posted at the community administration building, the public library and the post office; a public notice in the newspaper; or a notice sent out with all sewer bills.

I. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

J. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

K. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

L. Multiple grab samples shall be comprised of at least three grab samples collected at intervals of at least three hours during the period that the plant is staffed on each day for sampling. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance. The critical value shall be reported.

M. The treatment works must obtain at least 85 percent removal of carbonaceous biochemical oxygen demand (five-day) and suspended solids (see Part III, Item 1).

N. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

O. All disposal, use, storage, or treatment of sewage sludge by the permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code and any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the permittee.

P. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such

times and locations, and in such fashion, as to be representative of the facility's sewage sludge.

Q. No later than March 1 of each calendar year, the permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center/STREAMS, Division of Surface Water NPDES Permit Applications service.

R. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring and the weight calculations shall be maintained on site for a minimum of five years. The test methodology used shall be from Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation, using the edition which is current on the issuance date of the permit. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

S. Monitoring for Free Cyanide (low-level)

Currently there are three approved methods for free cyanide listed in 40 CFR 136 that have a quantification level lower than any water quality-based effluent limits: ASTM D7237-10, OIA-1677-09, and ASTM D4282-02. (Note: The use of ASTM D4282-02 requires supporting documentation that it meets the requirement of a "sufficiently sensitive" test procedure as defined in 40 CFR 122.44(i)(1)(iv)). The permittee shall use one of these approved methods.

T. Monitoring for Dissolved Orthophosphate (as P)

The permittee shall monitor for dissolved orthophosphate by grab sample. The permittee shall filter the grab sample within 15 minutes of collection using a 0.45-micron filter. The filtered sample must be analyzed within 48 hours. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance.

U. Outfall Signage

The permittee shall post OR the permittee shall maintain a permanent marker on the stream bank at each outfall that is regulated under this NPDES permit. This includes final outfalls, bypasses, and combined sewer overflows. The sign shall include, at a minimum, the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The sign shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water. When an existing sign is replaced or reset, the new sign shall comply with the requirements of this section.

V. Storm water

To comply with industrial storm water regulations, the permittee submitted a form for "No Exposure Certification" which was signed on May 15, 2023. Compliance with the industrial storm water regulations must be re-affirmed every five years. No later than May 15, 2028, the permittee must submit a new form for "No Exposure Certification" or make other provisions to comply with the industrial storm water regulations.

W. General Mercury Variance

The permittee is granted a renewal of the general mercury variance under the provisions of Rule 3745-01-38(H) of the Ohio Administrative Code. The permittee has demonstrated that the facility is currently unable to comply with the monthly average water quality based effluent limit of 1.3 ng/L without construction of expensive end-of-pipe controls more stringent than those required by sections 301(b) and 306 of the Clean Water Act. The permittee is currently able to achieve an annual average mercury concentration of 12 ng/L. For general mercury variance purposes, the annual average mercury effluent concentration is defined as the average of the most recent 12 months of effluent data.

One of the conditions of the general mercury variance is that the permittee make reasonable progress towards attaining the water quality based effluent limits for mercury (1.b, below). To accomplish this, the permittee is required to continue implementing a pollutant minimization program (PMP) for mercury. The elements of a PMP include: a control strategy to locate, identify and, where cost-effective, reduce levels of mercury that contribute to discharge levels; periodic monitoring of sources and the treatment system; and annual reporting of results.

The plan of study that was part of the permittee's 2017 application for coverage under the general mercury variance included items associated with developing a control strategy and initial implementation of a PMP. By implementing the plan of study and meeting other conditions of its NPDES permit, the permittee has been taking actions consistent with a PMP for mercury. Condition 1.d below, requires the permittee to continue implementing a PMP for mercury.

1. As conditions of this variance, the permittee shall meet the following requirements:

- a. The permittee shall comply with the effluent limitations for mercury at outfall 2PD00029001 given in Part I, A. of this permit.
- b. The permittee shall make reasonable progress towards attaining the monthly average water quality-based effluent limit for mercury by complying with the general mercury variance conditions included in this NPDES permit.
- c. The permittee shall use EPA Method 1631 to comply with the influent and effluent mercury monitoring requirements of this permit.
- d. The permittee shall continue implementing a PMP for mercury consistent with the plan of study included in the permittee's mercury variance application submitted on August 15, 2017 and any other relevant information submitted by the permittee, including the following activities:
 - i. The wastewater staff intends to continue to compile a list of sites to be sampled and further investigate the list of potential mercury sources.
 - ii. The City has also been replacing all its florescent lighting with LED lighting thus reducing the potential exposure of Mercury from the accidental breakage of the Mercury activated lights.

iii. The City will continue to increase both the street sweeping frequency along with the jetting and evaluation of the City's collection system with a sewer camera system.

iv. The City will continue to identify and prioritize old and deteriorated sewers within the system. The sewer will be addressed as deemed necessary for proper treatment.

v. The City continues to move forward with the installation of the new membrane process. This is scheduled to be completed in the fall of 2023.

e. The permittee shall assess the impact of the mercury variance on public health, safety, and welfare by, as a minimum, monitoring for mercury in the facility's influent and effluent as required by this NPDES permit.

f. The permittee shall maintain an annual average mercury effluent concentration equal to or less than 12 ng/L.

g. On or prior to January 15th of each year, the permittee shall submit two copies of an annual PMP report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049. The annual PMP report shall include:

i. All minimization program monitoring results for the year

ii. A list of potential sources of mercury

iii. A summary of all actions taken to meet the effluent limits for mercury

iv. Any updates of the control strategy, including actions planned to reduce the levels of mercury in the treatment plant's final effluent

The Ohio EPA Annual Mercury PMP Report and Appendices are available on the Division of Surface Water Permits Program Technical Assistance web page at the following website:

<https://epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/permits-program-technical-assistance>. Open the Mercury list.

h. Upon completion of the actions identified in the plan of study as required in Part II, Item W.1.d. of this permit or upon submittal of the permittee's NPDES permit renewal application, whichever comes first, the permittee shall submit to Ohio EPA's Northwest District Office a certification stating that all permit conditions imposed to implement the plan of study and the PMP have been satisfied and whether compliance with the monthly average water quality based effluent limit for mercury has been achieved and can be maintained. This certification shall be accompanied by the following:

i. All available mercury influent and effluent data for the most recent 12 month period. ii. Data documenting all known significant sources of mercury and the steps that have been taken to reduce or eliminate those sources; and

iii. A determination of the lowest mercury concentration that currently available data indicate can be reliably achieved through implementation of the PMP.

2. Exceedance of the annual average limit of 12 ng/L.

a. If at any time after the effective date of this permit, the permittee's annual average mercury effluent concentration exceeds 12 ng/L, the permittee shall:

i. Notify Ohio EPA's Northwest District Office not later than 30 days from the date of the exceedance.

ii. Submit an individual variance application, if a variance is desired, not later than 6 months from the date of the exceedance; or

iii. Request a permit modification not later than 6 months from the date of the exceedance for a compliance schedule to attain compliance with the water quality-based effluent limits for mercury.

b. If the permittee complies with either 2.a.ii or 2.a.iii, above, the general mercury variance conditions included in this NPDES permit will remain in effect until the date that the Director acts on the individual variance application or the date that the permit modification becomes effective.

c. If the permittee does not comply with either 2.a.ii or 2.a.iii, above, a monthly water-quality based effluent limit for mercury of 1.3 ng/L shall apply at outfall 2PD00029001 beginning 6 months from the date of the exceedance.

3. The requirements of Part II, Item W.2 shall not apply if the permittee demonstrates to the satisfaction of the Director that the mercury concentration in the permittee's effluent exceeds 12 ng/L due primarily to the presence of mercury in the permittee's intake water.

X. Permit Reopener for Mercury Variance Revisions

Ohio EPA may reopen and modify this permit at any time based upon Ohio EPA water quality standard revisions to the mercury variance granted in Part II, Item W of this permit.

Y. Renewal of Mercury Variance

For renewal of the mercury variance authorized in this permit, the permittee shall include the following information with the submittal of the subsequent NPDES permit renewal application:

1. the certification described under Part II, Item W.1.h., and all information required under Part II, Item W.1.h.i. through Part II, Item W.1.h.iii;

2. a status report on the progress being made implementing the pollutant minimization program (PMP). This information may be included in the annual PMP report required under Part II, Item W.1.g;

3. a listing of the strategies and/or programs in the PMP which will be continued under the next renewal of this permit; and

4. a statement requesting the renewal of the mercury variance.

Z. Pretreatment Program Requirements

The permittee's pretreatment program initially approved on December 23, 1986 and all subsequent modifications approved before the effective date of this permit, shall be an enforceable term and condition of this permit.

To ensure that the approved program is implemented in accordance with 40 CFR 403, Chapter 3745-3 of

Ohio Administrative Code and Chapter 6111 of the Ohio Revised Code, the permittee shall comply with the following conditions:

1. Legal Authority

The permittee shall adopt and maintain legal authority which enables it to fully implement and enforce all aspects of its approved pretreatment program including the identification and characterization of industrial sources, issuance of control documents, compliance monitoring and reporting, and enforcement.

The permittee shall establish agreements with all contributing jurisdictions, as necessary, to enable the permittee to fulfill its requirements with respect to industrial users discharging to its system.

2. Funding

The permittee shall have sufficient resources and qualified personnel to fully implement all aspects of its approved pretreatment program.

3. Industrial User Inventory

The permittee shall identify all industrial users subject to pretreatment standards and requirements and characterize the nature and volume of pollutants in their wastewater. Dischargers determined to be Significant Industrial Users according to OAC 3745-3-01 must be notified of applicable pretreatment standards and requirements within 30 days of making such a determination. This inventory shall be updated at a frequency to ensure proper identification and characterization of industrial users.

4. Slug Load Control Plans for Significant Industrial Users

The permittee shall evaluate the need for a plan, device or structure to control a potential slug discharge at least once during the term of each significant industrial user's control mechanism. Existing significant industrial users shall be evaluated within one year of the effective date of this permit if the users have never been evaluated. New industrial users identified as significant industrial users shall be evaluated within one year of being identified as a significant industrial user.

5. Local Limits

The permittee shall develop and enforce technically based local limits to prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW, pass through the treatment works, be incompatible with the treatment works, or limit wastewater or sludge use options.

The permittee shall use the following waste load allocation values when evaluating local limits for the following pollutants for which a final effluent limit has not been established:

Arsenic 119 ug/L
Cadmium 6.1 ug/L
Chromium, hexavalent 11 ug/L
Chromium, total 114 ug/L
Copper 25 ug/L
Free Cyanide 5.3 ug/L
Lead 27 ug/L
Mercury 1.3 ng/L
Molybdenum 11.9 mg/L

Nickel 142 ug/L
Selenium 5.1 ug/L
Silver 1.3 ug/L
Zinc 315 ug/L

For the purpose of periodically reevaluating local limits, the permittee shall implement and maintain a sampling program to characterize pollutant contribution to the POTW from industrial and residential sources and to determine pollutant removal efficiencies through the POTW. The permittee shall continue to review and develop local limits as necessary.

6. Control Mechanisms

The permittee shall issue control mechanisms to all industries determined to be Significant Industrial Users as defined in OAC 3745-3-01. Control mechanisms must meet at least the minimum requirements of OAC-3745-3-03(C)(1)(c).

7. Industrial Compliance Monitoring

The permittee shall sample and inspect industrial users in accordance with the approved program or approved modifications, including inspection and sampling of all significant industrial users at least annually. Sample collection, preservation and analysis must be performed in accordance with procedures in 40 CFR 136 and with sufficient care to produce evidence admissible in judicial enforcement proceedings.

The permittee shall also require, receive, and review self-monitoring and other industrial user reports when necessary to determine compliance with pretreatment standards and requirements. If the permittee performs sampling and analysis in lieu of an industrial user's self-monitoring, the permittee shall perform repeat sampling and analysis within 30 days of becoming aware of a permit violation, unless the permittee notifies the user of the violation and requires the user to perform the repeat analysis and reporting.

8. POTW Priority Pollutant Monitoring

The permittee shall annually monitor priority pollutants, as defined by U.S. EPA, in the POTW's influent, effluent and sludge. Sample collection, preservation, and analysis shall be performed using U.S. EPA approved methods.

a. A sample of the influent and the effluent shall be collected when industrial discharges are occurring at normal to maximum levels. Sampling of the influent shall be done prior to any recycle streams and sampling of the effluent shall be after disinfection. Both samples shall be collected on the same day or, alternately, the effluent sample may be collected following the influent sample by approximately the retention time of the POTW.

Sampling of sludge shall be representative of sludge removed to final disposal. A minimum of one grab sample shall be taken during actual sludge removal and disposal unless the POTW uses more than one disposal option. If multiple disposal options are used, the POTW shall collect a composite of grab samples from all disposal practices which are proportional to the annual flows to each type of disposal.

b. The results of these samples must be submitted on Ohio EPA Form 4221 with the permittee's annual pretreatment report. Samples may be collected at any time during the 12 months preceding the due date of the annual report and may be used to fulfill other NPDES monitoring requirements where applicable.

9. Enforcement

The permittee shall investigate all instances of noncompliance with pretreatment standards and requirements and take timely, appropriate, and effective enforcement action to resolve the noncompliance in accordance with the permittee's approved enforcement response plan.

On or prior to January 15th of each year, the permittee shall publish, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the permittee, a list of industrial users which, during the previous 12 months, have been in Significant Noncompliance [OAC 3745-3-03(C)(2)(h)] with applicable pretreatment standards or requirements.

10. Reporting

All reports required under this section shall be submitted through Ohio EPA's eBusiness Center/STREAMS, Division of Surface Water NPDES Permit Applications services. The Ohio EPA eBusiness Center can be found in the link: <https://ebiz.epa.ohio.gov/login.html>

a. Quarterly Industrial User Violation Report

On or prior to the 15th day of February, May, August, and November, the permittee shall report the industrial users that are in violation of applicable pretreatment standards during the previous quarter. The report shall be prepared in accordance with guidance provided by Ohio EPA and shall include a description of all industrial user violations and corrective actions taken to resolve the violations.

b. Annual Pretreatment Report

On or prior to January 15th of each year, the permittee shall submit an annual report on the effectiveness of the pretreatment program. The report shall be prepared in accordance with guidance provided by Ohio EPA and shall include, but not be limited to: a discussion of program effectiveness; an industrial user inventory; a description of the permittee's monitoring program; a description of any pass through or interference incidents; a copy of the annual publication of industries in Significant Noncompliance; and, priority pollutant monitoring results.

11. Record Keeping

All records of pretreatment activities including, but not limited to, industrial inventory data, monitoring results, enforcement actions, and reports submitted by industrial users must be maintained for a minimum of three (3) years. This period of retention shall be extended during the course of any unresolved litigation. Records must be made available to Ohio EPA and U.S. EPA upon request.

12. Program Modifications

Any proposed modifications of the approved pretreatment program must be submitted to Ohio EPA for review, on forms available from Ohio EPA and consistent with guidance provided by Ohio EPA. If the modification is deemed to be substantial, prior approval must be obtained before implementation; otherwise, the modification is considered to be effective 45 days after the date of application. Substantial program modifications include, among other things, changes to the POTW's legal authority, industrial user control mechanisms, local limits, confidentiality procedures, or monitoring frequencies.

AA. Biomonitoring Program Requirements

The permittee shall continue to implement an effluent biomonitoring program to determine the toxicity of the effluent from outfall 2PD00029001.

General Requirements

All toxicity testing conducted as required by this permit shall be done in accordance with "Reporting and Testing Guidance for Biomonitoring Required by the Ohio Environmental Protection Agency" (hereinafter, the "biomonitoring guidance"), Ohio EPA, July 1998 (or current revision). The Standard Operating Procedures (SOP) or verification of SOP submittal, as described in Section 1.B. of the biomonitoring guidance shall be submitted no later than three months after the effective date of this permit. If the laboratory performing the testing has modified its protocols, a new SOP is required.

Testing Requirements

1. Chronic Bioassays

For the duration of the permit, the permittee shall conduct chronic toxicity tests, as specified in Part I,A, using water fleas (*Ceriodaphnia dubia*) and fathead minnows (*Pimephales promelas*) on effluent samples from outfall 2PD00029001. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

2. Acute Bioassays

For the duration of the permit, the permittee shall conduct definitive acute toxicity tests, as specified in Part I,A, using water fleas (*Ceriodaphnia dubia*) and fathead minnows (*Pimephales promelas*) on effluent samples from outfall 2PD00029001. These tests shall be conducted as specified in Section 2 of the biomonitoring guidance. Acute toxicity tests need not be performed for months in which chronic toxicity tests are conducted. Acute endpoints, as described in Section 2.H. of the biomonitoring guidance, shall be derived from the chronic test.

3. Testing of Ambient Water

In conjunction with the acute and chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 2PD00029801. If Jennings Creek is believed to have nutrient enrichment, then a lab control may be used for the test. Testing of ambient waters shall be done in accordance with Sections 2 and 3 of the biomonitoring guidance.

4. Data Review

a. Reporting

Following completion of each bioassay requirement, the permittee shall report results of the tests in accordance with Sections 2.H.1., 2.H.2.a., 3.H.1., and 3.H.2.a. of the biomonitoring guidance, including reporting the results on the monthly DMR and submitting a copy of the complete test report to Ohio EPA, Division of Surface Water. The test report may be submitted electronically using the acute or chronic NPDES Biomonitoring Report Form available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, the permittee may submit a hard copy of the report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

Based on Ohio EPA's evaluation of the results, this permit may be modified to require additional

biomonitoring, require a toxicity reduction evaluation, and/or contain whole effluent toxicity limits.

b. Definitions

TUa = Acute Toxicity Units = 100/LC50

TUc = Chronic Toxicity Units = 100/IC25

This equation for chronic toxicity units applies outside the mixing zone for warmwater, modified warmwater, exceptional warmwater, coldwater, and seasonal salmonid use designations except when the following equation is more restrictive (*Ceriodaphnia dubia* only):

TUc = Chronic Toxic Units = 100/square root of (NOEC x LOEC)

AB. Maumee Watershed Nutrient Total Maximum Daily Load (TMDL)

The Maumee Watershed Nutrient Total Maximum Daily Load (TMDL) Report was approved in September 2023. The TMDL assigned an individual wasteload allocation to Delphos WWTP of 1,000 kg of total phosphorus for the critical season (March through July). Compliance with this individual wasteload allocation will be regulated through the Maumee Watershed Total Phosphorus NPDES General Permit, under which Delphos WWTP has been granted coverage. In the event the permittee is no longer covered by the general permit, this individual permit may be modified, or revoked and reissued, to incorporate effluent limits consistent with the wasteload allocation.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or *E.coli* bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or *E.coli* bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "not greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATION

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam, or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growth become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate 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 conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

- A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>

- B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (a) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (b) The manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
3. In the case of a municipal, state or other public facility, by either the principal executive officer, the ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services-sub/edmr>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest.

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)

- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. 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
- c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
Southwest District Office: swdo24hournpdes@epa.ohio.gov
Northwest District Office: nwdo24hournpdes@epa.ohio.gov
Northeast District Office: nedo24hournpdes@epa.ohio.gov
Central District Office: cdo24hournpdes@epa.ohio.gov
Central Office: co24hournpdes@epa.ohio.gov

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/individual-wastewater-discharge-permits>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
Southwest District Office: swdo24hournpdes@epa.ohio.gov
Northwest District Office: nwdo24hournpdes@epa.ohio.gov
Northeast District Office: nedo24hournpdes@epa.ohio.gov
Central District Office: cdo24hournpdes@epa.ohio.gov
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The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

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Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The time(s) at which the discharge occurred, and was discovered;
- c. The approximate amount and the characteristics of the discharge;
- d. The stream(s) affected by the discharge;
- e. The circumstances which created the discharge;
- f. The name and telephone number of the person(s) who have knowledge of these circumstances;
- g. What remedial steps are being taken; and,
- h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;
2. The cause of the violation;
3. The remedial action being taken;
4. The probable date by which compliance will occur; and,
5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. 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.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have 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 "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
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 "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the

Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At any time during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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 to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where 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 in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

EXHIBIT 9

Start-Up and Operations of the City of Delphos MBR / ThermAer ATAD Wastewater Treatment Facility

Kim Riddell, Wastewater Superintendent
City of Delphos
608 N. Canal Street
Delphos, Ohio 45833

ABSTRACT

The City of Delphos, Ohio along with their engineers designed a new state-of-the-art wastewater treatment plant utilizing flat plate membrane (MBR) technology (Enviroquip/Kubota) coupled with an autothermal thermophilic aerobic digestion (ATAD) 2nd generation (ThermAer™) solids treatment system to address the current and future needs of the city as well as the Directors Final Findings and Orders (DFFOs) filed against the city by the Ohio Environmental Protection Agency (EPA). The city received funding for this project from the Ohio EPA's Division of Environmental and Financial Assistance (DEFA). The plant has a design average day flow of 3.83 MGD (14,500 m³/day) with a peak 48-hour flow of 12 MGD (45,500 m³/day). The average dry weather flow is 1.5 MGD (5,700 m³/day). The ATAD system is designed for a solids loading of 8,700 lbs/day (4,000 kg/day). The community has a 70% combined sanitary sewer system with seven permitted combined sewer overflows.

The entire project included the following: an addition to an existing equalization basin bringing the total storm equalization capacity of the system to 12 million gallons (14,500 cubic meters); a new pumping station with coarse screens at the existing plant with two 18-inch (450 mm) force mains to pump the flow to the new plant site; a headworks building with fine screening and grit and grease removal; a septage receiving station; a membrane bioreactor using flat plate technology; vertical ultraviolet (UV) disinfection system; ThermAer ATAD (Class A or exceptional quality) solids handling system with gravity belt/ belt press units; SCADA control system; new administration building with offices, laboratory and vehicle storage and demolition of the existing facilities.

This paper and presentation will briefly describe the design of this new facility and the decision process behind going with an MBR and moving from a Class B to Class A wastewater solids treatment process; however, it will focus mainly on the first 18 months of operations and maintenance at the facility. The author will discuss the basic operations of the MBR system and the detailed start-up and operations of the ThermAer ATAD system focusing on training, staffing requirements, and operational costs and benefits of utilizing these two treatment technologies to meet strict effluent limits for (carbonaceous biochemical oxygen demand 5 day (CBOD₅), nitrogen ammonia and phosphorus brought on by a recent total maximum daily load (TMDL) study while producing an exceptional quality biosolids product that is being utilized within the community. The paper and presentation will include data associated with the ATAD system such as percent total solids and percent volatile solids destruction, and percent total solids of the exceptional quality cake product being utilized for land application. Polymer and alum dosage rates and associated costs for each system will also be discussed.

KEYWORDS

ATAD, ThermAer, Biosolids, Membrane Bioreactor, MBR, Operations and Maintenance, O&M, Start-up, digestion, Class A

INTRODUCTION

Beginning in 2005, the City of Delphos began the construction of a wastewater treatment improvement project that now allows the community to adequately treat its high organic loadings, improve the effluent quality being discharged into Jennings Creek and meet the Total Maximum Daily Loadings (TMDLs) for the Auglaize River Watershed.

The new (2006) state-of-the-art facility is the largest flat plate membrane bioreactor facility in North America. It is also the only flat plate membrane treatment facility in operation with an Autothermal Thermophilic Aerobic Digestion ThermAer (ATAD) solids handling system.

The City of Delphos, Ohio along with their engineers designed the new wastewater treatment plant utilizing Enviroquip / Kubota flat plate membrane bioreactor (MBR) technology coupled with a 2nd generation ATAD solids treatment system from Thermal Process Systems to address the current and future needs of the City as well as the Directors Final Findings and Orders (DFFOs) filed against the City by the Ohio Environmental Protection Agency (EPA). The use of this treatment technology to address peak flows was a unique application at the time of design of the facility. Start-up of the new facility occurred in October 2006. The City received funding for this project from the Ohio EPA's Division of Environmental and Financial Assistance (DEFA). The plant has a design average day flow of 3.83 MGD (14,500 m³/day) with a peak 48-hour flow of 12 MGD (45,500 m³/day) and an 8-hour peak flow of 18 MGD (68,000 m³/day). The average dry weather flow is 1.5 MGD (5,700 m³/day). The ATAD system is designed for a loading of 8,700 lbs/day (4,000 kg/day).

The project included the following: an addition to an existing equalization basin bringing the total storm equalization capacity of the system to 12 million gallons (45,000 m³); a new pumping station with coarse screens at the existing plant with two 18-inch (450 mm) force mains to pump the flow to the new plant site; a headworks building with fine screening and grit and grease removal; a septage receiving station; a membrane bioreactor using flat plate technology; vertical ultraviolet (UV) disinfection system; ATAD (Class A or exceptional quality) solids handling system with gravity belt/ belt press units; SCADA control system; new administration building with offices, laboratory and vehicle storage and demolition of the existing facilities.

The treatment plant is designed to deal with two unique situations present in Delphos. The City of Delphos has a seventy percent combined collection system; thus, there can be large fluctuations in flow during wet weather events. The average dry weather flow for the community is 1.5 MGD (5,700 m³/day); however, with just ½ inch (12 mm) of rainfall, the flow at the plant can increase to 12 MGD (45,000 m³/day) quickly. The new plant is designed for an

8 hour peak sustained flow of 18 MGD (68,000 m³/day) and a 48 hour peak sustained flow of 12 MGD (45,500 m³/day). In addition to the peak capacity of the plant, the City of Delphos has 12 million gallons (45,000 m³) of storm pond holding capacity connected to two interceptor sewers that collect water in excess of the capacity of the existing collection system.

The second unique situation in Delphos is the design loading for the facility. The plant is designed for 12,000 lbs./day (5,500 kg/day) carbonaceous biological oxygen demand (CBOD₅) and 9,000 lbs./day (4,100) total suspended solids (TSS). The conventional loading to the facility is extremely high for a community of only 7,000 people. The population equivalent for the City of Delphos is in excess of 50,000 people. This is due to the high loading attributed to the food processing flows coming from three industries located in Delphos. These facilities manufacturer such products as mashed potatoes, sour cream based dips and desserts, gelatin products and soybean meal and oil. Based on production of particular product lines and varying with holidays, the loading to the plant can be highly variable. The membrane bioreactor treatment system lends itself to dealing with this variability much more easily than other types of conventional activated sludge facilities would have.

BRIEF SYSTEM DESCRIPTION

The flow to the new influent pump station arrives via two influent sewers: one 12-inch (300 mm) sewer servicing a small portion of the north end of town and one large 48-inch (1.2 m) sewer that takes the remainder of the flows from the community. There is very little fall across the City of Delphos; therefore, the city has 16 lift stations that force-main flow to gravity sewers that eventually make their way into the 48-inch (1.2 m) trunk line coming into the new influent pump station. The influent pump station is designed to pump the 12 MGD (45,000 m³/day) peak capacity of the new plant from the site of the old plant over to the green site location of the new plant via two 18-inch (450 mm) force-mains.

The flow then enters one of two completely redundant Andritz 1/8 inch (3mm) fine screens. There is no mechanism by which the flow can bypass the fine screens. This screening is necessary as part of the pre-treatment of flows going to the membranes. The flow then enters a Schreiber aerated grit and grease removal system. From here, the flow falls over a small weir system and combines with the return activated sludge (RAS) flow from the membranes in the influent channel. The flow goes from the influent channel into the anoxic basins of the MBR system. The MBR system has five trains. The fifth train can either be utilized as a membrane bioreactor or a membrane thickener (MBT). The anoxic basins for trains 1 – 4 are combined via holes cored close to the base of each tank to make a common anoxic basin. Train 5 has a separate anoxic basin so that it may be utilized under low or normal flow conditions as a MBT, digesting and thickening solids to 3.0 – 5.0 % before further treatment in the ATAD system. As flows increase, the facility SCADA automatically brings all trains online to treat peak flows.

Once in the anoxic basins, the influent/RAS mixture is pumped utilizing RAS or feed forward pumps from the anoxic basins into pre-aeration basins. The RAS pumps have a maximum pumping capacity of 4,000 gpm (250 l/s). There are Flygt mixers in each of the anoxic and pre-aeration basins as well. From the pre-aeration basins, the flow falls over a concrete weir into the MBR basins. Each MBR tank contains 26 double-stacked flat- plate membrane cassettes. The

permeate is pumped via one of 10 Gorman Rupp Super T Series pumps located in the basement of the operations building. There is a separate pump for the upper and the lower cassettes in each train with two shelf spares having been supplied as part of the project. The permeate then flows to a vertical IDI UV disinfection system, through Sanitaire fine-bubble post-aeration and out to Jennings Creek.

Using the concept of *biohydraulics*, the MBR System was designed to exceed biological treatment objectives over the range of expected operating conditions. Designed using the Storm Master™ configuration, the plant is also equipped with the Symbio® technology, which helps to promote simultaneous nitrification and denitrification (SNdN) in the supplemental aeration zone. Operating at low DO in SNdN mode can reduce operating costs and ensure optimum biological process performance. The Storm Master™ design is an important feature of the Delphos WWTP because it further reduces overall plant operating costs by putting offline membrane capacity to beneficial use. Utilizing the Storm Master™ design, Enviroquip and the City's engineers actually automated the plant to handle flows ranging from 300 gpm or 0.019 m³/sec (0.4 MGD / 1,500 m³/day) to a maximum net capacity of 8,328 gpm or 0.53 m³/sec (12.0 MGD / 45,425 m³/day). As a result, the effective turndown ratio of the plant is 28:1. The plant has already experienced minimum recorded flows of approximately 400 gpm (0.025 m³/sec) and peak flows in excess of 8,000 gpm (0.50 m³/sec) during periods of high rainfall.



City of Delphos MBR / ThermAer ATAD Wastewater Treatment Facility

Back at the influent pump station, as flow starts to exceed the design capacity of the plant, the flow will then go over a concrete weir to a storm pond wet well. There are two pumps rated for 2,450 gpm (0.15 m³/sec) each. These pumps send the flow to either of the two storm ponds; one pond is located just north of the park on North Jefferson Street that holds two million gallons (7,500 m³) and one is located on North Franklin Street that holds just over ten million gallons (38,000 m³). The pond at North Franklin Street was increased in size as part of this project from four million to ten million gallons (15,000 m³ to 38,000 m³).

The City also has two interceptor sewers that capture and convey flows in excess of the existing collection system. The Franklin Street Interceptor Sewer has a capacity of 400,000 gallons (1,500 m³) and conveys storm flows to the Franklin Street Storm Pond pump station that sends the flows directly to the Franklin Street storm pond. The Jennings Creek Interceptor Sewer has a capacity of 323,000 (1,220 m³) gallons and conveys water to the North Street pump station that pumps the storm water to the Jefferson Street storm pond. There is also an equalization line between the two ponds that allows the flows to equalize to either of the two ponds when open. The storm water from these ponds is returned to the influent pump station wet well once the flows at the treatment plant have decreased enough to begin to receive the storm water. The storm water then receives full treatment at the plant. If the wet weather event continues and the treatment facility is treating 12 MGD (45,000 m³/day) and the ponds become full, the system will bypass from one of the seven approved points in the collection system. The entire system, according to our approved Long Term Control Plan (LTCP) is designed to reduce those bypasses to less than four events in a typical year.



Franklin Storm Lagoon – Increased from 4 to 10 million gallons in 2006

DESIGN AND PLANNING

The City had been issued DFFOs from the Ohio EPA in March of 2002 and the former superintendent retired in May 2002. In addition to beginning negotiations with the Ohio EPA on

the Findings and Orders, the city was in the middle of negotiating a consent decree with one of their significant industrial users, Orval Kent / Chef Solutions. The first objective was to review the Findings and Orders and develop a game plan so that the treatment plant staff could get a handle on what was actually going on at the treatment plant, within the system with the industrial users and the pretreatment program and then assist the engineers and the city's environmental lawyer in responding to the Findings and Orders in a timely manner with the most up-to-date and valid information.

There were many issues facing Delphos and decisions needed to be made in order to begin laying out the plan for the future of wastewater treatment in Delphos. It was the job of the superintendent to help put forth the decisions and provide options and guidance to the city council and administration to assist them in ultimately deciding what the best options for Delphos were. The feedback from council members varied widely, to say the least. Several felt if the situation were simply ignored it would go away. Ultimately, after many hours of preparation, guidance and deliberations, city council agreed that the city ultimately needed to build a new treatment facility and while several were absolutely opposed, the majority ruled that the city would not make any of the industrial users install their own pretreatment equipment outside of what they already had and Delphos would size the plant to take the current loadings and plan for a small amount of growth for the future.

While Poggemeyer Design Group (PDG) had assisted in the planning phase of the project, the City advertised a Request for Qualifications (RFQ) and a new engineer (Floyd Browne Group and CT Consultants) was hired for the design phase of the wastewater project. It was imperative to have them review and concur with the concepts that had been presented to the Ohio EPA in the Wastewater Compliance Plan that was developed by PDG. This submittal was a facility plan combined with a Long Term Control Plan which was required as part of our DFFOs and NPDES Permit. The concept was to design a plant with a peak design flow that could handle the average daily flows as well as the storm flows for the city and bring Delphos into compliance with the required less than four CSO events per year. In the original plan prepared by Poggemeyer it was suggested that the city needed a facility capable of treating 19 MGD (72,000 m³/day) for peak wet weather. WWTP staff worked with Floyd Browne and CT Consultants, the city's new engineers, to develop a tabletop model of the collection system and it was determined that the city needed a facility capable of treating 12 MGD (45,425 m³/day) a day to get below the four combined sewer overflow (CSO) events per year. In the revised Compliance Plan as developed by Floyd Browne and CT, it was suggested that since the city did not have time to do a proper flow study, the facility would be built to treat 12 MGD (45,000 m³/day) and that the city could add on to existing storm lagoons to capture an additional six million gallons (23,000 m³) in the future, if it was necessary.

In addition, the original Compliance Plan indicated that the city would be constructing an oxidation ditch type treatment system at the City's existing facility site. Upon review of the conditions and other types of treatment (predominately MBRs), city administration wanted the engineers to consider looking at MBRs as an option. There were concerns voiced by the wastewater department staff that since the oxidation ditch would have been designed with conventional loadings as the limiting factor that the city could be in trouble if the ditch was sized to handle all of the loadings from the industrial users. In addition, since the oxidation ditch

process would have provide almost two-thirds of the load to the facility if the industries left or reduced their production, Delphos could have a facility that was difficult to operate if it was designed without the estimated loadings. Since MBRs are designed based on peak flow, they would be more easily adapted to lower loadings at the facility. In addition, the MBR system eliminated the need for clarifiers which had the potential to cause problems with solids during peak wet weather events.

A cost analysis of construction was completed for both types of treatment and the costs were within \$1,000,000 of each other; thus, MBRs looked like a viable option for the city. In addition, MBRs would provide the ability to treat to a lower effluent quality in terms of CBOD5 and TSS. This was important, as the TMDL study for the discharge stream was underway at the time of the new system design phase. The revised Wastewater Compliance Plan indicated that Delphos would construct a MBR system capable of treating a peak daily flow of 12 MGD (45,000 m³/day) and that the city would consider the installation of additional storm water capacity, if necessary, to get to less than four CSO events per year. In the end, the city agreed to install the additional storm pond capacity as part of the overall wastewater project and the Wastewater Compliance / Long Term Control Plan was approved by the OEPA in December of 2004. During this time, the city continued to negotiate with the OEPA over the Findings and Orders that were finalized in 2004.

The City worked with DEFA to secure the loan for the project that was estimated to cost \$29 million. The bids for the project came in at \$31,890,000, and it was determined after working with the auditor, that the city would have to raise sewer rates 15% a year for four years beginning in February 2005 and ending in February 2008. The current sewer rate is \$68.78 for the first 1,000 cubic feet/quarter (30 m³/quarter) of wastewater and \$6.87 for each additional 100 cubic feet of wastewater per quarter (3 m³/quarter). This reflects just slightly over a 100% increase from the rates in 2004. Prior to that, the sewer rates had not been raised more than the consumer price index (CPI) increase each year for the past 15 years.

While for reasons mentioned above, the city was leaning toward the MBR process to treatment wastewater, we had the design engineer prepare a site layout and construction cost for the MBR and oxidation ditch processes. The costs were very comparable; however, the foot print was not. The MBR system took up approximately 60% of the new 14-acre site, (5.7 HA) while the oxidation ditch process required 90% of the same site. This, along with the release of the draft TMDL study for Jennings Creek and the Auglaize River Watershed, swayed the city administration to ultimately agree that the MBR process was going to be the best option for Delphos.

During the initial design phase, the city traveled extensively in Ohio, Indiana and Illinois looking at solids handling equipment and pumps, in addition to traveling to Georgia to visit several Enviroquip / Kubota MBR facilities. While no site visits were made to Zenon facilities, the design team and city administration met with Zenon representatives regarding their membrane system. We accepted proposals for both membrane systems and the engineers developed a 20-year cost analysis for each system. In the end, Kubota was the chosen MBR manufacturer for the project.

For the solids handling portion of the plant, it was decided to look at technologies capable of meeting Class A requirements without the use of lime or lime products. Due to the fact that the old facility was plagued with odor complaints, city council was extremely concerned with odor issues associated with the new facility. After attending a presentation on Thermal Process Systems' ThermAer 2nd Generation ATAD system, wastewater facility administration discussed this system as an option with the design engineer. The City staff decided to make several visits to existing facilities to ensure that this system met all of the city's criteria; little to no odor generation, and produce a small volume of biosolids which met Class A requirements. Site visits were also made to several RDP Class A En-Vessel Pasteurization facilities. However, since the process uses lime (that is difficult to handle) and some odors were observed at the toured facilities, this process was ruled out. Ultimately, Delphos chose to specify the Thermal Process Systems (TPS) ThermAer ATAD as the solids treatment system for the new facility. This system was chosen for design specifically for its ability to meet Class A criteria, its record of achieving at least 50% total solids reduction and 60 to 80% volatile solids reduction, and its lack of odor generation due to the integral 2-stage ammonia scrubber/biofilter odor treatment system.

The new Delphos Wastewater Treatment Plant (WWTP) project was estimated to cost \$29 million dollars. The bids came in for the project at \$31,890,000. The final cost of the project was just slightly over \$30 million. The design took less than six months as was required by the Ohio EPA Director's Final Findings and Orders. All things considered, the planning and design phase went amazingly well considering it was a sharp learning curve and there was a very tight timeline dictated by the DFFOs.

With regard to staffing, there were minimal changes made during the course of this project. Initially at the old facility, there were four permanent positions: a superintendent and three operators. During the planning phase of the project, one of those operators was promoted to pretreatment operator which was a newly created position that would be trained on all laboratory work that was recently brought back in-house and assist the superintendent with the pretreatment program and all that it entailed. This created a vacant operator position which was shortly filled bringing the staff to 5 persons for the department: a superintendent, the pretreatment operator and 3 facility operators. Then during construction, it was determined that an additional staff person would be needed due to the amount of maintenance that would be required at the new facility with the increased number of pumps and associated equipment with the MBR system. In the end, the pretreatment operator was promoted to assistant superintendent and the pretreatment operator's job description was incorporated into that of the assistant superintendent minus the laboratory work and an additional operator was hired into the department. Thus, after a three year transition, the final staff count at the time of start-up included a superintendent, an assistant superintendent and four facility operators for a total of six staff members.

DETAILED ATAD START-UP AND OPERATIONS

The City of Delphos utilizes Autothermal Thermophilic Aerobic Digestion or a ThermAer ATAD system supplied by Thermal Process Systems, Inc. for solids treatment. As noted previously in design and planning, this system was chosen for its ability to provide a significant volume reduction and a stable Class A or EQ biosolids material that is effectively odor and pathogen free. While the Delphos facility is a newly constructed state-of-the-art facility, the

ThermAer system can also be easily utilized during a retrofit upgrade of an existing wastewater treatment facility when tankage is available and reduce the overall process footprint compared to conventional aerobic and anaerobic process that produce a Class B biosolids product. This reduction in new footprint or ability to increase capacity without adding tankage is achieved through the accelerated digestion that occurs in thermophilic reactors.

Specifically at the Delphos facility, waste activated sludge (WAS) can be pumped from the MBT (train 5) or directly from the RAS channel at the MBR system by either one of two 40 HP (30 KW) Moyno progressive cavity pumps located in the MBR basement. The WAS can be pumped directly into the ATAD reactors when utilizing the MBT, or to one of the two 2-meter Ashbrook combination gravity belt thickener/belt filter press units (GBT/BFP) located in the solids thickening building when wasting directly from the RAS channel. Polymer is utilized to produce a thickened WAS (TWAS) of approximately 3 to 6 percent solids with the gravity belt thickener. TWAS is pumped from the thickened solids hopper via one of two 20 HP (15 KW) Moyno progressive cavity pumps to one of the two ATAD reactor tanks. This portion of the system is operated at a design 12 day hydraulic retention time (HRT) and in the case of Delphos, is a batch process (feeding one reactor while isolating the other). The ThermAer system can also be run in a continuously fed operation mode depending on the preferences of the facility operation staff and design engineers and the level of automation provided.

From the ATAD reactors, the digested biosolids are pumped to the ATAD storage tank (storage nitrification denitrification reactor or SNDR tank). The addition of this tank to the system is important as it provides a method of biosolids cooling to reduce potential odor generation and BFP polymer consumption and reduces the ammonia concentration in the BFP filtrate that also reduces the aeration demands of the liquid treatment processes. From here, the biosolids are again pumped via another set of two 20 HP (15 KW) Moyno pumps located in the ATAD basement to the BFP units for dewatering. Polymer and alum are added and mixed into the biosolids prior to dewatering to promote phosphorus precipitation and coagulation. Dewatered biosolids fall onto a conveyor belt on the opposite end of the unit from the biosolids hopper and are conveyed through a wall into the biosolids storage building. Biosolids are stored in the biosolids storage building prior to utilization in fields by local farmers or in gardens by home owners. The end product is a Class A biosolids and meets all state and federal 503 biosolids regulations.



ThermAer jet and foam pumps with heat exchanger in the far right

During the normal operations of the gravity belt thickener, the units are operated at approximately 150 gpm (0.009 m³/sec) or 9,000 gallons per hour (gph) (34 m³/hr). This operation utilizes just slightly over 1 gph (0.004 m³/h) of polymer. The thickened WAS is approximately 4 – 6% solids prior to being fed into the ATAD reactors. When the unit is being utilized for pressing, the system is typically operated at 115 gpm (0.007 m³/sec) or approximately 6,800 gph (25.7 m³/hr). When pressing approximately 3 gph (0.01 m³/hr) of polymer and 46 gph (0.174 m³/hr) of alum are utilized. The pressed product is approximately 25 -28% solids and is discharged from the conveyor system into the storage building. The system produces approximately 30 – 40 tons per month of biosolids for a total of 400 to 450 ton per year. The polymer and alum costs are approximately \$75,000 per year.

The ATAD system was designed to treat 8,700 pounds (4,000 kg) of dry solids daily. Each ATAD reactor holds approximately 162,000 gallons (613 m³) and the SNDR tank holds approximately 360,000 gallons (1,360 m³). The design feed rate to the ATAD reactors is approximately 120 gpm (0.007 m³/s) at a solids concentration of 4 – 6% solids. Each reactor is equipped with a Sulzer recycle pump rated for 6,000 gpm (0.379 m³/sec) and a Sulzer foam transfer pump rated for 1,500 gpm (0.095 m³/sec). The SNDR tank is equipped with a Sulzer recycle pump rated for 4,026 gpm (0.254 m³/sec). The design and current operational solids retention time is approximately 12 days which resulted in constructing much smaller tanks than many other options.

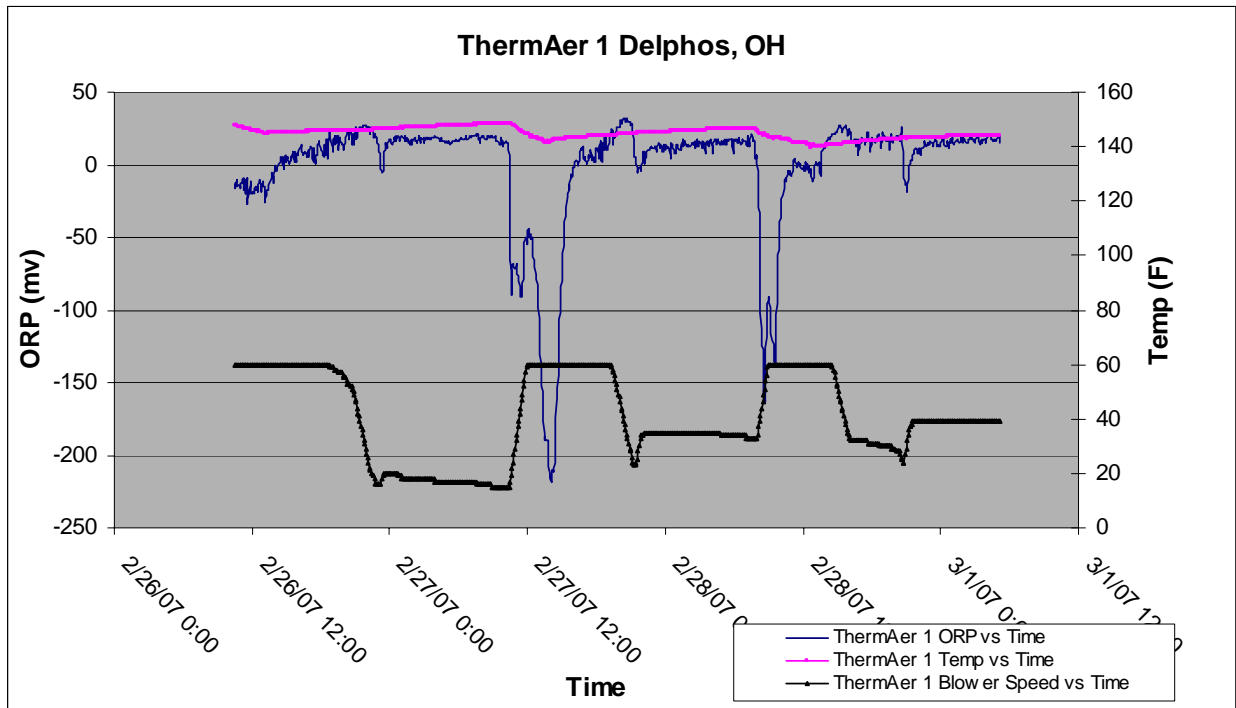
This digestion process has three basic steps: waste, feed, react. At the Delphos facility, the process is operated five days per week. In the morning, digested biosolids that have met the time and temperature criteria are wasted to obtain the optimal liquid depth and HRT. Once wasting is complete, the tank is then in “feed mode.” Under current normal operating conditions, thickened biosolids are introduced to the fully enclosed reactor tanks. These tanks are operated in parallel. During start-up, these tanks were operated in series due to questions that arose during construction regarding the volatile solids content of the MBR solids and whether the volatile solids content would be high enough to bring the reactors up to a proper operating temperature. The reactors achieved an operating temperature of 150 degrees Fahrenheit (F) (65.6 degrees Celsius (C)) within two weeks of start-up and within 4 weeks, the temperature of reactor 2 was at 178 degrees F (81.1 C). At that time, the operations were switched to a parallel operation as originally designed and have remained on the parallel mode. The average operating temperature range of the two reactor tanks is now 140 – 155 degrees F (60 – 68.3 C).

When the tanks are being fed, the operating temperature of the tank begins to drop. Once the feed cycle ends and react mode begins, the temperature begins to rise as the thermophilic process destroys the solids. Air is continuously added to the process by 30 HP (25 KW) positive displacement blowers through a jet aeration header system. The blowers are variable frequency drive (VFD) driven and ramp up or down during treatment based on the ORP (oxidation reduction potential) in the reactor. This assists in the efficiency of the system, but also has another important role - the ability to vary the liquid flow and the air flow independently also aids in controlling the operating temperature of the reactor. This has been shown to be a cost effective operating method while still providing optimum digestion and metabolic conversion.



Four ThermAer ATAD blowers, 3 duty blowers with 1 stand-by

During the feed cycle, the oxygen demand increases. As oxygen demand increases, the ORP decreases, and the blower speeds up. The aeration system is designed and programmed with a maximum and minimum setting. The purpose of the maximum setting is to limit the drop in ORP as well as to limit the amount of time that the ORP remains low. By optimizing the ability of the blower to adjust to these maximum and minimum setpoints, the aerobic digestion efficiency is maximized and the odor potential and electrical costs are minimized. Please note the data in the inserted graph of operations at the Delphos facility. The decline in the blue line (ORP) denotes a feed cycle. The corresponding increase in the black line denotes an increase in the blower speed to provide the necessary oxygen.



The ThermAer ATAD system is also equipped with a foam control mechanism. The foam recycle pump and Foam SplashCone™ controls the thickness of the foam layer which acts as an insulation blanket in the reactor. The Delphos tanks are approximately 23 feet deep, so the foam blanket control is set for 22 feet above the tank floor to allow for four feet of foam at the design liquid operating depth of 18 feet and to eliminate the possibility of foam coming out of the top of the tank. The foam recycle pump allows for the foam to be mixed with a recycle stream, and then returned to the tank via spray nozzles that control the foam depth of the tank. The system is operated based on the foam radar transmitter located at the top of the reactor and the foam recycle pump is also utilized to transfer or waste the digested liquid to the SNDR tank.

Biosolids are also recirculated through the jet aeration system to mix the air with the recycled solids and enhance the oxygen transfer rate within the system. From the reactor, biosolids are pumped through a heat exchanger with a maximum flow of 200 gpm (0.013 m³/sec), which provides for biosolids cooling, and then into the SNDR tank. While in the SNDR tank, the biosolids are further cooled via the heat exchanger to approximately 95 degrees F (35 C); thus,

the temperatures drop from a thermophilic range to a mesophilic range. The cooling of the biosolids is important for odor control (re-uptake of the ammonia via the nitrification denitrification process) and acceptable solids dewatering. The greater than 50% TS destruction in the process had a significant impact on the project economics and was a major factor in the ultimate decision to utilize the TPS ThermAer ATAD system at Delphos.

A two-stage odor control system was also provided as part of this project. Off gas from the SNDR is also treated with a cooling/ammonia water scrubber to decrease the air temperature to assure mesophilic temperature conditions for the biofilter which is the second stage in the odor control system. In addition, the cooling/ammonia scrubber functions to remove a high percentage of any ammonia that may be contained in the off-gas. The ammonia is stripped from the system and removed in the water which is then returned back to the head of the plant via a plant drain system. The remaining off-gas, typically no higher in concentration than 300 ppm ammonia is then sent to the biofilter. The biofilter airflow distribution, temperature, humidity and pH are controlled by controlling various setpoints such as influent velocity, ammonia scrubber saturation and air temperature, and the washing of the media periodically with plant effluent water.

Under current operating conditions, the reactors meet time and temperature requirements in a matter of minutes to hours; however, the biosolids are not transferred out of the reactor and into the SNDR tank until the next day or approximately 24 hours later to provide mixing of the entire tanks contents. The average percent total solids destruction across the system is currently 53 – 60 percent and the average VS destruction across the system is approximately 65 – 75 percent (depending on how much industrial dissolved air floatation (DAF) skimmings the facility takes directly into the system from one of the industrial users). The more industrial flow, the higher percent TS and VS destruction Delphos experiences across the ATAD system. The biosolids are tested for fecal coliform utilizing the MPN method and metal requirements before being made available for land application. Metals have never been an issue for the community and have never affected the beneficial use of our biosolids product at either facility. The fecal coliform results for the ATAD biosolids product are typically non-detect or less than 10 MPN per gram of dry solids. The solids concentration of the dewatered biosolids product is typically in the range of 25 – 28%.



Biosolids Storage Area

The biosolids are currently being utilized by a local farmer who has in excess of 6,000 acres (2,500 HA) of available land. A small isolated pile of biosolids is kept on-site in the biosolids storage area to be able to supply the local residents with the biosolids product when they choose to utilize the product in their yards, gardens or flower beds. Currently, there is no charge for the biosolids product. The agreement with the farmer states that he will pay for the hauling and the city will provide the product and load his trucks.

CONCLUSIONS

The Delphos WWTP startup and operation has provided a unique set of circumstances, challenges and solutions. In conclusion, this successful project demonstrates that a community with help from their design engineer, Ohio EPA, equipment suppliers and contractors, can design and build a state-of-the-art treatment system capable of treating a highly variable wastewater and biosolids loading. The City administration and facility staff can not look past the importance of comprehensive planning, investigation and design; understanding the conveyance system; thorough training; proper, informed operations; and ultimately excellent communication among all parties involved. The Delphos facility, with a total installed cost of approximately \$31M and a construction time of approximately 18 months, has set the bar high for new large MBR/ATAD facilities in the US and around the world. More importantly, the competitive cost and proven capabilities of the Delphos treatment system to produce reuse quality effluent and Class A biosolids with a broad range of loading conditions, demonstrates the ability of the MBR and ATAD systems to be competitive and reliable compared to conventional technologies.

EXHIBIT 10

Beginning in 2005, the City of Delphos began a wastewater treatment improvement project that now allows the community to adequately treat its high organic loadings, improve the effluent quality being discharged into Jennings Creek and meet upcoming Total Maximum Daily Loadings (TMDL's) for the Auglaize River Watershed.

Capacity was a critical factor in the design of the new wastewater treatment facility. Although Delphos has a population of approximately 7,000, the wastewater treatment system needed to be capable of handling the wastewater equivalent loadings of a community the size of 70,000 people. In addition to the industrial loadings, the City of Delphos has a combined sewer system which provides for a large peaking factor at the plant. The average dry weather flows experienced by the facility are approximately 1.5 million gallons per day (MGD); however, when it rains, the plant experiences flows in excess of 8 times that. The new facility has a design peak flow rate of 12 MGD. In addition to the new facility, the City of Delphos added on to an existing storm holding pond to increase the storm pond holding capacity for the City to 12 million gallons.

The new (2006) state-of-the-art facility is the largest flat plate membrane bioreactor facility in the world. It is also the only membrane treatment facility in operation with an Autothermal Thermophilic Aerobic Digestion (ATAD) solids handling system.

Following is a step-by-step guide through the wastewater treatment processes of the City of Delphos:

Influent Pump Station

Wastewater from the City enters the influent pump station located at the previous facility site through two lines: a 48 inch and a 12 inch gravity sewer. The wastewater flow is screened to remove large objects that could interfere with downstream pump performance. The pumping arrangement had to accommodate flow variations of less than 1 MGD at night to a peak flow of 12 MGD during a storm event. From the influent pump station wastewater flows through two 18 inch force mains under Jennings Creek and over to the headworks at the new facility.

Headworks

Solids are further removed through 3 millimeter fine screens and an aerated grit and grease removal system. This additional solids removal step is critical to the operations of the membrane system. Large or sharp pieces of debris could puncture or block flow to the membranes. Also located in the Headworks Building is the Septage Receiving Station. Waste from independent septage haulers is screened to remove large materials and processed through the fine screens and then on to the rest of the plant. Software included with the system automatically collects flow data and assists management with the billing statements for the haulers.

Membrane Bioreactor (MBR)

Biological treatment occurs in the anoxic, pre-aeration and aeration tanks of the MBR process. This system houses 130 double stacked membrane units with 52,000 individual membrane plates within five trains.

In a conventional treatment facility organic matter is utilized by bacteria and transformed into inert matter which can then be removed through clarification and/or filtration. During this process, ammonia is converted into nitrate. This treatment method leads to an effluent quality that meets typical NPDES requirements.

Membrane bioreactors, on the other hand, take the place of clarification and filtration typically installed in conventional treatment facilities. Membrane plates handle solids that typically pass through conventional

treatment systems by physically blocking them from passing through to the effluent. The bioreactor also incorporates biological nutrient removal via the anoxic zones allowing for nitrification/de-nitrification processes. Alum is added to the process to assist with phosphorus removal.

During normal flows, solids from the MBR trains are sent to a dedicated membrane thickener (MBT) train. In peak flow events, this fifth train receives influent flow and functions as another MBR train for treatment.

Post-treatment Units

Effluent from the MBR system enters the ultraviolet (UV) disinfection system to inactivate any remaining microorganisms in the effluent stream. Post aeration is also provided to add oxygen to the effluent which helps protect the animals and plants in the Jennings Creek after discharge.

Autothermal Thermophilic Aerobic Digestion (ATAD)

Solids from the membrane thickener (MBT) are pumped to a gravity belt thickener to remove excess water and take the percent solids to approximately 5%. Those solids are then pumped into one of two ATAD reactor tanks. The biological activity in these tanks increases the temperature (approximately 140 degrees Fahrenheit) and the solids are digested by the bacteria resulting in a "Class A" liquid biosolid material. From the reactor tanks, the liquid is moved through a heat exchanger and into a storage tank where the temperature is lowered to less than 95 degrees Fahrenheit.

This material is suitable for land application as a liquid or as a solid. In order to reduce disposal costs, two combination belt thickener/press units were installed and the liquid from the storage tank is run across a belt press unit where the solids content is increased to approximately 22%. This cake material can be more easily handled and utilized within the City parks system or for private use by farmers, landscapers or homeowners in their gardens or flower beds.

EXHIBIT 11



CITY OF DELPHOS

24793 Pohlman Rd

DELPHOS OH 45833

419-692-0991 PHONE

2021 Annual Report

The City of Delphos is required to provide an Annual Report to the public in accordance with Ohio Environmental Protection Agency. The new standards for CSO reporting have been put in place by the City of Delphos starting on January 1, 2019. All CSO locations are numbered by the NPDES discharge numbers and are clearly marked with the WWTP's information. In the sections to follow you will find a description of the collection system, Delphos's collection system maintenance program, an overview of the 9 minimum control standards, and all monitoring records.

Many improvements were made during the 2021 calendar year by the City of Delphos. Construction plans were made to replace the Ricker St. lift station. City Council has approved the project and the bids were approved. This project was slated to be completed in 2021 but due to the COVID-19 pandemic and supply and demand issues the project was delayed. The project should be completed in early June 2022. Ricker St. takes the majority of our industrial flow and by replacing this station we will be able to pump higher flows to the plant, reducing CSO events. The phase 3 construction plans for the main plant were submitted to the OEPA for approval and the PTI was approved. Construction began in December of 2021. As with the Ricker St lift station, Phase 3 construction was delayed due to the pandemic as well. With the completion of this project the City of Delphos WWTP will be able to treat 3 times the daily flow that we are currently treating. This will have a huge impact to the total amount of CSOs in any given year. The City of Delphos also implemented an emergency bypass plan with Rain for Rent in case of an emergency at one of the city's lift stations. Plans are being made to replace the Jefferson High School lift station and a total rehab on the Bredeck Lift station.

In 2021 the City of Delphos's Maintenance Department completed various improvements throughout the collection system. Some of these improvements included manhole replacement, house lateral repairs, and pipe replacement. During the year the department cleaned 12,500 ft of sewer line and ran their camera through 6,000 ft of sewer pipe. When weather permitted the street sweeper was utilized to clean catch basins and remove debris from the roadways. A total of 340 tons were collected for a total cost of \$13,630.12.

Collection System Overview

Here is a description of the City of Delphos collection system in its entirety and provide explanation for its operational and maintenance requirements.

The city's sewer system is approximately 55% combined sewer with the balance (predominately newer subdivisions and industrial park areas) being separated. The collection system is comprised of 14 lift stations, 2 storm water pumping stations (one for each interceptor sewer), 2 storm water lagoons and seven permitted combined sewer outfalls (Station codes 002, 005, 006, 007, 008, 010 and 011) and 1,865 acres of collection system area. Twelve of the lift stations and the 2 storm water pumping stations are

currently incorporated into the telemetry and SCADA system located at the WWTP. Two of the newest lift stations that were added in 2008 have Chatterboxes and are monitored via telephone alarm systems. In the future the WWTP would like to replace both of these Chatterbox systems with RTU type monitoring system for better monitoring.

The telemetry system is capable of providing at any given time, the run status of the pumps, power failure, communication failure and high wet well levels at each of the stations. While the system allows for the operators to monitor how often the pumps are running, it does not provide for additional information such as amp draw, wet well level, or flow rate at each of the stations. These are parameters that the WWTP are looking into adding in the future, at a minimum to the major lift stations to assist the staff in the operations, maintenance, and gathering other pertinent information. It is the WWTP's intention to try and budget these additions over the next five years. This information can begin to be gathered in an attempt to better understand the flow variations throughout the collections system.

Following is a description of the 14 lift stations and Influent Station

Influent Lift Station

The Plant influent station was built in 2006 **consisting** of 5- pumps rated at 833 gpm or 1.2 MGD each, 1 automatic bar screen, 2 manual bar screens, 2 storm pumps, 5-telemetry type level controllers, 1 isolating storm control valve, several VFD and Drives, permanent generator, 1scada system, RTU, and 1 non-potable water break tank. In 2022 the city plans on replacing the check valves on the two storm pumps.

7th Street Lift Station - 2- 1260 gpm @ 28' TDH 24Hp

3 Influent pipes 1 -18", 1 - 10", and 1 - 4"

10" force main to Moening Street

- A. Station received major upgrade in 2007 including new pumps, new electrical controls, complete polyurea coating to inside of wet well and all new rails. A carbon filtration unit was also installed for odor control.
- B. The station again in 2013 was upgraded with new pumps and controls due to corrosion caused by sewer gases.
- C. Station controlled by bubbler level monitoring – calls lead and lag pumps on at specific set-points and kicks them off once a lower set point is achieved. In addition, this station is equipped with a back-up float control system.
- D. Station services majority of industrial waste from east side of town (Carolyn Drive and Heritage Meadow's subdivisions and flows from Ricker Street Station) as well as sewage that originates on S. East part of Delphos.
- E. New check valves were installed in 2019. The CSO discharge point was reconfigured due to bridge replacement.

Ricker Street Lift Station - 2 – 400 gpm @ 25' TDH

3 Influent pipes; 1 – 12", 1 – 10" and 1 – 8"

8" force main

- A. Station is over 30 years old. Pumps have been holding up; however, with it being located in "nice" residential area a major upgrade (i.e. bigger force main or station replacement) may be very difficult.

- B. Station controlled by a bubbler tube system which calls for the lead and lag pumps to come on at a certain system pressure.
- C. Majority of flow from Lakeview Farms. Residential Flow from Ricker Addition, Heritage Meadows.
- D. This station is running significantly more due to the increased flows from LVF and impeller wear from years of service.
- E. The Ricker St lift station replacement is slated to be completed in June of 2022.

Bredeick Street Lift Station - 2 – 550 gpm pumps

2 Influent pipes; 1 – 12” and 1 – 10”

2 - 4” force mains (one for each pump) into manhole
6 foot away into 10” discharge line

- A. Controlled by 4 floats – pump off, lead, lag and high-water level.
- B. Station handles majority of flow from combined sewers on southwest part of town as well as some flow from Bunge North America.

South Park Lift Station - 2 – 280gpm pumps

2 – 12” influent lines

4” force main discharge

- A. South Park was built in 1999.
- B. Station controlled by air bubbler monitoring – calls lead and lag pumps on at specific set-points and kicks them off once a lower set point is achieved.
- C. Station handles flow from S.E. part of town – Flow can be high after rain event – I&I needs to be investigated in this area.
- D. The station has had two new pumps installed 2017 and a spare was purchased.

697 Pump Station - 2 – 151 gpm pumps @ 31’ TDH

2 Influent lines; 1 – 12” and 1 – 8”

4” Force Main

- A. This station had a new duplex controls and pumps installed in 2016
- B. Controlled by 4 floats – pump off, lead, lag and high-water level.
- C. Handles flows from Toledo Molding and Die and Unverferth Manufacturing.

Jefferson High School Lift Station - 2 – 100gpm pumps

3 – 8” influent lines

6” forced main discharge

- A. Station controlled by a bubbler tube system which calls for the lead and lag pumps to come on at a certain system pressure.

- B. Handles flow from Jefferson High School and Menke Addition.

3rd Street Lift Station - 1 – 8 gpm grinder pump (single phase)

2 influent lines; 1 – 6” and 1 – 4”

2” discharge

- A. Station handles flow from 6 homes along Flat Fork Creek; no back-up power available.
- B. Station controlled by 2 floats – pump on and off floats.
- C. New pumps, piping, and controls were installed in 2019.

Southridge Lift Station - 2 – 115 gpm pumps

2 influent lines; 1 – 8” and 1 – 6”

4” force main

- A. Station serves Southridge Estates subdivision (Approximately 15 -20 homes); hardware in wet well is corroding. Pump motors are 3 phase running off phase converter (single phase power available, converted into 3 phase using capacitors).
- B. Controlled by 4 floats – pump off, lead, lag and high-water level.

Dickman Street Lift Station - 2 – 20 gpm grinder pumps

1 – 8” influent

2” discharge

- A. Controlled by 4 floats – pump off, lead, lag and high-water level.
- B. Station serves Wildwood Subdivision (approximately 10 homes)
- C. New pumps, floats, and new controls were installed in 2019.

Urgent Care Lift Station - 2 – 290 gpm pumps

3 – 12” and 2 – 6” influent lines

6” discharge

- A. Station built in late 1990’s and handles flow from St. Rita’s Urgent Care, Arby’s Restaurant, Family Physician’s, Funeral Home, Nursing Home and Delphos Animal Hospital. Set for future development of East Fifth Street.
- B. Station controlled by Air Bubbler monitoring – calls lead and lag pumps on at specific set-points and kicks them off once a lower set point is achieved.

Tent and Awning Lift Station- 1 – 8 gpm grinder pump

(single phase)

2 influent lines; 1 – 6” and 1 – 4”

2” discharge

- A. Station handles waste from Tent and Awning along with 1 house; no back-up power source available. Gas powered 4-inch trash pump would handle flow in case of emergency.
- B. Closest Gravity sewer is approximately 400 feet to the south.
- C. Station controlled by 2 floats – pump on and off floats.
- D. This station is currently being engineered to accept flows for two additional houses to the north. This will change the depth of the station from the current 9 feet to approximately 12 feet with new pumps and controls.

Erie Street Lift Station -

2 – 35 gpm grinder pumps

2” force main

- A. New station in 2008.
- B. Controlled by 4 floats – pump off, lead, lag and high-water level.
- C. Serves approximately 10 houses on South Erie Street that were added due to Findings and Orders issued to Van Wert County for aged septic systems.
- D. New pumps were installed in 2019.

South Bredeick #2 Lift Station –

2 – 35 gpm grinder pumps

2” force main

- A. New station in 2008.
- B. Controlled by 4 floats – pump off, lead, lag and high-water level.
- C. Serves approximately 20 houses on S. Bredeick Street that were added due to Findings & Orders issued to Van Wert County for aged septic systems.
- D. New pumps and check valves were installed in 2019.

Currently, none of the individual lift stations have their own back-up power sources; however, a trailer mounted generator was purchased in 2005 in order to provide for back-up power should the need ever arise. Quick connect power couplings for the generator were also installed at each station (except for the two small grinder pump lift stations as noted in their descriptions) when the generator was purchased. Back-up pumping is provided for at each of the smaller grinder pump stations by a 4-inch gas powered trash pump which is trailer mounted and can be hauled to each site when necessary. The back-up generator is run under load at a different lift station once per month for a minimum of 20 minutes as part of the generator exercise and maintenance program. In addition, each of the storm water pumping stations on the interceptor sewers have back-up generators at their locations.

Current (2008) Storm Water and Flow Capacity:

North Park Pond	2.1 Million Gallons
Franklin Pond	10.0 Million Gallons
Jennings Creek Interceptor	323,000 gallons
Franklin Street Interceptor	400,000 gallons
TOTAL:	12.723 Million Gallons

Total Peak Flow Treatment Capacity at WWTP when construction is complete: 3.83 MGD

Once the capacity of the sanitary sewer system is exceeded, the flow backs up in the system and is pumped to the storm lagoons via several methods. First, at the influent pump station, once the flow has exceeded the 3.83MGD that the pumps are capable of, the flow is diverted over a weir wall and flows by gravity to the storm water pumping station. From there the flow is pumped to the North Park Storm Lagoon which is capable of equalizing with the Franklin Storm Lagoon via gravity. In addition, there are two storm water pumping stations. The North Street pump station pumps the storm water from the Jennings Creek Interceptor Sewer to the North Park Lagoon, while the Franklin Street Pump Station pumps storm water from the Flat Fork Creek Interceptor Sewer directly into the Franklin Street Storm Lagoon. Finally, after the storm lagoons are full, the water discharges via the CSO's that are attached to the interceptor sewers.



Franklin Street Storm Lagoon Pump Station with bar screen and wet well

Theoretically our system should be able to treat 3.83 million gallons daily and store another 12 million gallons of water for a total capacity of 15.83 million gallons. This is only possible if our system can convey the water to the treatment plant and holding lagoons in a timely and effective manner. That is the reason for the CSO management plan. It is required to show that the City is conforming to the regulations implemented by the State and Federal EPA in an attempt to minimize discharges to the stream of untreated wastewater in wet weather events. As part of the Findings and Orders that were issued to the

city in 2002, Delphos was required to complete a Long-Term Control Plan. The city combined this plan with our wastewater plan and developed what become known as our Wastewater Compliance Plan that was submitted to OEPA in 2003.

Due to the fact that the wastewater treatment facility was considerably aged and land locked with the city's Parks and Recreation area surrounding it, it was quickly decided that the best option for the city was to purchase land outside of the parks on the outskirts of town and build a new treatment facility there. Due to estimates provided to the city in the mid-1990's (in excess of \$30 million in 1994) on the cost of sewer separation and to the fact that it was understood that the city would have to construct a new treatment facility, it was decided that, if possible, the new facilities would be designed to capture and treat as much of the storm water as possible and that sewer separation would not be addressed at this time. This Wastewater Compliance Plan was approved by the Ohio EPA in 2004. Detailed design of the new treatment facility and additions to the storm water lagoons were began at that time. The city also operates under our Combined Sewer Overflow (CSO) Operation and Maintenance Plan which was completed by Poggemeyer Design Group, Inc. and approved by the OEPA in 1996.

Our sewers range from four to almost 20 feet in depth. Materials of construction for the pipes are vitrified clay, concrete and PVC. The wastewater enters gravity sewers that range from 6" to 48". The minimum sewer size according to the Ten State Standards is now supposed to be 8" so this requires that when any modifications are made to the 6" vitrified clay lines that they be replaced with 8" lines typically of a different material (PVC) and this requires a Permit to Install (PTI) application with the OEPA.

Following is a table of the approved CSO locations, station codes, pipe sizes and receiving streams (see map at end of system section):

	Station #	Description	Inlet Pipe Size	Overflow Pipe Size	Receiving Stream
	2PD00029002	Diversion Chamber at Influent Pump Station	48"	48"	Jennings Creek
	2PD00029011	5th and State Streets	18"	18"	Jennings Creek
	2PD00029005	7th and Scott Streets	42"	27"	Flat Fork Creek
	2PD00029006	Bredeick and Superior Streets	18"	18"	Jennings Creek
	2PD00029007	Bredeick between Erie and Cleveland	30"	30"	Jennings Creek
	2PD00029008	Ohio and State Streets	18"	18"	Jennings Creek
	2PD00029010	3rd and State Streets	12"	12"	Jennings Creek

In addition, all of the duckbills have been replaced on each of the CSO locations during the summer of 2008. This replacement project totaled over \$45,000 and was done to replace worn and weathered duckbills that had been in place since 1991. This should assist in the removal of solids and floatable debris in the CSO discharges when they occur. One CSO location (Station Code 011) has been blocked with a flapper valve and block of wood since I began my tenure at the city. It is our intention to investigate the occurrences of CSO discharges as required over the next few years and to attempt to gather data on these locations particularly during peak wet weather events (i.e. 100-year flood events) in an attempt to determine if any of these locations can be removed from the system since the addition of additional storm water holding lagoons and the new peak capabilities of the treatment facility.

With the construction of the new wastewater treatment facility, a concrete pad which drains back to the headworks of the facility was installed for disposal of the street sweepings and Vac truck tank. The solid debris is removed and taken to landfill for disposal. Our approved CSO Plan indicated that the catch basins and combined sewers will be cleaned at least every three years. The plan will divide the city

in half with Main Street being the divider. Each half of town will be cleaned every other year focusing on the catch basins in the combined areas of town first.

Since November 2007, there has also been considerable investigation of known areas of I&I. In addition, an ordinance was approved in the 1990's requiring downspout and sump pump discharge removal from the combined sewer areas. This ordinance has never been implemented. Beginning soon, the cities collections staff should plan to begin smoke and dye testing in the combined areas of town and implementing this removal ordinance.

It should be noted that the additional equipment that can be utilized to for the maintenance of the collection systems is a Portable Type Camera purchased in 2008 and the Vactor truck purchased in 2017. The City also purchased a new street sweeper in 2019.

CSO Program Requirements:

The City of Delphos's CSO operation and Maintenance Plan has been approved by the Ohio EPA and has been included in our NPDES Permit and as such is considered to be the document that the City operates under by law.

The approved CSO Operations and Maintenance Plan states that "The city has a program for cleaning and flushing the combined sewer system every three years. Catch basins associated with the combined sewer are cleaned every three years. Pump stations are inspected daily. The City will continue this program and more frequently if maintenance personnel find that solids are accumulating in the sewers."

In addition, as part of the Flat Fork Creek Interceptor project, and inverted siphon was installed at Fifth Street and Flat Fork Creek, the approved program indicates that "As part of the City's Maintenance Program, the inverted siphon is checked, flushed and cleaned every 3 months."

Nine Minimum Controls:

1. 1. Proper Operation and Regular Maintenance Program for the Sewer Systems and CSO's

The City of Delphos has adopted policies and procedures for the monitoring and maintenance of the collection system. Based on the inspection results, more frequent cleaning and/or inspection could be necessary. All inspections, cleaning and maintenance should be properly documented and filed.

2. Maximize Use of the Collections System for Storage

In the fall of 2018, the City of Delphos completed the second of three phases of construction. The city is currently under construction of phase 3. When the construction is complete the plant will see an increase in flow capacity from 1.25 MGD to 3.83 MGD. We should see a reduction of CSO's due to the plants new flow capacity.

3. Review and Modification of Pretreatment Requirements to assure that CSO Impacts are Minimized

The City of Delphos has an approved pretreatment program as required by 40CFR 403.8(c) and section 6111.03. Local limits have been developed and are reviewed and adjusted regularly. They were most recently updated and approved in February 2005. They will be reviewed and adjusted, if necessary, based on the new capacity at the plant once final completion of phase 3 is complete. As required by the State of Ohio, a registered PE will have to perform and submit these calculations.

Our industrial user inventory is updated regularly and the industrial users are covered under operational permits with the city. In addition, agreements with several of the industrial users have been made so that in the event of an extreme wet weather event, their flows could be temporarily stored on their plant sites to assist in minimizing the pollutant loadings to the streams during a CSO event.

In addition, a direct discharge line from the Gressel Drive area to the treatment plant is under consideration in the event that CSO events are not less than four events per year as required by our approved Long-Term Control Plan. Data will be collected to determine if this line is necessary.

4. Maximization of Flows to the Publicly Owned Treatment Works

The objective of this control is to reduce the magnitude, frequency and duration of CSO's that flow untreated into receiving waters. The city is currently under construction to raise the peak flow. In addition to the increased flow rate, this control mechanism would require such things as listed in control mechanism 1- proper operation and maintenance of the sewer system and CSO's.

5. Prohibition of CSO's During Dry Weather

Dry weather overflows of the combined sewer system are illegal and should be eliminated. CSO inspections are performed a minimum of once per week and documented by wastewater treatment plant staff. Documentation of these inspections kept on file at the treatment plant as required by the plan. Inspection frequency increases during wet weather events.

6. Control of Solid and Floatable Materials in CSO Discharges

Our CSO Plan indicates that we control or reduce solids and floatable materials to the stream by collecting the first flush in the storm water lagoons. We do this and in addition, duckbills were added to the ends of 5 of the CSO discharges. These prevent this type of material from being discharged into the stream during CSO discharge events. In addition, our plan indicates that the City practices source control via a garbage collection system which includes recycling and street cleaning.

7. Pollution Prevention

Our approved program lists our pollution prevention activities as:

1. Public Education
2. Garbage Receptacles
3. Garbage Collection
4. Street Sweeping

8. Public Notification of CSO Occurrences and Impacts

The City of Delphos is required to report all CSO's to the public with-in two hours of discovery. The WWTP staff upload the location, time discovered, rainfall total before CSO, and total flow to the city's computer server. This information is then uploaded to the cities website and e-mailed the Allen County Health Department. With-in seven days of the CSO stopping for at least 12 hours the staff then records to the total discharge flow, rainfall totals, and time ended. This information is then uploaded to the cities webpage and sent to the health department. At the end of each year the city will make an Annual CSO and post it on the cities webpage for the public to view.

In addition, we are required by our permit to have signs posted at each of the XSO discharges that indicate that there is the potential for untreated wastewater to be present in the creek at those points.

9. Monitoring to Effectively Characterize CSO Impacts and Efficiency of Controls

Our NPDES permit requires that we monitor each CSO discharge that occurs and monitor the flow, Carbonaceous Biological Oxygen Demand, Total Suspended Solids, Events per day and hours per event. This data is collected by wastewater treatment plant staff and submitted on our monthly operating reports to the OEPA as required by our NPDES Permit.

EXHIBIT 12



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

June 16, 2021

Limited Environmental Review and Finding of No Significant Impact

**City of Delphos – Allen and Van Wert counties
WWTP MBR Buildout
Loan number: CS390309-0019**

The attached Limited Environmental Review (LER) is for a wastewater treatment project in Van Wert County which the Ohio Environmental Protection Agency intends to finance through its Water Pollution Control Loan Fund (WPCLF) below-market interest rate revolving loan program. The LER describes the project, its costs, and expected environmental benefits. Making available this LER fulfills Ohio EPA's environmental review and public notice requirements for this loan program.

Ohio EPA analyzes environmental effects of proposed projects as part of its WPCLF program review and approval process. We have concluded that the proposed project should not result in significant adverse environmental impacts. This project's relatively narrow scope and lack of environmental impacts qualifies it for the LER rather than a more comprehensive Environmental Assessment. More information can be obtained by calling or writing the person named at the end of the attached LER.

Upon issuance of this Finding of No Significant Impact (FNSI) determination, award of funds may proceed without further environmental review or public comment unless new information shows that environmental conditions of the proposed project have changed significantly.

Sincerely,

Jonathan Bernstein

Jonathan Bernstein, Assistant Chief
Division of Environmental and Financial Assistance

Attachment

LIMITED ENVIRONMENTAL REVIEW

Project Identification

Project: WWTP MBR Buildout

Applicant: City of Delphos
608 North Canal Street
Delphos, Ohio 45833

Loan Number: CS390309-0019

Project Summary

The City of Delphos has requested financial assistance from the Ohio Water Pollution Control Loan Fund (WPCLF) for the WWTP MBR Buildout project. Work for this facilities improvement project will include the installation of an additional membrane bioreactor (MBR) train to allow the wastewater treatment plant (WWTP) to function at its original design capacity. The estimated loan amount is \$6,771,885. Debt for the project will be repaid from monthly sewer rates and the Delphos Sewer Fund. The project is scheduled to begin in autumn 2021 and be completed in 12 months.

History & Existing Conditions

The City of Delphos (see Figure 1) is located in Van Wert and Allen counties. The city is located in the Maumee River watershed drainage basin, which outlets into Lake Erie at Toledo by means of the Maumee River. The existing WWTP is located at 24793 Pohlman Road in the City of Delphos. The treated effluent from the WWTP is discharged to Jennings Creek. Jennings Creek flows north to the Auglaize River then into the Maumee River at the City of Defiance.

As a result of Ohio EPA Findings and Orders, the City of Delphos replaced its original trickling filter type wastewater treatment plant with a new state-of-the-art treatment facility utilizing flat plate membrane technology. The new treatment facility, which started operations in 2006, was at the time the largest flat plate membrane bioreactor in the world.

The 2006 wastewater treatment plant consisted of 3 mm influent screenings, aerated grit and grease removal, MBR process, ultraviolet disinfection, post aeration, and an Autothermal Thermophilic Aerobic Digestion (ATAD) solids handling system. The original MBR process was comprised of five independent processes, each consisting of 10,400 flat plate membranes for a total of 52,000. The average daily design capacity was to be 3.83 million gallons per day (MGD). The wastewater is collected throughout the City of Delphos and transported to the plant's main influent pump station.

Within the first 12 months of operation, the MBR system experienced severe solids buildup between the membrane plates. The solids buildup between the membrane plates severely limited the plant's ability to treat the current average daily influent flow of 1.2 MGD.

The existing WWTP has experienced failed membranes, blower failures, high electric power consumption, uneven flow splitting between membrane trains, flow hydraulic issues, inability to drain membrane tanks for cleaning and maintenance, permeate pump failures, hydraulic flow issues, and influent screening problems. These equipment failures and operational problems have resulted in effluent violations of National Pollutant Discharge Elimination System (NPDES) permit limits. The problems have been caused by the frequent failures of the existing flat plate bioreactors. As a result of these violations, Director's final findings and orders was issued to the City of Delphos on February 25, 2016.

In 2016, Delphos pilot tested a demonstration MBR train that uses both hollow fiber and flat plate membrane technology. The demonstration train had four cassettes of membrane modules that were installed in an existing concrete chamber. Based on the results of the pilot test, the city continued to operate the demonstration MBR train and installed a fifth cassette in the train for additional capacity and flexibility.

In 2017, Delphos installed a second MBR train using the new membranes to provide backup to the first train and the existing influent screens were replaced with two new mechanical screens.

Project Description

The proposed project (see Figure 2) is the final phase of a multi-phase project to replace failed flat plate membrane technology with more efficient membrane utilizing both flat plate and hollow fiber technology. Each membrane is comprised of approximately 500 fibers, with 16 membranes arranged side by side to form a module. The modules are configured in a block three rows high to make up a cassette. The membranes will be cleaned in place by back pulsing with clean permeate from inside outward through the hollow fibers. Chemical storage and feed systems for sodium hypochlorite and citric acid will be provided to assist in cleaning.

The proposed work will add a third treatment train of membranes and a permeate pump to restore the WWTP to its original average design flow of 3.83 MGD. This project also includes new aeration equipment in process tanks 1 and 2, new biological process, and membrane blowers. Specifically, the project includes the installation and construction of the following:

- Four membrane cassettes and associated equipment for the final membrane train
- Blowers for membrane air scour
- Effluent flume upgrade
- Process aeration and post aeration equipment
- Return Activated Sludge (RAS) channel upgrade
- Fine bubble diffused aeration for two aeration tanks
- Outside chemical feed containment walls
- New chemical feed in basement
- Four RAS pumps
- Magnetic flow meters
- Controls system upgrade
- Air piping
- Miscellaneous demolition and electrical control work

Implementation

Delphos proposes to borrow the eligible cost for the project from Ohio's WPCLF. Delphos will recover debt associated with the project from monthly sewer rates and its Sewer Fund, and rates will not increase as a result of this project. The 2021 monthly residential sewer rate in Delphos is \$46.61 (\$559.32 annually), based on average monthly water usage. This is 1.13 percent of the median household income of \$49,711.

The total loan amount is \$6,771,885. This project qualifies for a 30-year, zero-percent hardship loan. Borrowing at zero percent will save Delphos approximately \$2,390,000 over the life of the loan compared to the current market rate of 2.1 percent.

Public Participation

The Delphos WWTP project has been discussed extensively at public meetings and city council meetings and has received coverage in local newspapers and online outlets. The city is aware of no controversy surrounding this project. Furthermore, this Limited Environmental Review will be posted on Ohio EPA's website.

Conclusion

The proposed project meets the project type criteria for a Limited Environmental Review (LER); namely, it is an action within an existing public wastewater treatment system, which involves the functional replacement of and improvements to existing equipment. Furthermore, the project meets the other qualifying criteria for an LER; specifically, the proposed project:

Will have no adverse environmental effect, will require no specific impact mitigation, and will have no effect on high-value environmental resources, as construction will take place within an existing wastewater treatment facility where extensive excavation has previously taken place and where no high-value resources are present. There will be no significant adverse effects as a result of project implementation, or the need for any additional mitigation measures beyond typical erosion control and construction best management practices.

Is cost-effective, as the proposed action satisfies technical goals of the project and was deemed the most cost-effective compared to other evaluated alternatives.

Is not a controversial action, as there is no known opposition to the proposed project, the cost of the project is not overly burdensome to ratepayers, and will be financed through the WPCLF, saving approximately \$2,390,000 in interest payments compared to conventional financing.

Does not create a new, or relocate an existing, discharge to surface or ground waters, and will not result in substantial increases in the volume of discharge or loading of pollutants from an existing source or from new facilities to receiving waters, since the project involves the functional replacement of and improvements to existing equipment, and not increases to pollutant discharges.

Will not provide capacity to serve a population substantially greater than the existing population, since the project is not related to serving new growth or increasing design capacity at the wastewater treatment facility.

In summary, the planning activities for the project have identified no potentially significant adverse impacts. The project is expected to have no significant short-term or long-term adverse impacts on the quality of the human environment, or on sensitive resources (surface water, ground water, air quality, floodplains, wetlands, riparian areas, prime or unique agricultural lands, aquifer recharge zones, archaeologically or historically significant sites, federal or state-designated wild, scenic, or recreational rivers, federal or state-designated wildlife areas, or threatened or endangered species). Typical construction impacts, such as noise, dust, and exhaust fumes, will be short-term and addressed by standard construction best management practices.

The proposed project is a cost-effective way to make improvements to the failing MBR equipment. Once implemented, the project will update failing infrastructure, helping Delphos achieve the designed treatment capacity of its WWTP, and ensure safe and effective operation of the facilities. Also, by using WPCLF zero-interest financing, Delphos has minimized the project cost.

Contact information

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Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049

e-mail: eric.schultz@epa.ohio.gov



Figure 1. General project area (in red)

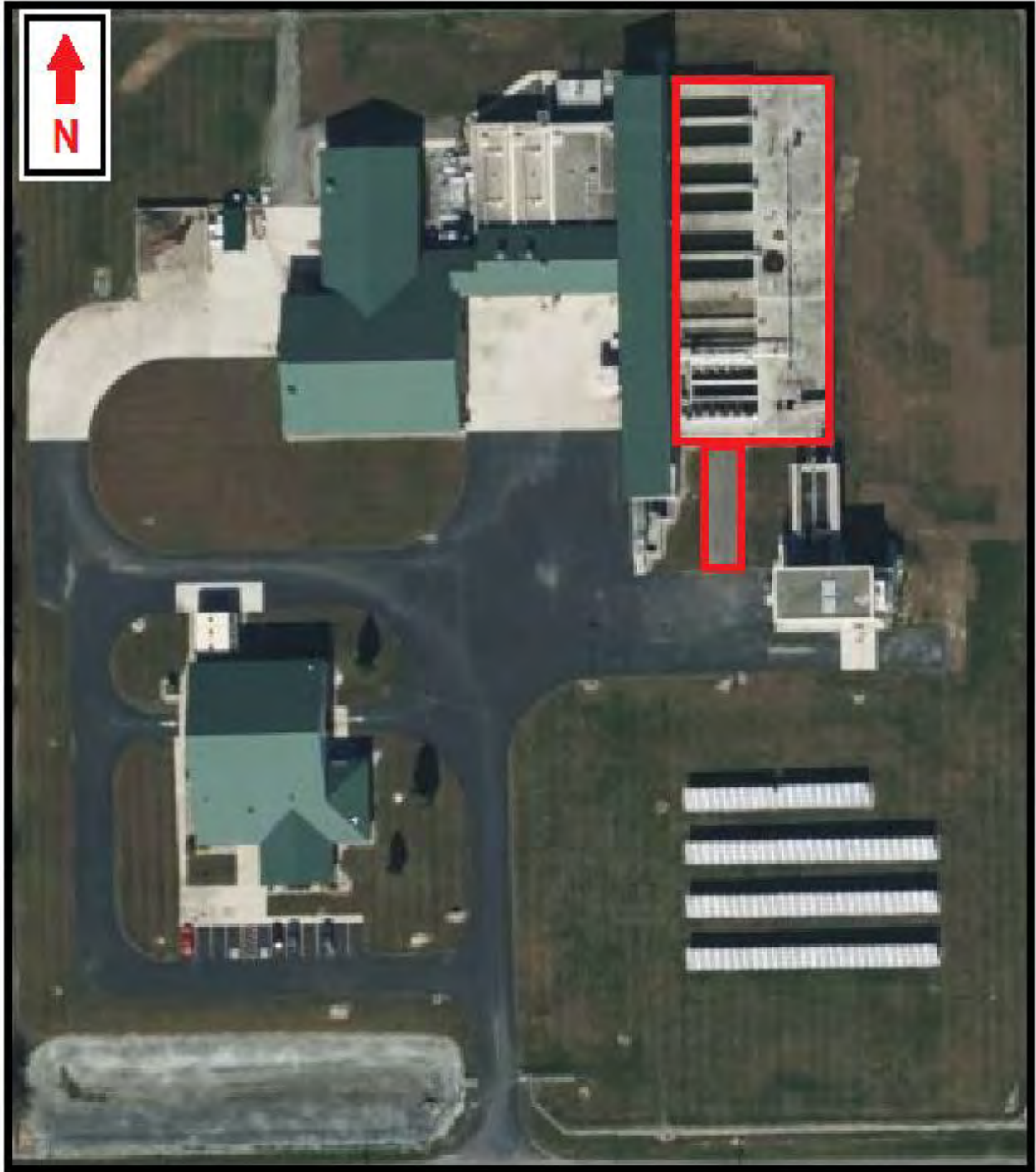


Figure 2. WWTP MBR Buildout project location (in red)

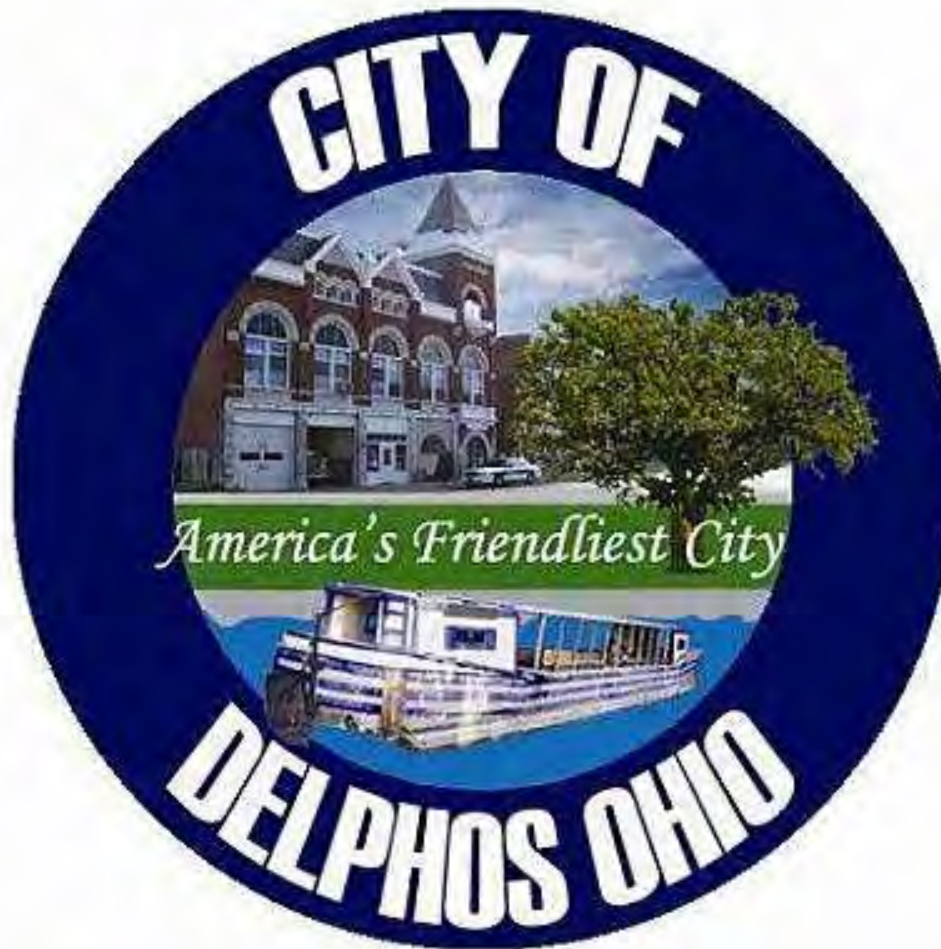
EXHIBIT 13

https://www.delphosherald.com/news/community/lakeview-farms-asks-for-better-communication-on-project/article_f36f5e7e-36f3-11ee-9ada-17485811d132.html

Lakeview Farms asks for better communication on project

BY NANCY SPENCER DHI Media Editor nspencer@delphosherald.com

Aug 9, 2023



DELPHOS — Lakeview Farms Senior Vice President Todd Parker pleaded with Delphos City Council and the Administration Monday evening for a better line of communication concerning Lakeview’s expansion and the city’s efforts to provide infrastructure and a roadway relocation for that project.

“There is no communication. We have asked over and over for answers and information and I’m getting nothing. We feel uniformed,” Parker said. “We decided to invest in Delphos and we aren’t seeing any resolution for current sewer issues.”

Lakeview's plans for the \$24-35 million expansion at the Delphos plant on Gressel Drive recently changed to include a 3-story, 10,000 square-foot administrative building for 74 employees, making an express sewer desirable for the area with Rode's Meats also coming into the industrial park at an additional \$1.2 million added to the city's bill for its portion of the project.

Safety Service Director Jamie Mehaffie told Parker he had no news to share with Parker and that funding was going to be a problem as grant cycles are out several years.

Allen Economic Development Group Business Development Director Cindy Leis was at the meeting and echoed Mehaffie, saying there was very little money in the county or state at the present time that could be asked for to help with the additional cost of the express sewer.

Parker said that he needs to know if the sewers are going to stay as planned and Lakeview will run a line to the Seventh Street Lift Station or if the express sewer will be installed and the line will go north to the wastewater treatment plant.

"We can't move forward with the expansion project with the current situation," he said.

Councilman Scott Wiltsie said he and another councilman and the safety service director and mayor or whoever need to attend will set up a meeting as soon as possible so everyone was on the same page.

Parker added that Lakeview plans to bring 160 TN employees from Canada and Mexico to work at the Delphos facility by 2028. TN employees are approved by NAFTA to work in the United States for up to four years and then they must start the citizenship process.

"These are educated workers and they are going to need housing," Parker said. "In a year when they get settled they'll bring their families. We need the city to help with finding space for TN housing. We are asking that you talk to landowners to see if there is land somewhere that can be purchased and developed into housing."

Mayor Doug Mullenhour shared with council the union representing the Maintenance, Water and Wastewater departments would like to open their contract a year early. Council asked for more information on why the union would ask for the early opening and Mullenhour said he would get that information.

In the only piece of legislation on the agenda, council heard on first reading a resolution for the annual request for permission for the safety service director and/or mayor to seek Ohio Public Works Funds in the amount of \$450,000 for next year's capital improvements to streets.

EXHIBIT 14



Indirect Discharge Permit Program

This fact sheet explains what an industrial discharge permit is, when it is necessary, and what is required of a permit holder.

Many businesses generate industrial wastewater. Different permitting requirements apply to industrial wastewater depending upon whether your business has a direct discharge or an indirect discharge to the waters of the state.

In the state of Ohio, your business is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit if you discharge wastewater directly into waters of the state. However, if your business meets the definition of significant industrial user (SIU) and discharges wastewater into a Publicly Owned Treatment Works (POTW) that does not have an Ohio EPA-approved pretreatment program, you must obtain written permission from the receiving POTW and apply for and obtain an indirect discharge permit from Ohio EPA.

A list of Ohio EPA-approved pretreatment programs are available at:

http://www.epa.ohio.gov/Portals/35/pretreatment/Approved_Program_Contacts.xlsx .

If you are an SIU and discharge to a POTW with an Ohio EPA-approved pretreatment program, you need not apply for an IDP from Ohio EPA. Instead, you must contact the local POTW for permitting requirements.

Who must apply for an indirect discharge permit?

According to Ohio Administrative Code [\(OAC\) 3745-36-03\(A\)](#), any SIU that discharges process wastewater into a POTW without an Ohio-EPA-approved pretreatment program must apply for and obtain an IDP from Ohio EPA.

Businesses not classified as SIUs are eligible for coverage subject to the permit-by-rule provisions ([OAC 3745-36-06](#)) and do not need to submit applications.

Who is considered an SIU?

As stated in [OAC 3745-36-02](#), an SIU is an industrial user that fits *any* of the following criteria:

- The industrial user's discharge is subject to categorical pretreatment standards (see 40 CFR Chapter I, Subchapter N, Parts 400 to 471); or
- Discharges an average of 25,000 gpd or more of process wastewater to the POTW (process water excludes sanitary, non-contact cooling wastewater, and boiler blowdown wastewaters); or
- Contributes a process wastestream that makes up five percent or more of the average dry weather hydraulic or organic capacity of the treatment plant; or
- Has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

What are examples of discharges that can adversely affect POTWs or violate pretreatment standards?

Discharges that can adversely affect a POTW or violate pretreatment standards or requirements include:

- A discharge that may allow pollutants to pass through the system and violate the POTW's NPDES permit or [Ohio Water Quality Standards \(WQS\) regulations](#);
- A discharge of pollutants in quantities and flow rate that may inhibit or interfere with POTW operations (e.g. slug discharge of organic high load);

Indirect Discharge Permit Program

- Pollutants that may cause corrosive structural damage to the POTW, including discharges less than a pH of 5.0 S.U.
- A discharge that poses fire or explosion hazards to the POTW system (e.g. wastestream with a close cup flashpoint of less than 140 degrees Fahrenheit);
- A solid or viscous discharge that may obstruct the POTW flow (e.g. high levels of oils, grease, and fats);
- A discharge that may inhibit POTW biological activity due to high temperature (e.g. wastestreams that may cause POTW influent temperatures of 104 degrees Fahrenheit or higher);
- A discharge that poses acute worker health and safety problems due to toxic gases, vapors, or fumes; and
- A discharge of any trucked or hauled pollutants except at discharge points designated by the POTW.

How do I know my business is subject to a federal categorical pretreatment standard?

U.S. EPA periodically develops the categorical pretreatment standards (also known as effluent guidelines) for targeted businesses discharging into POTWs.

For more information on effluent guidelines, visit the U.S. EPA website:

<https://www.epa.gov/eg/industrial-effluent-guidelines> .

What are my obligations if I am subject to federal categorical pretreatment standards?

This section applies to industrial users who discharge to POTWs without Ohio EPA-approved pretreatment programs.

Indirect Discharge Permit (IDP) Application

When U.S. EPA publishes categorical pretreatment standards in the Federal Register, existing industrial users subject to such categorical standard(s) and currently discharging to or intending to discharge to a POTW must submit an Indirect Discharge Permit (IDP) Application to Ohio EPA within 180 days after the effective date of the applicable standard. New sources (industrial users to commence discharge after promulgation of an applicable categorical pretreatment standard) must submit an IDP Application to Ohio EPA at least 180 days prior to the commencement of discharge.

Information that is to be submitted in the IDP Application is available in [OAC 3745-36-03](#). In addition, the IDP Application can be submitted electronically through Ohio EPA's [eBusiness Center](#). Note that nothing in this subheading shall be interpreted to waive the IDP Application requirements for SIUs that are not subject to categorical pretreatment standards.

Initial Compliance Report

An Initial Compliance Report is required for new sources applicable to categorical pretreatment standards within 90 days of commencing discharge. For existing sources, an Initial Compliance Report is due within 90 days following the date for final compliance with applicable categorical pretreatment sources. Information that is to be submitted in the Initial Compliance Report is available in [OAC 3745-3-06\(D\)](#)¹.

What are the steps in the permit application process?

1. Facility submits a complete application with an application fee at least 180 days prior to discharging to a POTW (180 days prior to the permit's expiration date for facilities renewing an IDP). To submit the IDP Application forms electronically, see Ohio EPA's eBusiness Center (aka STREAMS).
<https://ebiz.epa.ohio.gov/login.html>
<http://epa.ohio.gov/dsw/ebs.aspx>

¹ As of April 2018, Pretreatment Rules (OAC 3745-3) and Indirect Discharge Permit Rules (OAC 3745-36) are undergoing the five-year review process. The requirements for Initial Compliance Report are currently described in OAC 3745-3-06(D) and are proposed to be duplicated in OAC 3745-36-08(B).

Indirect Discharge Permit Program

2. Ohio EPA reviews application and informs the applicant of any deficiencies.
3. Ohio EPA drafts the permit upon the receipt of a complete application.
4. Ohio EPA announces, through the issuance of a public notice and the proposed draft permit. Applications for a new permit or a permit renewal have a 30-day comment period. Applications for a permit modification have a 45-day comment period. During public notice, the draft permit conditions can be viewed here: http://www.epa.ohio.gov/dsw/pretreatment/cdo_permits.aspx
5. After the comment period, Ohio EPA responds to comments and may hold a meeting with interested parties.
6. The final permit is prepared and issued by Ohio EPA after considering any comments.
7. The application may be denied if the discharge violates any of the prohibited discharges found in [OAC 3745-3-04²](#).

Ohio EPA's performance standard is to take action on indirect discharge permits within 180 days of receiving a *completed* application.

For further information, refer to Ohio EPA's pretreatment program fact sheet titled "Indirect Discharge Permitting Process" at the website [\[insert updated link here\]](#).

What are the typical requirements of an IDP?

Typical requirements include the following:

1. Effluent limitations and monitoring requirements.
2. Procedures for reporting (including noncompliance), resampling, slug loading notification, record keeping, and disposal of residuals.
3. Compliance schedules for treatment system installation and upgrades.

How do I submit my wastewater monitoring information?

Periodic compliance reports must be submitted to Ohio EPA by June 15 and December 15 every year. The submittal process includes data entry into the electronic Discharge Monitoring Records (eDMR) system. To learn how to sign up for eDMR and data entry, please view the Ohio EPA's Electronic Discharge Monitoring Report Submission System webpage: <http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>.

Industrial users should notify their analytical laboratory of the permit limits so that they can be alerted if an exceedance is detected. If a discharge ever exceeds a daily maximum limit contained in the IDP, the situation must be reported to the discharger's designated [Ohio EPA district office](#) pretreatment representative within 24 hours of being aware of the exceedance. The industrial user must also explain the follow-up remedy actions. In addition, the discharger must complete the "24-hour Notification of Violation of Daily Maximum Pretreatment Standard Form" (Form 4119) to the Ohio EPA district office pretreatment representative and a copy of the form to the Ohio EPA central office.

How long does the permit last?

IDPs are effective for a fixed term not to exceed five years.

How much does the permit cost?

There is an application fee of \$200.00 payable to "Treasurer of the State of Ohio". There is also a permit fee based on the design discharge flow of the facility. Permit fees range from \$0 to \$750. The permit fee does not apply to industrial users eligible for permit-by-rule.

For more information on permit fees, refer to the Ohio EPA document ["Indirect Discharge Fees"](#).

² As of April 2018, Pretreatment Rules (OAC 3745-3) and Indirect Discharge Permit Rules (OAC 3745-36) are undergoing the five-year review process. Prohibited discharges are currently described in OAC 3745-3-04 and are proposed to be duplicated in OAC 3745-36-04.

Indirect Discharge Permit Program

By what authority are these permits issued?

These permits are issued under the authority of the Federal Water Pollution Control Act of 1972 and subsequent amendments (the [Clean Water Act](#)), [Ohio Revised Code Chapter 6111](#), and [OAC 3745-36](#).

What if I have more questions on the indirect discharge permitting process?

You can contact Phoebe Low of the Ohio EPA Division of Surface Water, Pretreatment Unit, at (614) 644-2134 or Phoebe.Low@epa.ohio.gov.

You may also visit Ohio EPA's pretreatment website at: <http://www.epa.ohio.gov/dsw/pretreatment/index.aspx>.

EXHIBIT 15

National Pollutant Discharge Elimination System (NPDES) Permit Program

FACT SHEET

Regarding an NPDES Permit to Discharge to Waters of the State of Ohio
for **City of Amherst Water Pollution Control Center (WPCC)**

Public Notice No.: 20-08-037
Public Notice Date: August 31, 2020
Comment Period Ends: October 1, 2020

Ohio EPA Permit No.: **3PD00001*ND**
Application No.: **OH0021628**

Name and Address of Applicant:

Name and Address of Facility Where
Discharge Occurs:

City of Amherst
206 South Main Street
Amherst, Ohio 44001

City of Amherst WPCC
931 North Lake Street
Amherst, Ohio 44001
Lorain County

Receiving Water: **Beaver Creek**

Subsequent Stream Network: **Lake Erie**

INTRODUCTION

Development of a Fact Sheet for NPDES permits is mandated by Title 40 of the Code of Federal Regulations (CFR), Section 124.8 and 124.56. This document fulfills the requirements established in those regulations by providing the information necessary to inform the public of actions proposed by the Ohio Environmental Protection Agency (Ohio EPA), as well as the methods by which the public can participate in the process of finalizing those actions.

This Fact Sheet is prepared in order to document the technical basis and risk management decisions that are considered in the determination of water quality based NPDES Permit effluent limitations. The technical basis for the Fact Sheet may consist of evaluations of promulgated effluent guidelines, existing effluent quality, instream biological, chemical and physical conditions, and the relative risk of alternative effluent limitations. This Fact Sheet details the discretionary decision-making process empowered to the Director by the Clean Water Act (CWA) and Ohio Water Pollution Control Law (Ohio Revised Code [ORC] 6111). Decisions to award variances to Water Quality Standards (WQS) or promulgated effluent guidelines for economic or technological reasons will also be justified in the Fact Sheet where necessary.

No antidegradation review was necessary.

Effluent limits based on available treatment technologies are required by Section 301(b) of the CWA. Many of these have already been established by the United States Environmental Protection Agency (U.S. EPA) in the effluent guideline regulations (a.k.a. categorical regulations) for industry categories in 40 CFR Parts 405-499. Technology-based regulations for publicly-owned treatment works are listed in the Secondary Treatment Regulations (40 CFR Part 133). If regulations have not been established for a category of dischargers, the director may establish technology-based limits based on best professional judgment (BPJ).

Ohio EPA reviews the need for water-quality-based limits on a pollutant-by-pollutant basis. Wasteload allocations (WLAs) are used to develop these limits based on the pollutants that have been detected in the discharge, and the receiving water's assimilative capacity. The assimilative capacity depends on the flow

in the water receiving the discharge, and the concentration of the pollutant upstream. The greater the upstream flow, and the lower the upstream concentration, the greater the assimilative capacity is. Assimilative capacity may represent dilution (as in allocations for metals), or it may also incorporate the break-down of pollutants in the receiving water (as in allocations for oxygen-demanding materials).

The need for water-quality-based limits is determined by comparing the WLA for a pollutant to a measure of the effluent quality. The measure of effluent quality is called Projected Effluent Quality (PEQ). This is a statistical measure of the average and maximum effluent values for a pollutant. As with any statistical method, the more data that exists for a given pollutant, the more likely that PEQ will match the actual observed data. If there is a small data set for a given pollutant, the highest measured value is multiplied by a statistical factor to obtain a PEQ; for example, if only one sample exists, the factor is 6.2, for two samples - 3.8, for three samples - 3.0. The factors continue to decline as samples sizes increase. These factors are intended to account for effluent variability, but if the pollutant concentrations are fairly constant, these factors may make PEQ appear larger than it would be shown to be if more sample results existed.

SUMMARY OF PERMIT CONDITIONS

The effluent limits and/or monitoring requirements proposed for the following parameters are the same as in the current permit, although some monitoring frequencies may have changed: temperature, dissolved oxygen, pH, total suspended solids, oil and grease, ammonia-nitrogen (summer), total Kjeldahl nitrogen, nitrite and nitrate, total phosphorus, dissolved orthophosphate, nickel, zinc, cadmium, lead, chromium, copper, hexavalent chromium, flow rate, total filterable residue, CBOD₅, and Whole Effluent Toxicity (WET).

The wasteload allocation (WLA) placed mercury in Group 5. The data indicates that this parameter has the reasonable potential to exceed WQS and, therefore, the existing effluent limits will be continued. A Pollutant Minimization Program (PMP) requirement has also been included.

Based on the WLA, the existing winter effluent limits for ammonia nitrogen are recommended to be reduced. The summer limits are proposed to remain the same as in the current permit.

Based on revisions to Ohio water quality standards (OAC 3745-1-07) that protect primary contact recreation, the monthly and weekly *Escherichia Coli* (*E. coli*) limits have become more stringent.

Based on the WLA, the existing effluent limits for free cyanide are recommended to be removed. In addition, the monitoring frequency has been reduced from monthly to quarterly.

The *E. coli* monitoring frequencies have been revised for stream stations 3PD00001801 and 3PD00001901.

The following new internal monitoring station has been added to the permit: Station 3PD00001603.

A compliance schedule is proposed for the facility to continue to implement treatment and/or control strategies aimed at reducing the discharge of phosphorus. Additionally, a compliance schedule is proposed for the facility to evaluate feasible alternatives for elimination of the existing secondary treatment bypass.

In Part II of the permit, special conditions are included that address sanitary sewer overflow (SSO) reporting; operator certification, minimum staffing and operator of record; whole effluent toxicity (WET) testing; storm water compliance; priority pollutant testing for future NPDES permit renewal; and outfall signage.

This permit renewal is proposed for a term of approximately 5 years.

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PROCEDURES FOR PARTICIPATION IN THE FORMULATION OF FINAL DETERMINATIONS

The draft action shall be issued as a final action unless the Director revises the draft after consideration of the record of a public meeting or written comments, or upon disapproval by the Administrator of the U.S. Environmental Protection Agency.

Within thirty days of the date of the Public Notice, any person may request or petition for a public meeting for presentation of evidence, statements or opinions. The purpose of the public meeting is to obtain additional evidence. Statements concerning the issues raised by the party requesting the meeting are invited. Evidence may be presented by the applicant, the state, and other parties, and following presentation of such evidence other interested persons may present testimony of facts or statements of opinion.

Requests for public meetings shall be in writing and shall state the action of the Director objected to, the questions to be considered, and the reasons the action is contested. Such requests should be addressed to:

**Legal Records Section
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049**

Interested persons are invited to submit written comments upon the discharge permit. Comments should be submitted in person or by mail no later than 30 days after the date of this Public Notice. Deliver or mail all comments to:

**Ohio Environmental Protection Agency
Attention: Division of Surface Water
Permits Processing Unit
P.O. Box 1049
Columbus, Ohio 43216-1049**

The Ohio EPA permit number and Public Notice numbers should appear on each page of any submitted comments. All comments received no later than 30 days after the date of the Public Notice will be considered.

Citizens may conduct file reviews regarding specific companies or sites. Appointments are necessary to conduct file reviews, because requests to review files have increased dramatically in recent years. The first 250 pages copied are free. For requests to copy more than 250 pages, there is a five-cent charge for each page copied. Payment is required by check or money order, made payable to Treasurer State of Ohio.

For additional information about this fact sheet or the draft permit, contact Jennifer Bennage at (330) 963-1151 or jennifer.bennage@epa.ohio.gov.

INFORMATION REGARDING CERTAIN WATER QUALITY BASED EFFLUENT LIMITS

This draft permit may contain proposed water-quality-based effluent limits (WQBELs) for parameters that **are not** priority pollutants. (See the following link for a list of the priority pollutants: http://epa.ohio.gov/portals/35/pretreatment/Pretreatment_Program_Priority_Pollutant_Detection_Limits.pdf .) In accordance with ORC 6111.03(J)(3), the Director established these WQBELs after considering, to the extent consistent with the Federal Water Pollution Control Act, evidence relating to the technical feasibility and economic reasonableness of removing the polluting properties from those wastes and to evidence relating to conditions calculated to result from that action and their relation to benefits to the people of the state and to accomplishment of the purposes of this chapter. This determination was made based on data and information

available at the time the permit was drafted, which included the contents of the timely submitted NPDES permit renewal application, along with any and all pertinent information available to the Director.

This public notice allows the permittee to provide to the Director for consideration during this public comment period additional site-specific pertinent and factual information with respect to the technical feasibility and economic reasonableness for achieving compliance with the proposed final effluent limitations for these parameters. The permittee shall deliver or mail this information to:

**Ohio Environmental Protection Agency
Attention: Division of Surface Water
Permits Processing Unit
P.O. Box 1049
Columbus, Ohio 43216-1049**

Should the applicant need additional time to review, obtain or develop site-specific pertinent and factual information with respect to the technical feasibility and economic reasonableness of achieving compliance with these limitations, a written request for any additional time shall be sent to the above address no later than 30 days after the Public Notice Date on Page 1.

Should the applicant determine that compliance with the proposed WQBELs for parameters other than the priority pollutants is technically and/or economically unattainable, the permittee may submit an application for a variance to the applicable WQS used to develop the proposed effluent limitation in accordance with the terms and conditions set forth in OAC 3745-33-07(D). The permittee shall submit this application to the above address no later than 30 days after the Public Notice Date.

Alternately, the applicant may propose the development of site-specific WQS pursuant to OAC 3745-1-39. The permittee shall submit written notification regarding their intent to develop site specific WQS for parameters that are not priority pollutants to the above address no later than 30 days after the Public Notice Date.

LOCATION OF DISCHARGE/RECEIVING WATER USE CLASSIFICATION

The City of Amherst WPCC (“Amherst WPCC”) discharges to Beaver Creek at River Mile (RM) 3.85. Figure 1 shows the approximate location of the facility.

This segment of Beaver Creek is described by Ohio EPA River Code: 20-003, Hydrologic Unit Code (HUC): 041100010702, County: Lorain, Ecoregion: Erie/Ontario Lake Plain. Beaver Creek is designated for the following uses under Ohio’s WQS (OAC 3745-1-27): Warmwater Habitat (WWH), Agricultural Water Supply (AWS), Industrial Water Supply (IWS), and Primary Contact Recreation (PCR).

Use designations define the goals and expectations of a waterbody. These goals are set for aquatic life protection, recreation use and water supply use, and are defined in the Ohio WQS (OAC 3745-1-07). The use designations for individual waterbodies are listed in rules -08 through -32 of the Ohio WQS. Once the goals are set, numeric WQS are developed to protect these uses. Different uses have different water quality criteria.

Use designations for aquatic life protection include habitats for coldwater fish and macroinvertebrates, warmwater aquatic life and waters with exceptional communities of warmwater organisms. These uses all meet the goals of the federal CWA. Ohio WQS also include aquatic life use designations for waterbodies which cannot meet the CWA goals because of human-caused conditions that cannot be remedied without causing fundamental changes to land use and widespread economic impact. The dredging and clearing of some small streams to support agricultural or urban drainage is the most common of these conditions. These streams are given Modified Warmwater or Limited Resource Water designations.

Recreation uses are defined by the depth of the waterbody and the potential for wading or swimming. Uses are defined for bathing waters, swimming/canoeing (Primary Contact Recreation) and wading only (Secondary Contact which are generally waters too shallow for swimming or canoeing).

Water supply uses are defined by the actual or potential use of the waterbody. Public Water Supply designations apply near existing water intakes so that waters are safe to drink with standard treatment. Most other waters are designated for agricultural water supply and industrial water supply.

FACILITY DESCRIPTION

The Amherst WPCC is an advanced treatment facility with an average design flow of 3.5 million gallons per day (MGD). It serves a population of approximately 12,393 in the City of Amherst and a portion of Amherst Township. The primary source water for the service area is surface water from Lake Erie.

The original Amherst WPCC was constructed in 1927. In 2004, major improvements were completed to replace the aging trickling filter system with an activated sludge process capable of achieving simultaneous nitrification and denitrification. As depicted in Figure 2, the treatment plant processes and/or equipment include:

- Screening
- Grit Removal
- Influent Pumping
- Oxidation Ditch Activated Sludge Biological Treatment (i.e. Orbal® process)
- Phosphorus Removal (Alum Addition)
- Secondary Clarification
- Tertiary Disc Filtration
- Ultraviolet (UV) Disinfection

As shown in Figure 2, two locations exist where flows can be diverted and/or bypassed around the biological and tertiary treatment processes: secondary treatment bypass (weir overflow after the grit system) and tertiary treatment bypass after the clarifiers. The portion of flow that bypasses the biological process, and subsequently recombines with secondary effluent prior to final clarification, is currently reported under Station 3PD00001602. A new monitoring station 3PD00001603 has been included to report flows that are bypassed around the tertiary filters. The bypass flows from 3PD00001602 and 3PD00001603 combine with the plant effluent prior to disinfection and sampling at Outfall 3PD00001001.

Section 301(b)(1)(B) of the CWA requires that all flows at a publicly owned treatment works (POTWs) achieve effluent limitations based upon a minimum level of secondary treatment and any more stringent limitations necessary to meet water quality standards. While not specifically defined in the CWA, secondary treatment is typically associated with biological treatment. The NPDES regulations also define standard permit conditions which are to be included in all NPDES permits. One of those standard permit conditions is the “bypass” provision at 40 CFR 122.41(m). The bypass provision defines bypass to mean the “intentional diversion of waste streams from any portion of a treatment facility.” The regulation prohibits bypasses except where necessary for essential maintenance to assure efficient operation or where the POTW demonstrates that there are “no feasible alternatives” to the bypass. The bypass regulation does not dictate that any specific treatment technology be employed. Rather, the regulation requires that a system be operated as designed and according to the conditions of the NPDES permit. With respect to the Amherst WPCC, the current wet-weather operational mode would allow flows exceeding 7.0 - 8.0 MGD to be bypassed at Station 3PD00001602. Because this excess flow does not receive a minimum level of secondary treatment, any such bypasses would be in violation of the bypass prohibition in 40 CFR 122.41(m). Hence, continued utilization of Station 3PD00001602 can be authorized after the City undergoes a “No Feasible Alternatives (NFA)”.

Sewage sludge handling processes at the Amherst WPCC include the following (See Figure 3):

- Gravity Thickening
- Aerobic Digestion
- Gravity Belt Thickening (with Polymer Addition)
- Sludge Holding Tank
- Sludge Drying Beds (As-needed)

The primary means of sludge biosolids disposal is by land application of “Class B” liquid sludge for agronomic use. The sludge drying beds can be utilized, if necessary, to further dewater the sludge biosolids.

Table 1 shows the last five years of sludge biosolids removed from the facility for reuse and/or disposal.

The Amherst WPCC does not have an Ohio EPA-approved pretreatment program. Based on the NPDES application, there is one identified significant industrial user tributary to the treatment plant.

Figure 4 depicts the general site stormwater (SW) drainage, including designated SW outfalls, at the facility.

DESCRIPTION OF EXISTING DISCHARGE

Effluent violations reported by the Amherst WPCC during the past 5 years are shown in Table 2.

The average annual effluent flow rates for the Amherst WPCC for the previous five years are presented in Table 3.

Treatment plant bypasses reported for Internal Monitoring Station 3PD00001602 during the past 5 years are presented in Table 4.

Amherst WPC reports collection system sanitary sewer overflows (SSOs) under Station 3PD00001300. The number of SSOs reported during the past 5 years are presented in Table 5.

Table 6 presents the effluent phosphorus loading during the summer months, i.e. May - October, for the past 5 years.

Table 7 presents a summary of unaltered Discharge Monitoring Report (DMR) data for the period, January 1, 2015 to December 31, 2019. The current permit limits, or monitoring requirements, are provided for comparison.

Table 8 summarizes the chemical specific data for Outfall 3PD00001001 by presenting the average and maximum PEQ values.

Table 9 summarizes the results of acute and chronic WET tests of the final effluent, during the past 5 years, utilizing *Ceriodaphnia dubia* (water flea) and *Pimephales promelas* (fathead minnow) as the test organisms.

ASSESSMENT OF IMPACT ON RECEIVING WATERS

The attainment status of the Beaver Creek watershed is reported in the 2018 *Ohio Integrated Water Quality Monitoring and Assessment Report* (“Integrated Report”). An assessment of the impact of a permitted point source on the immediate receiving waters includes an evaluation of the available chemical/physical, biological, and habitat data which have been collected by Ohio EPA pursuant to the Five-Year Basin Approach for Monitoring and NPDES Reissuance. Other data may be used provided it was collected in accordance with Ohio EPA methods and protocols as specified by the Ohio WQS and Ohio EPA guidance documents. Other information which may be evaluated include but are not limited to: NPDES permittee self-monitoring data; effluent and mixing zone bioassays conducted by Ohio EPA, the permittee, or U.S. EPA.

In evaluating this data, Ohio EPA attempts to link environmental stresses and measured pollutant exposure to the health and diversity of biological communities. Stresses can include pollutant discharges (permitted and unpermitted), land use effects, and habitat modifications. Indicators of exposure to these stresses include whole effluent toxicity tests, fish tissue chemical data, and fish health biomarkers (for example, fish blood tests).

Use attainment is a term which describes the degree to which environmental indicators are either above or below criteria specified by the Ohio WQS (OAC 3745-1). Assessing use attainment status for aquatic life uses primarily relies on the Ohio EPA biological criteria (OAC 3745-1-07; Table 7-1). These criteria apply to rivers and streams outside of mixing zones. Numerical biological criteria are based on measuring several characteristics of the fish and macroinvertebrate communities; these characteristics are combined into multimetric biological indices including the Index of Biotic Integrity and modified Index of Well-Being, which indicate the response of the fish community, and the Invertebrate Community Index, which indicates the response of the macroinvertebrate community. Numerical criteria are broken down by ecoregion, use designation, and stream or river size. Ohio has five ecoregions defined by common topography, land use, potential vegetation and soil type.

Three attainment status results are possible at each sampling location -full, partial, or non-attainment. Full attainment means that all of the applicable indices meet the biocriteria. Partial attainment means that one or more of the applicable indices fails meet the biocriteria. Nonattainment means that either none of the applicable indices meet the biocriteria or one of the organism groups indicates poor or very poor performance. An aquatic life use attainment table (see Table 10) is constructed based on the sampling results and is arranged from upstream to downstream and includes the sampling locations indicated by river mile, the applicable biological indices, the use attainment status (i.e., full, partial, or non), the Qualitative Habitat Evaluation Index, and comments and observations for each sampling location.

The full Integrated Report is available through the Ohio EPA, Division of Surface Water website at:

<https://epa.ohio.gov/dsw/tmdl/OhioIntegratedReport>

The watershed assessment unit, 041100010702, which includes Beaver Creek in the vicinity of Amherst WPCC, remains listed as impaired for recreation and aquatic life (TMDL needed) uses pursuant to Section 303(d) of the Clean Water Act. Causes of impairment have been identified as historical bacteria data.

The Total Maximum Daily Load (TMDL) program focuses on identifying and restoring polluted rivers, streams, lakes and other surface water bodies. TMDLs are prepared for waters identified as impaired on the 303(d) list in Ohio's Integrated Report. A TMDL is a written, quantitative assessment of water quality problems in a water body and contributing sources of pollution. It specifies the amount a pollutant needs to be reduced to meet water quality standards (WQS), allocates pollutant load reductions, and provides the basis for taking actions needed to restore a water body.

Comprehensive chemical, physical, and biological monitoring was conducted in the Beaver Creek basin in 2015 to identify pollutants impairing beneficial uses and to support the development of TMDLs for those pollutants. When finalized, the complete results of the survey will be utilized to determine if additional measures under the TMDL process are required. As presented in Table 10, initial results of the 2015 study indicate that Beaver Creek immediately upstream and downstream of the Amherst WPCC is in "Full" attainment of the Warmwater Habitat Aquatic Life Use criteria. When finalized, the technical reports and analyses of the survey will be available via the Lake Erie Tributaries tab and the Supplemental Information drop-down at:

<https://epa.ohio.gov/dsw/tmdl/BlackRockyRivers#116234788-lake-erie-tributaries>

DEVELOPMENT OF WATER-QUALITY-BASED EFFLUENT LIMITS

Determining appropriate effluent concentrations is a multiple-step process in which parameters are identified as likely to be discharged by a facility, evaluated with respect to Ohio water quality criteria, and examined to determine the likelihood that the existing effluent could violate the calculated limits.

Parameter Selection

Effluent data for the Amherst WPCC were used to determine what parameters should undergo WLA. The parameters discharged are identified by the data available to Ohio EPA, DMR data submitted by the permittee, compliance sampling data collected by Ohio EPA, and any other data submitted by the permittee, such as priority pollutant scans required by the NPDES application or by pretreatment, or other special conditions in the NPDES permit.

The sources of effluent data used in this evaluation are as follows:

Self-monitoring data (DMR)	January 2015 through December 2019
NPDES Form 2A Application Data	

This data is evaluated statistically, and PEQ values are calculated for each pollutant. Average PEQ (PEQ_{avg}) values represent the 95th percentile of monthly average data, and maximum PEQ (PEQ_{max}) values represent the 95th percentile of all data points (see Table 8).

The following parameters deviated from the default methodology, i.e. PEQ Method "B", of developing PEQ calculations:

- Cadmium, Total Chromium, Hexavalent Chromium, Free Cyanide, Lead and Nickel.

Because the linear regression of the log transformed data did not accurately model the dataset, PEQ Method “A” was utilized for these parameters.

For more information on PEQ calculations, see Modeling Guidance #1 at the following webpage:

<http://www.epa.ohio.gov/dsw/guidance/guidance.aspx>.

The PEQ values are used according to Ohio rules to compare to applicable WQS and allowable WLA values for each pollutant evaluated. Initially, PEQ values are compared to the applicable average and maximum WQS. If both PEQ values are less than 25 percent of the applicable WQS, the pollutant does not have the reasonable potential to cause or contribute to exceedances of WQS, and no WLA is done for that parameter. If either PEQ_{avg} or PEQ_{max} is greater than 25 percent of the applicable WQS, a WLA is conducted to determine whether the parameter exhibits reasonable potential and needs to have a limit or if monitoring is required (see Table 11).

Wasteload Allocation

For those parameters that require a WLA, the results are based on the uses assigned to the receiving waterbody in OAC 3745-1. Dischargers are allocated pollutant loadings/concentrations based on the Ohio WQS (OAC 3745-1). Most pollutants are allocated by a mass-balance method because they do not break down in the receiving water. For free-flowing streams, WLAs using this method are done using the following general equation: Discharger WLA = (downstream flow x WQS) - (upstream flow x background concentration). Discharger WLAs are divided by the discharge flow so that the allocations are expressed as concentrations.

The applicable waterbody uses for this facility’s discharge and the associated stream design flows are as follows:

Aquatic life (Warmwater Habitat)		
Toxics (metals, organics, etc.)	Average	Annual 7Q10
	Maximum	Annual 1Q10
Ammonia	Average	Summer 30Q10
		Winter 30Q10
Wildlife		Annual 90Q10
Agricultural Water Supply		Harmonic mean flow
Human Health (nondrinking)		Harmonic mean flow

Allocations are developed using a percentage of stream design flow as specified in Table 12. In general, mixing zones for bioaccumulative chemicals of concern (BCCs), e.g. mercury, are not authorized. The WLA results cannot exceed the Inside Mixing Zone Maximum (IMZM) values unless a mixing demonstration is completed in accordance with OAC 3745-2-08 that justifies an alternate value.

The data used in the WLA are listed in Table 11 and Table 12. The WLA results to maintain all applicable criteria are presented in Table 13.

Whole Effluent Toxicity Wasteload Allocation

WET is the total toxic effect of an effluent on aquatic life measured directly with a toxicity test. Acute WET measures short term effects of the effluent while chronic WET measures longer term and potentially more subtle effects of the effluent.

WQS for WET are expressed in Ohio’s narrative “free from” WQS rule [OAC 3745-1-04(D)]. These “free froms” are translated into toxicity units (TUs) by the associated WQS Implementation Rule (OAC 3745-2-09). WLAs can then be calculated using TUs as if they were water quality criteria.

The WLA calculations for WET are similar to those for aquatic life criteria - using the chronic toxicity unit (TU_c) and 7Q10 flow for the average and the acute toxicity unit (TU_a) and 1Q10 flow for the maximum. These values are the levels of effluent toxicity that should not cause instream toxicity during critical low-flow conditions. For Amherst WPCC, the WLA values are 0.3 TU_a and 1.0 TU_c.

The chronic toxicity unit (TU_c) is defined as 100 divided by the estimate of the effluent concentration which causes a 25% reduction in growth or reproduction of test organisms (IC₂₅):

$$TU_c = 100/IC_{25}$$

This equation applies outside the mixing zone for warmwater, modified warmwater, exceptional warmwater, coldwater, and seasonal salmonid use designations except when the following equation is more restrictive (*Ceriodaphnia dubia* only):

$$TU_c = 100/\text{geometric mean of No Observed Effect Concentration and Lowest Observed Effect Concentration}$$

The acute toxicity unit (TU_a) is defined as 100 divided by the concentration in water having 50% chance of causing death to aquatic life (LC₅₀) for the most sensitive test species:

$$TU_a = 100/LC_{50}$$

This equation applies outside the mixing zone for warmwater, modified warmwater, exceptional warmwater, coldwater, and seasonal salmonid use designations.

When the acute WLA is less than 1.0 TU_a, it may be defined as:

<u>Dilution Ratio</u> (downstream flow to discharger flow)	<u>Allowable Effluent Toxicity</u> (percent effects in 100% effluent)
up to 2 to 1	30
greater than 2 to 1 but less than 2.7 to 1	40
2.7 to 1 to 3.3 to 1	50

$$\text{Dilution Ratio} = \frac{1Q10 + [\text{WWTP flow rate}]}{[\text{WWTP flow rate}]} = \frac{[0.02] \text{ cfs} + [5.4] \text{ cfs}}{[5.4] \text{ cfs}} = 1.0$$

The acute WLA for Amherst WPCC is 30 percent mortality in 100 percent effluent based on the dilution ratio of 1.0 to 1.

REASONABLE POTENTIAL/EFFLUENT LIMITS/MANAGEMENT DECISIONS

After appropriate effluent limits are calculated, the reasonable potential of the discharger to violate the WQS must be determined. Each parameter is examined and placed in a defined "group". Parameters that do not have a WQS or do not require a WLA based on the initial screening are assigned to either group 1 or 2. For the allocated parameters, the preliminary effluent limits (PEL) based on the most restrictive average and maximum WLAs are selected from Table 13. The average PEL (PEL_{avg}) is compared to the average PEQ (PEQ_{avg}) from Table 8, and the PEL_{max} is compared to the PEQ_{max}. Based on the calculated percentage of the allocated value [(PEQ_{avg} ÷ PEL_{avg}) X 100, or (PEQ_{max} ÷ PEL_{max}) X 100], the parameters are assigned to group 3, 4, or 5. The groupings are listed in Table 14 and Table 15.

The final effluent limits are determined by evaluating the groupings in conjunction with other applicable rules and regulations. Table 16 presents the final effluent limits and monitoring requirements proposed for Amherst WPCC

Outfall 3PD00001001 and the basis for their recommendation. Unless otherwise indicated, the monitoring frequencies proposed in the permit are continued from the existing permit. Additional information on permit guidance are available at the following webpage:

<https://epa.ohio.gov/dsw/guidance/guidance>.

Flow Rate and Temperature

Monitoring is proposed to continue in order to assist in the evaluation of effluent quality and treatment plant performance.

Dissolved Oxygen, Total Suspended Solids, and 5-Day Carbonaceous Biochemical Oxygen Demand (CBOD5)

The limitations proposed for dissolved oxygen, total suspended solids (TSS), and 5-day carbonaceous biochemical oxygen demand are a continuation of existing permit limitations. These limits are all based on plant design criteria and are protective of WQS. The TSS and CBOD limits are more stringent than the Secondary Treatment Standards in 40 CFR Part 133.

Ammonia-Nitrogen

The existing ammonia effluent limits were determined as part of the WLA performed for the 2015 permit renewal.

Based on the current WLA procedures and anti-backsliding provisions of OAC 3745-33-05, the summer limits remain protective of the WQS for ammonia toxicity in Beaver Creek. However, the reduced background winter flows in Beaver Creek indicates that the winter limit of 5.9 mg/L must be further reduced to meet the WQS for ammonia toxicity. The recommended new 30-day (monthly) and 7-day (weekly) average winter limits are 4.2 mg/L and 6.3 mg/L, respectively. A review of the plant effluent data denotes that these limits are currently being met and therefore, a “schedule of compliance” is not required (See Table 7 and Table 8).

Oil and Grease, pH, and Escherichia Coli

Limits recommended for oil and grease, pH, and Escherichia coli are based on WQS (OAC 3745-1).

Revisions to water quality standards that protect Primary Contact Recreation (PCR) criteria became effective on January 4, 2016. All streams that were previously designated “Class B” PCR, e.g. Beaver Creek, have been reclassified as PCR. Hence, facilities discharging to these streams will now have to meet more stringent permit limits for *E. coli*. The monthly and weekly *E. coli* limits have been set at 126/100 ml and 284/100 ml, respectively.

Effluent data for the Amherst WPCP denotes that the facility is currently meeting the proposed *E. coli* limits and, therefore, a “schedule of compliance” is not required (See Table 7).

Phosphorus and Dissolved Orthophosphate (as P)

Limits for phosphorus are based on the phosphorus treatment standards in OAC 3745-33-06(C).

Monitoring for dissolved orthophosphate (as P) is required by ORC 6111.03. Monitoring is proposed to further develop nutrient datasets for dissolved reactive phosphorus and to assist in stream and watershed assessments and studies. Ohio EPA monitoring, as well as other in-stream monitoring, are generally performed via the collection of grab samples. Thus, orthophosphate is proposed to be collected by grab sample to maintain consistent data to support watershed and stream surveys. The grab sample must be filtered within 15 minutes of collection using a 0.45-micron filter. The filtered sample must be analyzed within 48 hours of sample collection.

Mercury

The Ohio EPA risk assessment (Table 14 and Table 15) places mercury in group 5. This placement indicates that the reasonable potential to exceed WQS exists and limits are necessary to protect water quality. For this parameter, the PEQ is greater than 100 percent of the WLA. Pollutants that meet this requirement must have permit limits under OAC 3745-33-07(A)(1). Therefore, the 30-day average (monthly) effluent limit of 1.3 ng/L in the current permit (3PD00001*LD) will be continued. The implementation of the Mercury Pollutant Minimization Program (PMP) will be required. The goal of the PMP is to maintain effluent concentrations of mercury at or below the effluent limit.

Although the current WLA would allow slightly higher limits for the daily maximum concentration for mercury, anti-backsliding provisions in the OAC prevent the imposition of less stringent limits than those in the existing permit unless specific conditions have been satisfied. In the case of Amherst WPCC, none of those conditions have been satisfied, so the existing limits are proposed to continue. The anti-backsliding provisions of OAC 3745-33-05 require that an anti-degradation review must be completed before an existing permit limit can be made less stringent. The rule requires other conditions to be satisfied as well.

Total Filterable Residue (aka Total Dissolved Solids)

The Ohio EPA risk assessment (Table 14 and Table 15) places this parameter in group 4. This placement indicates that this parameter does not have the reasonable potential to contribute to WQS exceedances, and limits are not necessary to protect water quality. Monitoring for group 4 pollutants (where PEQ exceeds 50 percent of the WLA) is required by OAC 3745-33-07(A)(2). Monitoring for total dissolved solids will be increased to 1/ 2 weeks.

Copper, Lead, and Zinc

The Ohio EPA risk assessment (Table 14 and Table 15) places these parameters in group 3. This placement support that these parameters do not have the reasonable potential to contribute to WQS exceedances, and limits are not necessary to protect water quality. Monitoring at a reduced frequency (e.g. quarterly) is recommended for these parameters.

Chromium, Hexavalent Chromium (Dissolved), Nickel, and Free Cyanide

The Ohio EPA risk assessment (Table 14 and Table 15) places these parameters in group 2. This placement support that these parameters do not have the reasonable potential to contribute to WQS exceedances, and limits are not necessary to protect water quality. The previous effluent limits for free cyanide are recommended to be removed. Monitoring at a reduced frequency (e.g. quarterly) is recommended for these parameters to document that these pollutants continue to remain at low levels.

Nitrate + Nitrite (as N) and Total Kjeldahl Nitrogen (TKN)

Monitoring for nitrate + nitrite and TKN is proposed based on best technical judgment. The Amherst WPCC discharges a nutrient load to Beaver Creek, and continued monitoring will allow Ohio EPA to adequately characterize the influence of the treatment plant on the receiving stream. Additionally, monitoring will ensure that a nutrient data set is maintained for use in future stream studies and/or TMDLs.

Whole Effluent Toxicity (WET) Reasonable Potential

Evaluating the acute and chronic toxicity results in Table 9 under the provisions of 40 CFR Part 132, Appendix F, Procedure 6, denotes that the effluent discharge has not exhibited evidence of toxicity with respect to *Ceriodaphnia dubia* and *Pimephales promelas*. Therefore, reasonable potential for acute or chronic toxicity is not demonstrated. While the current evaluation indicates that the plant's effluent does not pose a toxicity problem,

annual chronic toxicity testing, with the determination of acute end points, is recommended to continue. This frequency satisfies the minimum monitoring requirements in OAC 3754-33-07(B)(11) and will provide additional characterization of the Amherst WPC final effluent.

Additional Monitoring Requirements

Based on revisions to Ohio EPA monitoring guidance, the monitoring frequencies for *E. coli* at the upstream and downstream monitoring stations, i.e. 3PD00001801 and 3PD00001901 have been changed from 1/month (Summer) to 1/ 2 weeks (June - August).

Additional monitoring requirements proposed at the final effluent, influent and upstream/downstream stations are included for all facilities in Ohio and vary according to the type and size of the discharge. In addition to permit compliance, this data is used to assist in the evaluation of effluent quality and treatment plant performance and for designing plant improvements and conducting future stream studies.

Sludge

Limits and monitoring requirements proposed for the disposal of sewage sludge by the following management practices are based on OAC 3745-40: land application of Class B Sludge/Biosolids (Station 3PD00001581), disposal at a solid waste landfill (Station 3PD00001586), or transfer to another facility with an NPDES permit (Station 3PD00001588).

OTHER REQUIREMENTS

Compliance Schedule

NFA Implementation - A 24-month compliance schedule is included in the permit for implementation of improvements to address wet weather bypasses and overflows. Details are in Part I.C of the permit.

Phosphorus Optimization - A compliance schedule is proposed for the facility to continue to implement treatment and/or control strategies aimed at reducing the discharge of phosphorus. Additionally, an evaluation report must be completed and submitted as part of the next NPDES renewal application. Details are in Part I.C of the permit.

Sanitary Sewer Overflow Reporting

Provisions for reporting SSOs are again proposed in this permit. These provisions include: the reporting of the system-wide number of SSO occurrences on discharge monitoring reports (DMRs); telephone notification of Ohio EPA and the local health department, and 5-day follow up written reports for certain high risk SSOs; and preparation of an annual report that is submitted to Ohio EPA and made available to the public. Many of these provisions were already required under the “Noncompliance Notification”, “Records Retention”, and “Facility Operation and Quality Control” general conditions in Part III of Ohio NPDES permits.

Operator Certification and Operator of Record

Operator certification requirements have been included in Part II of the permit in accordance with OAC 3745-7. These rules require the Amherst WPC to have a Class III wastewater treatment plant operator in charge of the sewage treatment plant operations discharging through Outfall 3PD00001001. These rules also require the permittee to designate one or more operator of record to oversee the technical operation of the “treatment works” and “sewerage system”.

Low-Level Free Cyanide Testing

Currently there are three approved methods for free cyanide listed in 40 CFR 136 that have a quantification level lower than water quality-based effluent limits:

- ASTM D7237-10, OIA-1677-09, and ASTM D4282-02. (Note: The use of ASTM D4282-02 requires supporting documentation that it meets the requirement of a “sufficiently sensitive” test procedure as defined in 40 CFR 122.44(i)(1)(iv)).

These methods will allow Ohio EPA to make more reliable water quality-related decisions regarding free cyanide. Because the quantification levels are lower than any water quality-based effluent limits, it will also be possible to directly evaluate compliance with free cyanide limits.

New NPDES permits no longer authorize the use of method 4500 CN-I from Standard Methods for free cyanide testing. The new permits require permittees to begin using one of these approved methods as soon as possible. If a permittee must use method 4500 CN-I during the transition to an approved method, they are instructed to report the results on their DMR and enter “Method 4500 CN-I” in the remarks section.

Outfall Signage

Part II of the permit includes requirements for the permittee to place and maintain a sign at each outfall to the receiving stream providing information about the discharge. Signage at outfalls is required pursuant to OAC 3745-33-08(A).

NPDES Application Supplemental Data Submittal Requirements

Part II of the permit includes a requirement for the permittee to sample and analyze for a list of 101 parameters, including hardness, metals, volatile organic compounds (VOCs), acid-extractable compounds, and base-neutral compounds, as part of its next NPDES permit renewal application. This requirement is contained in 40 CFR Section 122.21 and stipulates that the permittee must provide effluent data from a minimum of three samples taken within four and one-half years prior to the date of the permit renewal application. The complete list of parameters is contained in Table 2 of "Appendix J to Part 122 - NPDES Permit Testing Requirements for Publicly Owned Treatment Works (§122.21(j))." Existing effluent data may be used, if available, in lieu of sampling performed solely for the purpose of the renewal application.

Part III

Part III of the permit details standard conditions that include monitoring, reporting requirements, compliance responsibilities, and general requirements.

Storm Water Compliance

Parts IV, V, and VI have been included with the draft permit to ensure that any storm water flows from the facility site are properly regulated and managed. As an alternative to complying with Parts IV, V, and VI, the facility may seek permit coverage under the general permit for industrial storm water (permit # OHR000006) or submit a “No Exposure Certification.” Parts IV, V, and VI will be removed from the final permit if: 1) the facility submits a Notice of Intent (NOI) for coverage under the general permit for industrial storm water or submits a No Exposure Certification, 2) Ohio EPA determines that the facility is eligible for coverage under the general permit or meets the requirements for a No Exposure Certification, and 3) the determination by Ohio EPA can be made prior to the issuance of the final permit.

Figure 1. Location of City of Amherst WWTP

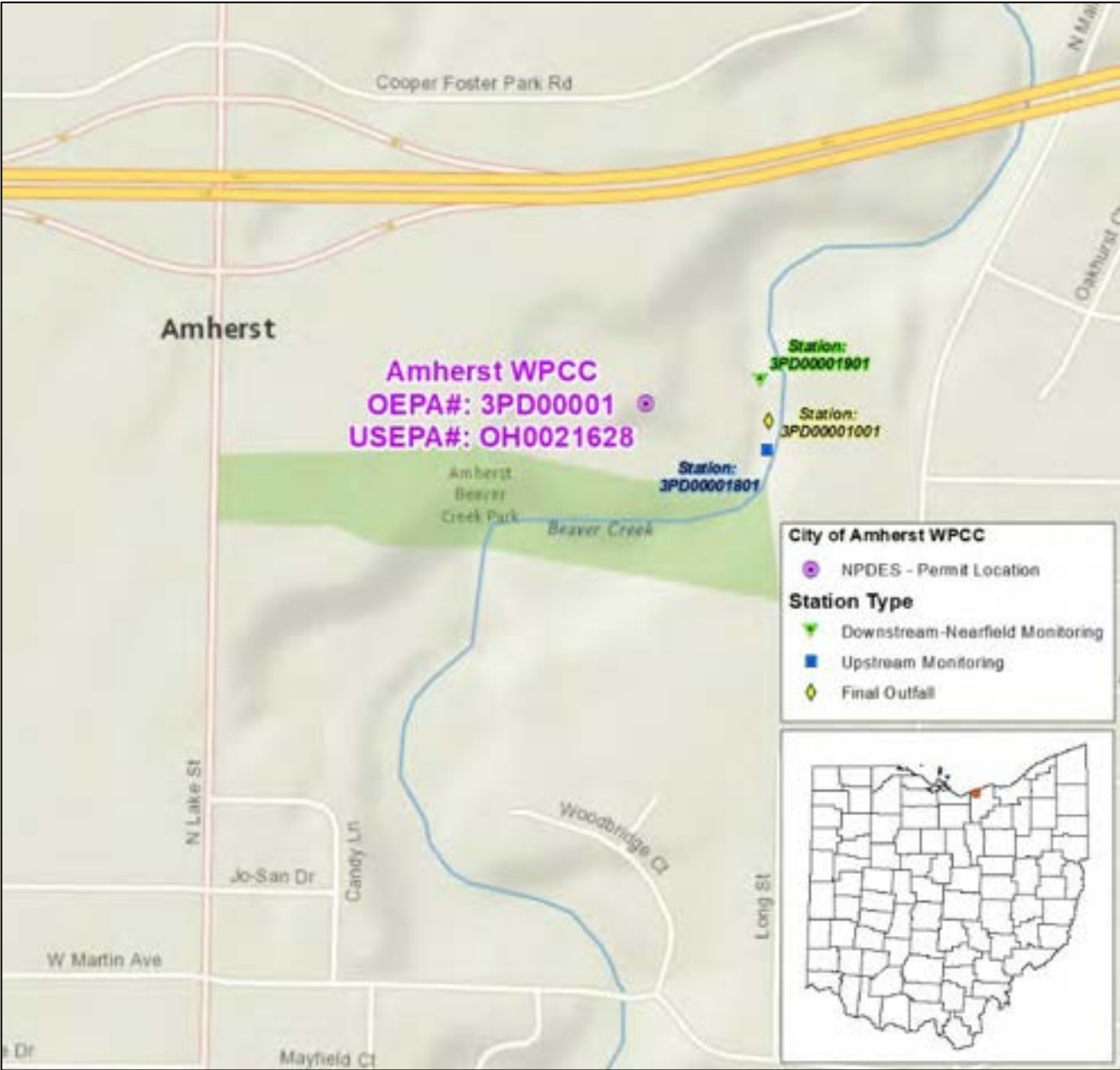


Figure 2. Amherst WPCC Flow Diagram

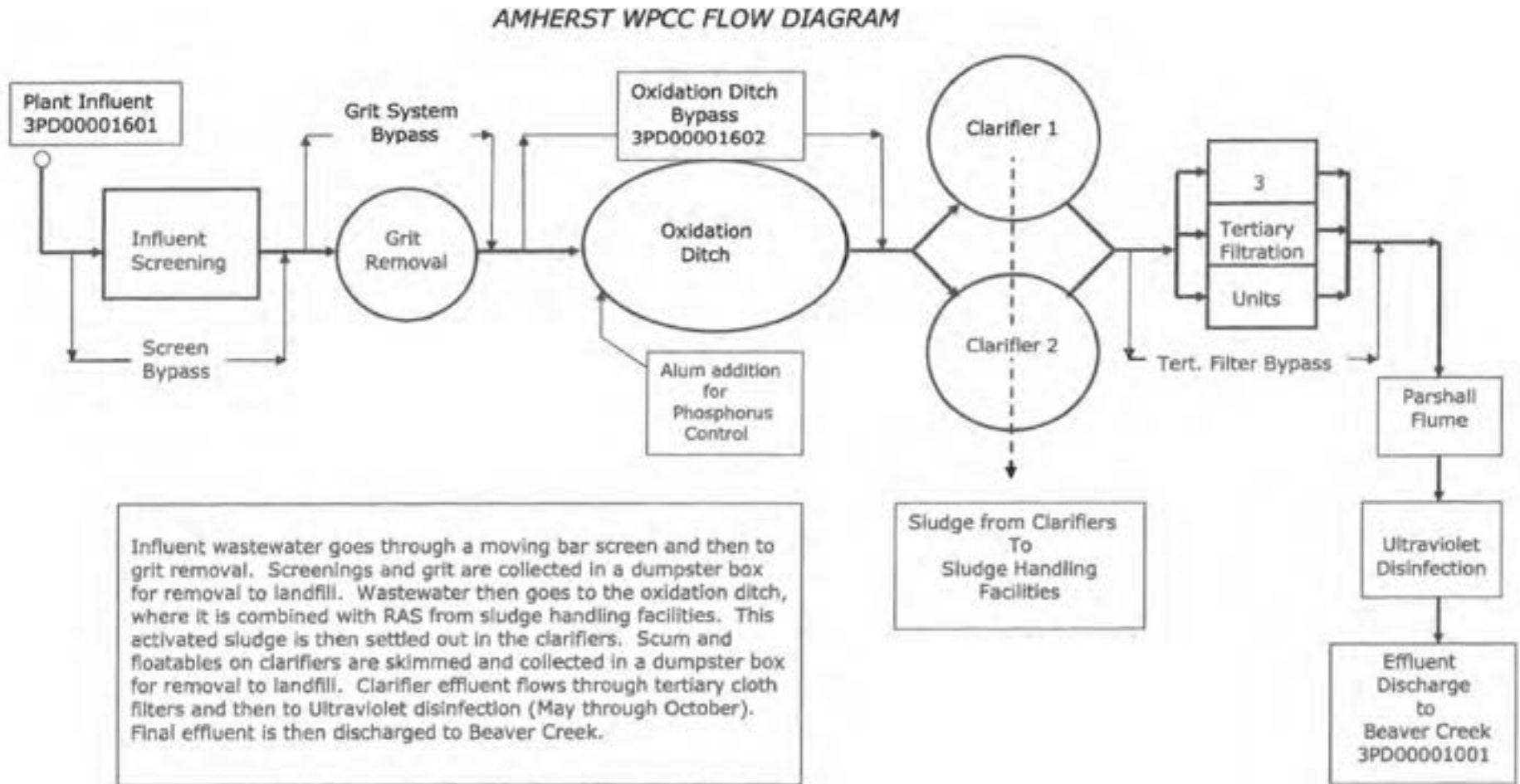


Figure 3. Amherst WPCC Sludge Handling Facilities

AMHERST WPCC SLUDGE FLOW DIAGRAM

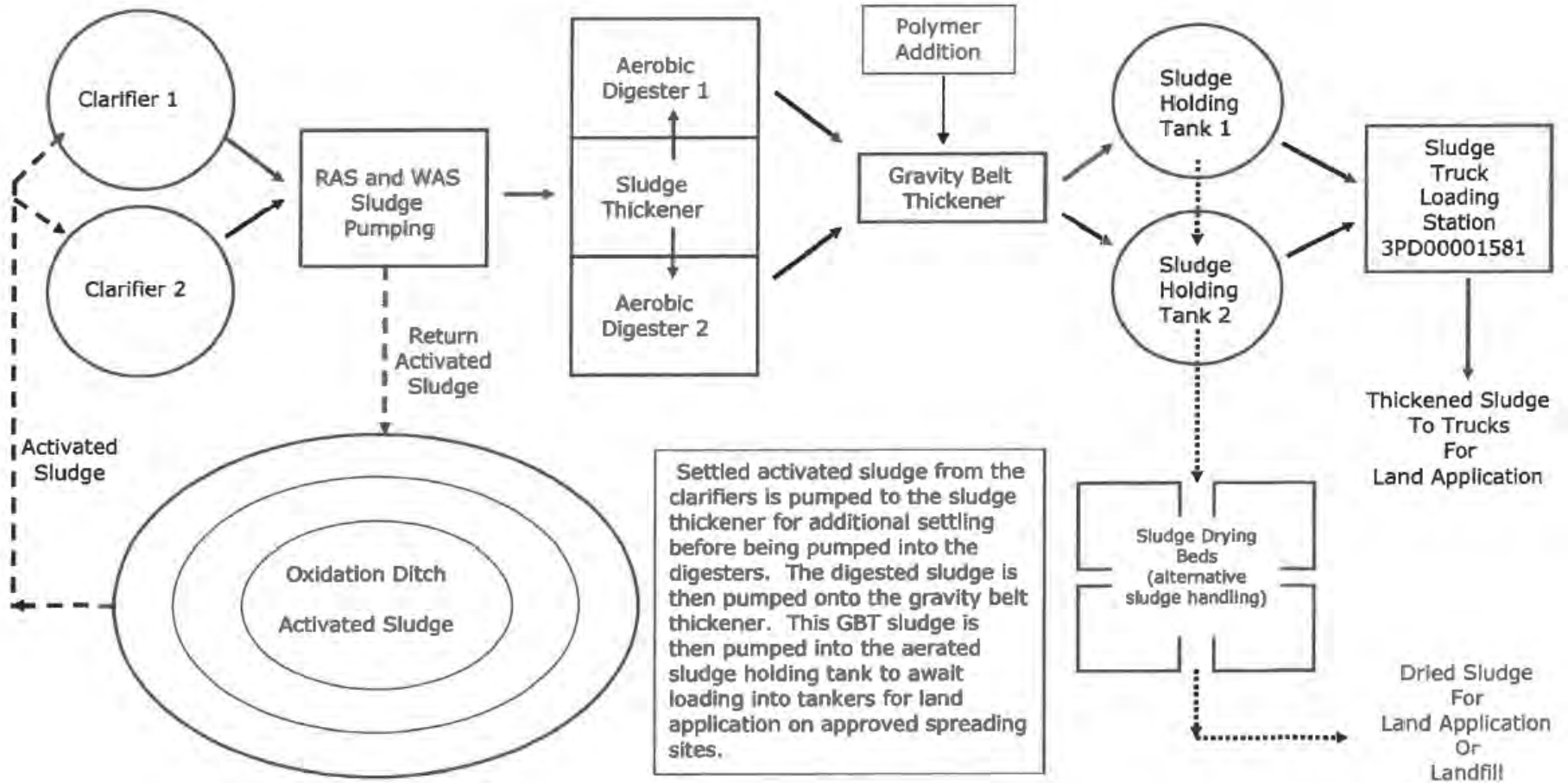


Figure 4. Amherst WPCCC Stormwater Drainage

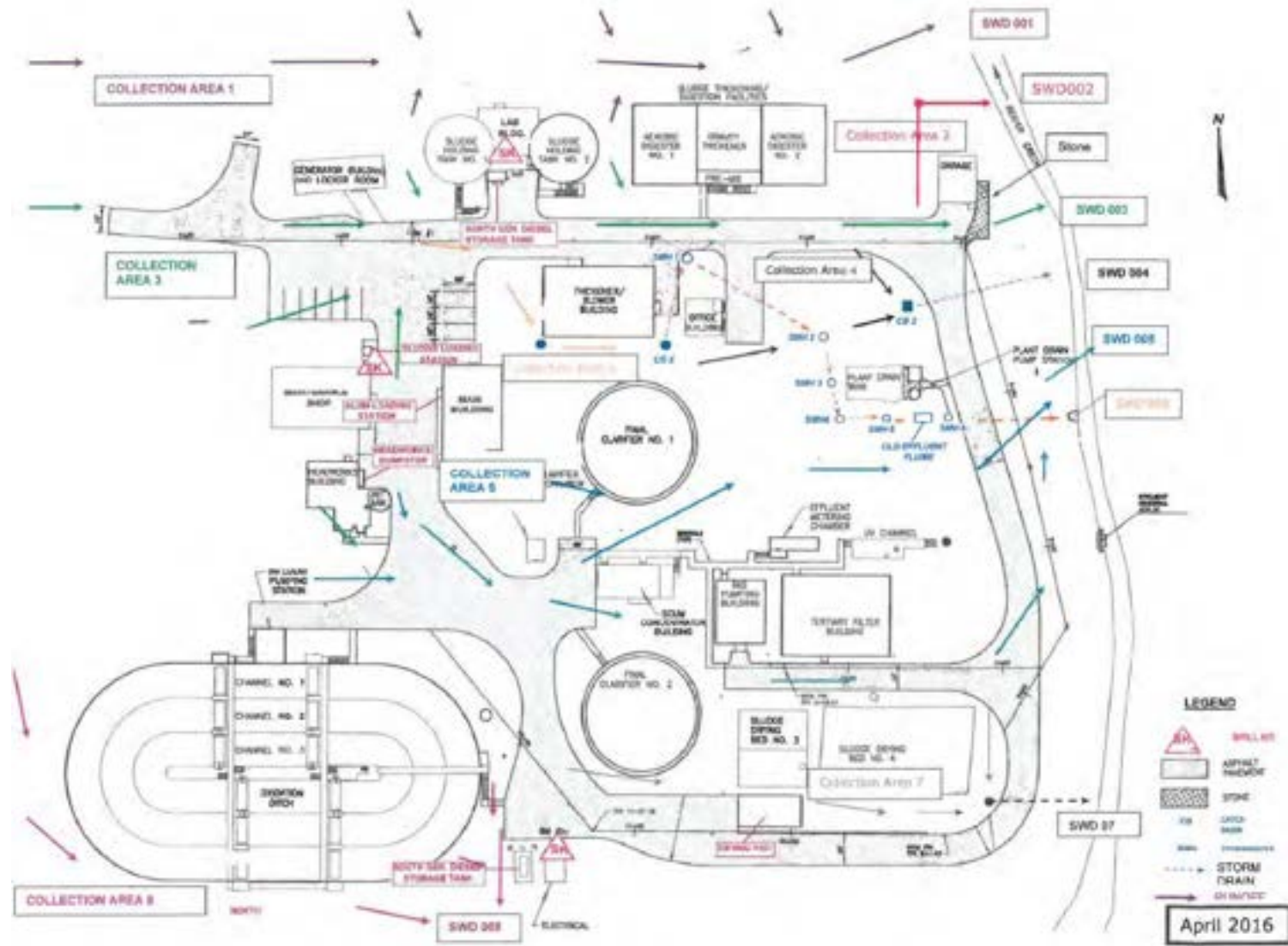


Table 1. Sewage Sludge Removal for Station 3PD00001581

Year	Dry Tons Removed (For Land Application)
2015	426
2016	273
2017	220
2018	221
2019	294

Table 2. Effluent Violations for Outfall 3PD00001001

Parameter	2015	2016	2017	2018	2019
Dissolved Oxygen	4	2	0	0	0
Mercury, Total (Low Level)	0	0	0	2	0
Total	4	2	0	2	0

Table 3. Average Annual Effluent Flow Rates for Outfall 3PD00001001

Flow Rate (Million Gallons per Day)					
Year	# observations	Average	Median	95th Percentile	Maximum
2015	365	2.17	1.83	4.27	9.95
2016	366	2.03	1.71	3.72	8.32
2017	365	2.24	1.98	4.30	7.39
2018	365	2.53	2.18	5.20	8.53
2019	365	2.36	2.07	4.41	8.59

Table 4. Treatment Plant Bypasses

Station	Year	Days with reported bypass flow
602	2015	22
602	2016	11
602	2017	21
602	2018	24
602	2019	16

Table 5. Sanitary Sewer Overflows Discharges

Year	Number of SSOs
2015	11
2016	8
2017	21
2018	23
2019	10

Table 6. Calculated Effluent Phosphorus Loadings for Months May – October

Year	Obs.	Median Phosphorus (mg/L)	Median Flow (MGD)	Median Loading (kg/day)
2015	26	0.57	1.70	3.82
2016	25	0.63	1.47	3.98
2017	26	0.72	1.60	4.68
2018	24	0.60	1.79	4.10
2019	25	0.52	1.74	3.95

MGD = million gallons per day

Table 7. Discharge Monitoring Report (DMR) Data

Outfall/ Station	Parameter	Unit	Current Limits		# Obs.	Percentiles		Data Range**
			30 Day	Daily		50th	95th	
Final Effluent 001	Water Temperature	°C	Monitor		1825	16.9	24.3	7.6 - 25.6
	Dissolved Oxygen	mg/L	--	6.0 ^m	1825	8.7	7.4*	2.1 - 11.3
	Total Suspended Solids - 2015-2015	kg/day	102.2	153.2 ^w	248	7.59	25.7	4.69 - 250
	Total Suspended Solids - 2015-2019	kg/day	159	239 ^w	1293	8.98	25.6	0 - 520
	Total Suspended Solids	mg/L	12	18 ^w	1541	1	3	0 - 20
	Oil and Grease	mg/L	--	10.0	127	--	--	< 5
	Nitrogen, Ammonia - Summer	kg/day	22.5	33.8 ^w	380	.638	7.29	0 - 31.1
	Nitrogen, Ammonia - Summer	mg/L	1.7	2.55 ^w	380	.09	1.13	0 - 5.16
	Nitrogen, Ammonia - Winter	kg/day	86	129.2 ^w	374	.659	13.5	0 - 85.7
	Nitrogen, Ammonia - Winter	mg/L	6.5	9.75 ^w	374	.075	1.15	0 - 10.5
	Nitrogen Kjeldahl, Total	mg/L	Monitor		53	< 2	< 2	0 - 4.6
	Nitrite Plus Nitrate, Total	mg/L	Monitor		53	5.51	12.2	.54 - 15.5
	Phosphorus, Total - 2015-2019	kg/day	13.3	19.9 ^w	209	4.16	8.91	1.04 - 17.5
	Phosphorus, Total - 2015-2015	kg/day	8.5	12.7 ^w	43	3.8	5.68	.797 - 7.48
	Phosphorus, Total	mg/L	1.0	1.5 ^w	252	.54	.855	.11 - 1.24
	Orthophosphate, Dissolved	mg/L	Monitor		49	.49	1.04	.09 - 1.92
	Cyanide, Free	kg/day	0.0689	0.292	10	--	--	< .0103
	Cyanide, Free	mg/L	0.0052	0.022	10	--	--	< .005
	Nickel	µg/L	Monitor		20	--	--	< 4
	Zinc	µg/L	Monitor		20	43.5	53.2	20 - 56
	Cadmium	µg/L	Monitor		20	--	--	< 1
	Lead	µg/L	Monitor		20	< 5	5	0 - 5
	Chromium	µg/L	Monitor		20	--	--	< 4
	Copper	µg/L	Monitor		20	2	5.05	0 - 6
	Chromium, Dissolved Hexavalent	µg/L	Monitor		20	--	--	< 5
	<i>E. coli</i>	#/100 mL	161	362 ^w	375	2	77.3	0 - 2420
	Flow Rate	MGD	Monitor		1826	1.95	4.4	1.1 - 9.95
	Mercury, Total	kg/day	0.000017	0.015	61	< 3.1x10 ⁻⁶	.0000105	0 - .0000466
	Mercury, Total	ng/L	1.3	1092	61	< .5	1.13	0 - 3.2
	Cyanide, Free (Low-Level)	kg/day	0.0689	0.292	50	--	--	< .0000125
	Cyanide, Free (Low-Level)	µg/L	5.2	22.0	50	--	--	< 2
	Acute Toxicity, <i>Ceriodaphnia dubia</i> - 2015	TUa	--	1.0	1	--	--	< .2
Acute Toxicity, <i>Ceriodaphnia dubia</i> (2016-2019)	TUa	Monitor		4	--	--	< .2	
Chronic Toxicity, <i>Ceriodaphnia dubia</i>	TUc	Monitor		4	--	--	< 1	

Outfall/ Station	Parameter	Unit	Current Limits		# Obs.	Percentiles		Data Range**
			30 Day	Daily		50th	95th	
	Acute Toxicity, <i>Pimephales promelas</i>	TUa	Monitor		4	--	--	< .2
	Chronic Toxicity, <i>Pimephales promelas</i>	TUc	1.01	--	3	--	--	< 1
	Chronic Toxicity, <i>Pimephales promelas</i> - September	TUc	Monitor		4	--	--	< 1
	pH, Maximum	S.U.	--	9.0	1823	7.2	7.5	6.6 - 8
	pH, Minimum	S.U.	--	6.5 ^m	1823	7	6.8*	6.5 - 7.9
	Residue, Total Filterable	mg/L	Monitor		53	596	846	439 - 1080
	CBOD 5 day - 2015-2019	kg/day	133	199 ^w	617	< 12.2	< 12.2	0 - 136
	CBOD 5 day - 2015-2015	kg/day	85.1	127.6 ^w	127	< 10.9	< 10.9	0 - 91.1
	CBOD 5 day	mg/L	10.0	15.0 ^w	744	< 2	< 2	0 - 6
SSO Station 300	Overflow Occurrence	No./Mo.	Monitor		25	2	6	1 - 7
Sludge Station 581	Ammonia (NH3) In Sludge	mg/kg	Monitor		6	15800	22800	4990 - 23900
	Nitrogen Kjeldahl	mg/kg	Monitor		6	64700	68800	42600 - 68900
	Phosphorus	mg/kg	Monitor		6	31800	34100	26500 - 34100
	Potassium In Sludge	mg/kg	Monitor		6	4530	4960	3440 - 5080
	Arsenic	mg/kg	--	75	6	6	6.58	5 - 6.6
	Cadmium	mg/kg	--	85	6	.5	1.18	0 - 1.2
	Copper	mg/kg	--	4300	6	424	546	403 - 565
	Lead	mg/kg	--	840	6	20	23.5	16.2 - 23.9
	Nickel	mg/kg	--	420	6	24.3	27.7	20.1 - 27.8
	Zinc	mg/kg	--	7500	6	525	630	489 - 648
	Selenium	mg/kg	--	100	6	6.15	7.08	5.7 - 7.1
	Sludge Fee Weight	dry tons	Monitor		6	--	--	0 - 0
	Sludge Weight	Dry Tons	Monitor		6	247	307	114 - 312
	Mercury	mg/kg	--	57	6	.8	1.06	.59 - 1.12
Molybdenum In Sludge	mg/kg	--	75	6	7.45	9.98	6.4 - 10.6	
Sludge Station 586	Sludge Fee Weight	dry tons	Monitor		3	--	--	0 - 0
Plant Influent 601	pH	S.U.	Monitor		1826	7.6	8	6.6 - 8.7
	Total Suspended Solids	mg/L	Monitor		749	236	516	10 - 1190
	Mercury, Total	ng/L	Monitor		60	34.2	136	5.04 - 680
	CBOD 5 day	mg/L	Monitor		748	200	405	29 - 825
Internal Bypass	Bypass Occurrence	No./Day	Monitor		94	1	1	1 - 1
	Bypass Total Hours Per Day	Hrs/Day	Monitor		94	6.31	22.4	.43 - 34
	Total Suspended Solids	mg/L	Monitor		93	65	363	1 - 892

Outfall/ Station	Parameter	Unit	Current Limits		# Obs.	Percentiles		Data Range**
			30 Day	Daily		50th	95th	
Station 602	Flow Rate	MGD	Monitor		34	.737	6.09	.014 - 8.58
	CBOD 5 day	mg/L	Monitor		85	48	175	12 - 440
Upstream Station 801	Water Temperature	°C	Monitor		61	10.5	21.4	-.7 - 25.1
	Dissolved Oxygen	mg/L	Monitor		61	10.7	6.8*	6.3 - 15.2
	pH	S.U.	Monitor		61	8	8.2	6.9 - 8.3
	Nitrogen, Ammonia	mg/L	Monitor		60	.08	.975	0 - 2.28
	Nitrogen Kjeldahl, Total	mg/L	Monitor		53	< 2	< 2	0 - 2.3
	Nitrite Plus Nitrate, Total	mg/L	Monitor		53	1.18	3.42	0 - 19.9
	Phosphorus, Total	mg/L	Monitor		53	.15	.324	.08 - .53
	<i>E. coli</i>	#/100 mL	Monitor		30	570	1730	39.7 - 2420
	48-Hr. Acute Toxicity, <i>Ceriodaphnia dubia</i>	% Affected	Monitor		4	--	--	< 10
	96-Hr. Acute Toxicity, <i>Pimephales promelas</i>	% Affected	Monitor		3	5	11.8	0 - 12.5
	7-Day Chronic Toxicity, <i>Ceriodaphnia dubia</i>	% Affected	Monitor		3	--	--	< 10
7-Day Chronic Toxicity, <i>Pimephales promelas</i>	% Affected	Monitor		6	5	11.3	0 - 12.5	
Down stream Station 901	Water Temperature	°C	Monitor		61	12.3	22.5	.05 - 24
	Dissolved Oxygen	mg/L	Monitor		61	9.9	7.1*	6.7 - 13.7
	pH	S.U.	Monitor		61	7.8	8.1	7.1 - 8.2
	Nitrogen, Ammonia	mg/L	Monitor		60	.085	1.29	0 - 2.38
	Nitrogen Kjeldahl, Total	mg/L	Monitor		53	< 2	.96	0 - 2.8
	Nitrite Plus Nitrate, Total	mg/L	Monitor		53	3.25	7.91	.64 - 25.2
	Phosphorus, Total	mg/L	Monitor		53	.33	.692	.15 - .83
	Hardness, Total (CaCO3)	mg/L	Monitor		60	209	269	106 - 303
<i>E. coli</i>	#/100 mL	Monitor		30	310	1650	31.7 - 1730	

* = For pH minimum and dissolved oxygen, 5th percentile shown in place of 95th percentile.

w = weekly average

m = Minimum limit

** = data set for period 1/1/2015 - 12/31/2019

Table 8. Projected Effluent Quality for Outfall 3PD00001001

Parameter	Units	Number of Samples	Number > MDL	PEQ Average	PEQ Maximum
Ammonia (Summer)	mg/L	254	218	0.5	1
Ammonia (Winter)	mg/L	187	144	0.6	1.2
Cadmium	µg/L	20	0	--	--
Chromium	µg/L	20	0	--	--
Hexavalent Chromium (Dissolved)	µg/L	20	0	--	--
Copper	µg/L	20	10	5.2	6.4
Cyanide - free	µg/L	50	0	--	--
Lead	µg/L	20	2	5.11	7
Mercury	ng/L	61	26	1	1.6
Nickel	µg/L	20	0	--	--
Nitrate-N + Nitrite-N	mg/L	53	53	11.5	17.6
Zinc	µg/L	20	20	56.2	77
Dissolved Solids	mg/L	53	53	763.5	913.1

Table 9. Summary of Effluent Acute and Chronic Toxicity Results

Date	<i>Ceriodaphnia Dubia</i>		<i>Pimephales Promelas</i>	
	Acute (Tu _a)	Chronic (Tu _c)	Acute (Tu _a)	Chronic (Tu _c)
2/2/2015	--	--	--	AA
5/1/2015	--	--	--	AA
8/3/2015	--	--	--	AA
9/1/2015	AA	--	--	--
9/11/2016	AA	AA	AA	AA
9/11/2017	AA	AA	AA	AA
9/17/2018	AA	AA	AA	AA
9/9/2019	AA	AA	AA	AA

AA = non-detection; analytical method detection limit of 0.2 TU_a, 1.0 TU_c

TU_a = acute toxicity unit

TU_c = chronic toxicity unit

Table 10. Aquatic Life Use (ALU) Attainment Table

Year	Station	Station Location	River Mile	ALU	Attainment Status	Impairment	
						Causes	Sources
2015	Y01S25	Beaver Creek south of Amherst @ Middle Ridge Rd.	6.95	WWH	Full	--	--
2015	303265	Beaver Creek upstream of Amherst WWTP	4.00	WWH	Full	--	--
2015	303264	Beaver Creek downstream of Amherst WWTP	3.80	WWH	Full	--	--
2015	Y01S23	Beaver Creek north of Amherst @ Cooper Forest Park Rd.	2.90	WWH	Full	--	--
2015	Y01S22	Beaver Creek downstream of Amherst @ Longbrook Rd.	1.75	WWH	Full	--	--

WWH = warmwater habitat

Table 11. Water Quality Criteria in the Study Area

Parameter	Units	Outside Mixing Zone Criteria				Maximum Aquatic Life	Inside Mixing Zone Maximum
		Average					
		Wildlife	Human Health	Agri-culture	Aquatic Life		
Ammonia (Summer)	mg/L	--	--	--	1.5	--	--
Ammonia (Winter)	mg/L	--	--	--	4	--	--
Cadmium	µg/L	--	730	50	4.4	10	21
Chromium	µg/L	--	14000	100	160	3300	6600
Hexavalent Chromium (Dissolved)	µg/L	--	14000	--	11	16	31
Copper	µg/L	--	64000	500	18	28	56
Cyanide - free	µg/L	--	48000	--	5.2	22	44
Lead	µg/L	--	--	100	16	310	630
Mercury	ng/L	1.3	3.1	10000	910	1700	3400
Nickel	µg/L	--	43000	200	97	880	1800
Nitrate-N + Nitrite-N	mg/L	--	--	100	--	--	--
Zinc	µg/L	--	35000	25000	220	220	450
Dissolved Solids	mg/L	--	--	--	1500	--	--

Table 12. Instream Conditions and Discharger Flow

Parameter	Units	Season	Value	Basis
Stream Flows				
1Q10	cfs	annual	0.022	USGS StreamStats Ver. 4; DA = 26.7 sq. mi.
7Q10	cfs	annual	0.04	USGS StreamStats Ver. 4; DA = 26.7 sq. mi.
30Q10	cfs	summer	0.082	USGS StreamStats Ver. 4; DA = 26.7 sq. mi.
		winter	0.36	Derived from USGS Gage 04199155: Old Woman Creek at Berlin Rd near Huron OH
90Q10	cfs	annual	0.18	USGS StreamStats Ver. 4; DA = 26.7 sq. mi.
Harmonic Mean	cfs	annual	1.42	USGS StreamStats Ver. 4; DA = 26.7 sq. mi.
Mixing Assumption	%	average	25	WLA
		maximum	100	WLA
Hardness, OMZ				
<i>Hardness, OMZ</i>	mg/L	annual	209	DMR; Station 901; n=60; 2015-2019; Median Value
Hardness, IMZ				
<i>Hardness, IMZ</i>	mg/L	annual	209	DMR; Station 901; n=60; 2015-2019; Median Value
pH				
<i>pH</i>	S.U.	summer	7.9	DMR; Station 901; n=60; 2015-2019
		winter	7.9	DMR; Station 901; n=60; 2015-2019
Temperature				
<i>Temperature</i>	°C	summer	21.3	DMR; Station 901; n=20; 2015-2019
		winter	8	DMR; Station 901; n=14; 2015-2019
Amherst WWTP flow				
<i>Amherst WWTP flow</i>	cfs (MGD)	annual	5.4 (3.5)	NPDES Permit Application
Background Water Quality				
Ammonia (Summer)	mg/L		0.14	DMR; 2015-2019; n=20; 2<MDL; Upstream Station 801; Median Value
Ammonia (Winter)	mg/L		0.07	DMR; 2015-2019; n=14; 4<MDL; Upstream Station 801; Median Value
Cadmium	µg/L		0.1	Ohio EPA; 2015; n=25; 17<MDL; Beaver Creek Monitoring Stations: Y01S26, 303263, 303265, Y01S25; Median Value
Chromium	µg/L		1	Ohio EPA; 2015; n=25; 17<MDL; Beaver Creek Monitoring Stations: Y01S26, 303263, 303265, Y01S25; Median Value
Hexavalent Chromium (Dissolved)	µg/L		0	Assumed; No representative data available.
Copper	µg/L		3.2	Ohio EPA; 2015; n=25; 0<MDL; Beaver Creek Monitoring Stations: Y01S26, 303263, 303265, Y01S25; Median Value
Cyanide - free	µg/L		0	Assumed; No representative data available.
Lead	µg/L		1	Ohio EPA; 2015; n=25; 17<MDL; Beaver Creek Monitoring Stations: Y01S26, 303263, 303265, Y01S25; Median Value
Mercury	ng/L		0	Assumed; No representative data available.

Nickel	µg/L		3.1	Ohio EPA; 2015; n=25; 0<MDL; Beaver Creek Monitoring Stations: Y01S26, 303263, 303265, Y01S25; Median Value
Nitrate-N + Nitrite-N	mg/L		1.2	DMR; 2015-2019; n=53; 3<MDL; Upstream Station 801; Median Value
Zinc	µg/L		5	Ohio EPA; 2015; n=25; 15<MDL; Beaver Creek Monitoring Stations: Y01S26, 303263, 303265, Y01S25; Median Value
Dissolved Solids	mg/L		436	Ohio EPA; 2015; n=25; 0<MDL; Beaver Creek Monitoring Stations: Y01S26, 303263, 303265, Y01S25; Median Value

DMR = Discharge Monitoring Report

MDL = analytical method detection limit

n = number of samples

NPDES = National Pollutant Discharge Elimination System

USGS = United States Geological Survey

WLA = Wasteload Allocation procedures (OAC 3745-2)

DA = drainage area

Table 13. Summary of Effluent Limits to Maintain Applicable Water Quality Criteria

Parameter	Units	Outside Mixing Zone Criteria					Maximum Aquatic Life	Inside Mixing Zone Maximum
		Average						
		Wildlife	Human Health	Agri-culture	Aquatic Life			
Ammonia (Summer)	mg/L	--	--	--	1.52	--	--	
Ammonia (Winter)	mg/L	--	--	--	4.26	--	--	
Cadmium	µg/L	--	778	53	4.4	10	21	
Chromium	µg/L	--	14918	106	160	3313	6600	
Hexavalent Chromium (Dissolved)	µg/L	--	14918	--	11	16	31	
Copper	µg/L	--	68195	533	18	28	56	
Cyanide - free	µg/L	--	51000	--	5.2	22	44	
Lead	µg/L	--	--	106	16	311	630	
Mercury	ng/L	1.3	3.1	10000	910	1700	3400	
Nickel	µg/L	--	45819	213	97	884	1800	
Nitrate-N + Nitrite-N	mg/L	--	--	106	--	--	--	
Zinc	µg/L	--	37294	26639	220	221	450	
Dissolved Solids	mg/L	--	--	--	1502	--	--	

Table 14. Parameter Assessment

Group 1:	Due to a lack of criteria, the following parameters could not be evaluated at this time.		
	No parameters placed in this group		
Group 2:	PEQ < 25 percent of WQS or all data below minimum detection limit. WLA not required. No limit recommended; monitoring optional.		
	Cadmium Cyanide - free	Chromium Nickel	Hexavalent Chromium (Dissolved) Nitrate-N + Nitrite-N
Group 3:	PEQ _{max} < 50 percent of maximum PEL and PEQ _{avg} < 50 percent of average PEL. No limit recommended; monitoring optional.		
	Copper	Lead	Zinc
Group 4:	PEQ _{max} ≥ 50 percent, but < 100 percent of the maximum PEL or PEQ _{avg} ≥ 50 percent, but < 100 percent of the average PEL. Monitoring is appropriate.		
	Dissolved Solids		
Group 5:	Maximum PEQ ≥ 100 percent of the maximum PEL or average PEQ ≥ 100 percent of the average PEL, or either the average or maximum PEQ is between 75 and 100 percent of the PEL and certain conditions that increase the risk to the environment are present. Limit recommended.		
<u>Limits to Protect Numeric Water Quality Criteria</u>			
	<i>Parameter</i>	<i>Units</i>	<i>Recommended Effluent Limits</i>
			<i>Average</i> <i>Maximum</i>
	Ammonia (Winter)	mg/L	4.2 --
	Mercury	ng/L	1.3 1700

Mercury becomes a Group 5 parameter based upon the loading test [OAC 3745-2-06(B)].

PEL = preliminary effluent limit
 PEQ = projected effluent quality
 WLA = wasteload allocation
 WQS = water quality standard

Table 15. Risk Assessment Results

Group 2 - Parameters with PEQ < 25% of WQS									
Parameter	Units	# obs.	# > MDL	PEQ	Average PEL	%	PEQ	Maximum PEL _{OMZM}	%
Cadmium	µg/L	20	0	0	4.4 ^{AL}	0	0	10	0
Chromium	µg/L	20	0	0	100 ^{Ag}	0	0	3300	0
Chromium VI - Diss.	µg/L	20	0	0	11 ^{AL}	0	0	16	0
Cyanide - free	µg/L	50	0	0	5.2 ^{AL}	0	0	22	0
Nickel	µg/L	20	0	0	97 ^{AL}	0	0	880	0
Nitrate-N + Nitrite-N	mg/L	53	53	11.5	100 ^{Ag}	12	17.6	--	--
Group 3 - Parameters with PEQ < 50% of PEL									
Parameter	Units	# obs.	# > MDL	PEQ	Average PEL	%	PEQ	Maximum PEL _{OMZM}	%
Copper	µg/L	20	10	5.2	18 ^{AL}	29	6.4	28	23
Lead	µg/L	20	2	5.11	16 ^{AL}	32	7	316	2
Zinc	µg/L	20	20	56.2	221 ^{AL}	25	77	224	34
Group 4 - Monitoring Required - Parameters with PEQ ≥ 50%, but < 100% of PEL									
Parameter	Units	# obs.	# > MDL	PEQ	Average PEL	%	PEQ	Maximum PEL _{OMZM}	%
Dissolved Solids	mg/L	53	53	764	1510 ^{AL}	51	913	--	--
Group 5 - Limits and monitoring required. Parameters with PEQ ≥ 100% of PEL or PEQ ≥ 75% of PEL and certain conditions are met									
Parameter	Units	# obs.	# > MDL	PEQ	Average PEL	%	PEQ	Maximum PEL _{OMZM}	%
Ammonia-W	mg/L	187	144	0.6	4.9 ^{AL}	12	1.2	--	--
Mercury (BCC) ^{Load}	ng/L	61	26	1	1.3 ^{WL}	77	1.6	1700	0

The average criteria are protective of long-term conditions. The letters next to the WQS/PEL indicate the most restrictive standard. Water uses to protect include:

- Ag = Agricultural or Industrial Water Supply
- HH = Human Health
- AL = Aquatic Life
- WL = Wildlife

The maximum criteria are protective of short-term toxicity to aquatic life.

- OMZM = Outside Mixing Zone Maximum
- IMZM = Inside Mixing Zone Maximum - More restrictive than OMZM in situations where dilution is available

Other Abbreviations / Acronyms:

- BCC = Bioaccumulative Chemical of Concern
- PEL = Preliminary Effluent Limit
- MDL = Method Detection Limit
- obs = Observations (i.e., sampling events)
- PEQ = Projected Effluent Quality
- WQS = Water Quality Standard

Table 16. Final Effluent Limits for Outfall 3PD00001001

Parameter	Units	Freq.	Concentration		Loading (kg/day) ^a		Basis ^b
			30 Day Average	Daily Maximum	30 Day Average	Daily Maximum	
Temperature	°C	1/day	----- Monitor -----				M ^c
Flow Rate	MGD	1/day	----- Monitor -----				M ^c
pH (Minimum)	SU	1/day	6.5 (Minimum)		--	--	WQS
pH (Maximum)	SU	1/day	9.0 (Maximum)		--	--	WQS
Dissolved Oxygen	mg/L	1/day	6.0 (Minimum)		--	--	WQS
Total Suspended Solids	mg/L	3/week	12	18 ^d	159	239 ^d	PD
Oil & Grease	mg/L	1/ 2 weeks	--	10	--	--	PD/WQS
Ammonia (as N) - Summer	mg/L	3/week	1.1	1.65 ^d	14.6	21.9 ^d	WLA, ABS
Ammonia (as N) - Winter	mg/L	3/week	4.2	6.3 ^d	55.6	83.5 ^d	WLA
Total Kjeldahl Nitrogen	mg/L	1/month	----- Monitor -----				M
Nitrate+Nitrite (as N)	mg/L	1/month	----- Monitor -----				M
Phosphorus	mg/L	1/week	1.0	1.5 ^d	13.3	19.9 ^d	PTS
Dissolved Orthophosphate (as P)	mg/L	1/month	----- Monitor -----				SB1
Total Filterable Residue	mg/L	1/ 2 weeks	----- Monitor -----				RP
Nickel	µg/L	1/qtr.	----- Monitor -----				M
Zinc	µg/L	1/qtr.	----- Monitor -----				M
Cadmium	µg/L	1/qtr.	----- Monitor -----				M
Lead	µg/L	1/qtr.	----- Monitor -----				M
Chromium	µg/L	1/qtr.	----- Monitor -----				M
Copper	µg/L	1/qtr.	----- Monitor -----				M
Hexavalent Chromium (Dissolved)	µg/L	1/qtr.	----- Monitor -----				M
Mercury	ng/L	1/month	1.3	1092	0.000017	0.015	RP, WLA, ABS
Free Cyanide	µg/L	1/qtr.	----- Monitor -----				M
<i>E. coli</i>	#/100 mL	3/week	126	284 ^d	--	--	WQS
CBOD (5 day)	mg/L	3/week	10	15 ^d	133	199 ^d	PD
Acute Toxicity							
<i>Ceriodaphnia dubia</i>	TU _a	1/year	--	--	--	--	WET
<i>Pimephales promelas</i>	TU _a	1/year	--	--	--	--	WET
Chronic Toxicity							
<i>Ceriodaphnia dubia</i>	TU _c	1/year	--	--	--	--	WET
<i>Pimephales promelas</i>	TU _c	1/year	--	--	--	--	WET

^a Effluent loadings are based on an average design discharge flow of 3.5 MGD.

^b Definitions:

ABS = Antibacksliding Rule (OAC 3745-33-05(F) and 40 CFR Part 122.44(l))

M = Division of Surface Water NPDES Permit Guidance 1: Monitoring frequency requirements for Sanitary Discharges

PD = Plant Design (OAC 3745-33-05(E))

PTS = Phosphorus Treatment Standards (OAC 3745-33-06 (C))

RP = Reasonable Potential for requiring water quality-based effluent limits and monitoring requirements in permits (OAC 3745-33-07(A))

SB1 = Implementation of Senate Bill 1 [ORC 6111.03]

WET = Minimum testing requirements for whole effluent toxicity [OAC 3745-33-07(B)(11)]

WLA = Wasteload Allocation procedures (OAC 3745-2)

WQS = Ohio Water Quality Standards (OAC 3745-1)

- ° Monitoring of flow and other indicator parameters is specified to assist in the evaluation of effluent quality and treatment plant performance.
- d 7-day average limit.

Addendum 1. Acronyms

ABS	Anti-backsliding
BPJ	Best professional judgment
CFR	Code of Federal Regulations
CMOM	Capacity Management, Operation, and Maintenance
CONSWLA	Conservative substance wasteload allocation
CSO	Combined sewer overflow
CWA	Clean Water Act
DMR	Discharge Monitoring Report
DMT	Dissolved metal translator
IMZM	Inside mixing zone maximum
LTCP	Long-term Control Plan
MDL	Analytical method detection limit
MGD	Million gallons per day
NPDES	National Pollutant Discharge Elimination System
OAC	Ohio Administrative Code
Ohio EPA	Ohio Environmental Protection Agency
OMZM	Outside mixing zone maximum
ORC	Ohio Revised Code
ORSANCO	Ohio River Valley Water Sanitation Commission
PEL	Preliminary effluent limit
PEQ	Projected effluent quality
PMP	Pollution Minimization Program
PPE	Plant performance evaluation
SSO	Sanitary sewer overflow
TMDL	Total Daily Maximum Load
TRE	Toxicity reduction evaluation
TU	Toxicity unit
U.S. EPA	United States Environmental Protection Agency
WET	Whole effluent toxicity
WLA	Wasteload allocation
WPCF	Water Pollution Control Facility
WQBEL	Water-quality-based effluent limit
WQS	Water Quality Standards
WWTP	Wastewater Treatment Plant

EXHIBIT 16

Application No.: OHP000237

Issue Date: February 1, 2021

Effective Date: March 1, 2021

Expiration Date: February 28, 2026

Ohio Environmental Protection Agency

Indirect Discharge Permit

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code 6111),

AdvancePierre Foods, Inc.

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge wastewater from its facility located at 1833 Cooper Foster Park Road, Amherst, Ohio 44001, Lorain County

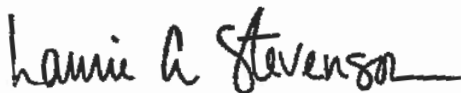
into the Publicly Owned Treatment Works (POTW) of the City of Amherst located at 931 North Lake Street, Amherst, Ohio 44001

in accordance with the conditions specified in Parts I, II, and III of this permit.

The permit is issued to apply and enforce pretreatment rules of the state of Ohio. The rights granted by this permit shall not supersede the primacy of the above authority in the regulation of its publicly owned treatment works.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Laurie A. Stevenson
Director

Total Pages: 11

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of the permit and lasting until its expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3DP00046001.

Table - End of Pipe - 001 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00056 - Flow Rate - GPD	50000	-	-	-	-	-	-	1/Month	24hr Total	All
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00400 - pH - S.U.	9.5	5.0	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	756.6	-	-	1/Month	Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	225	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	14.2	-	-	1/Month	Composite	All
80082 - CBOD 5 day - mg/l	-	-	-	-	936.2	-	-	1/Month	Composite	All

Samples shall be collected from the monitoring manhole located on the Northeast property line.

Part II, Other Requirements

1. The permittee shall comply with all applicable rules, regulations, and ordinances of the City of Amherst. If the authority to discharge is revoked by the POTW, this shall also be considered grounds for revocation of this permit.

2. In addition to the report submitted to Ohio EPA under Part III, Item 3, of this permit, a copy of each discharge monitoring report shall be submitted to the POTW at the following address:

City of Amherst
Wastewater Treatment Plant
931 North Lake Street
Amherst, Ohio 44001

3. Any slug loading shall be reported to the POTW at (440) 988 - 4920 pursuant to requirements in Part III, Item 10. Any accidental discharge of wastewater to the waters of the state, including treated and untreated process wastewater, shall be reported to Ohio EPA at 1-800-282-9378 within 24 hours of becoming aware of the discharge.

4. The permittee shall provide Amherst WWTP with a schedule for its production and cleanups on a weekly basis.

Part III - GENERAL CONDITIONS

1. DEFINITIONS

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for samples and/or measurements collected.

"Composite" means a combination of individual samples collected at periodic intervals of the entire discharge day. The composite must be flow proportional; either the time interval between each individual sample or the volume of each individual sample must be directly proportional to either the wastestream flow at the time of the sampling or the total wastestream flow since the collection of the previous sample. Samples may be collected manually or automatically.

"Grab" means an individual sample collected at such time and location as to be representative of the discharge.

"Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of SWDA), the Clean Air Act, and the Toxic Substances Control Act.

"mg/l" means milligrams per liter.

"pass through" means a discharge which exits through the POTW to waters of the state in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit.

"POTW" or "publicly owned treatment works" means a treatment works owned or operated by a public authority. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the public authority which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

"Pollutant" means sewage, industrial waste, or other waste as defined by divisions (B), (C) and (D) of Section 6111.01 of the Revised Code.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Slug loading" means any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate and/or pollutant concentration as to cause interference in the POTW.

"ug/l" means micrograms per liter.

2. GENERAL EFFLUENT LIMITATIONS

A. All users of a POTW shall comply with the requirements of 40 CFR Part 403, the Federal "General Pretreatment Regulations for Existing and New Sources of Pollution," as appropriate.

B. The permittee shall not introduce the following pollutants into a POTW

1. Pollutants which create a fire or explosion hazard in the POTW including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade 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, unless the POTW is specifically designed to accommodate such discharges;

3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in sewers, or other interference with the operation of the POTW;

4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration as to cause interference in the POTW;

5. Heat in amounts that will inhibit biological activity in the POTW resulting in interference or causing damage, but in no case heat in such quantities that the temperature exceeds 40 Degrees C (104 Degrees F) at the POTW unless the director, upon request of the POTW, approves an alternate temperature limit;

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, vapor or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

8. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

C. The permittee shall not achieve any effluent concentration by dilution. The permittee shall not increase the use of potable water, process water or cooling water.

3. REPORTING

A. Monitoring data required by this permit, including results from any sampling pursuant to paragraph 3.H.7., below, shall be reported on a semi-annual basis, unless specified otherwise in Part II - Other Requirements. Monitoring data required by this permit shall be submitted on Ohio EPA 4519 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. It is accessed from the Ohio EPA eBusiness Center. The eBusiness Center can be found at the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. This information can be found at the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMRpin.aspx>

C. Reports for each sampling period shall be transmitted to Ohio EPA no later than the 20th day of January or July. Reports due by the 20th of January shall cover the sampling period of July through December of the previous year. Reports due by the 20th day of July shall cover the sampling period of January through June of the current year.

DMRs submitted on paper shall be the original signed DMR form and shall be mailed to:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. Regardless of the submission method, a copy of the submitted Ohio EPA 4519 DMR must be signed by a Responsible Official or a Delegated Responsible Official and maintained onsite for records retention purposes (see Section 6. RECORDS RETENTION). For e-DMR users, a copy of the DMR can be printed from e-DMR.

E. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 4. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

F. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 6. RECORDS RETENTION.

G. A copy of each DMR shall be sent to the POTW authority as specified in Part II, Other Requirements.

H. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by telephone within twenty-four (24) hours of discovery. The permittee shall report by telephone to the appropriate Ohio EPA district office as follows:

Central District Office: (800) 686-2330
Southwest District Office: (800) 686-8930
Southeast District Office: (800) 686-7330
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330

The permittee shall include the following information in the noncompliance report required by paragraph H:

1. The limit(s) that has been exceeded;
2. The extent of the exceedance(s);
3. The cause of the exceedance(s);
4. The period of the exceedance(s) including exact dates and times;
5. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
6. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).
7. The permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to Ohio EPA within thirty (30) days after becoming aware of the violation. The results shall be mailed to:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - Pretreatment
P.O. Box 1049
Columbus, OH 43216-1049

4. SAMPLING AND ANALYTICAL METHODS

A. Samples and measurements taken as required herein shall be representative of daily operations. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

B. Unless otherwise specified in Part II - Other Requirements, samples shall be obtained through use of flow-proportional composite sampling techniques; where composite sampling is not physically possible or contrary to the approved methods set forth in 40 CFR 136, a grab sample is acceptable.

C. The permittee is responsible for providing a sampling location suitable for obtaining a representative sample.

5. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling;
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

6. RECORDS RETENTION

The permittee shall retain all of the following records for a minimum of three years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records; and
- D. All plant operation and maintenance records.
- E. All reports required by this permit.
- F. Records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or application.

7. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district office of the Ohio EPA. Both the Clean Water Act and Section 6111.05 of the Ohio Revised Code state that effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in the Ohio Revised Code Section 6111.99.

8. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the director, within a reasonable time, any information which the director may request to determine whether cause exists for modifying or revoking the permit, or to determine compliance with this permit. The permittee shall also furnish to the director, upon request, copies of records required to be kept by this permit.

9. RIGHT OF ENTRY

The permittee shall allow the director, or an authorized representative upon presentation of credentials and other documents as may be required by law, to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit,
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

10. NOTIFICATION OF SLUG LOADING

A. The permittee shall notify the POTW at the telephone number provided in Part II - Other Conditions and the Ohio EPA by telephone at 1-800-282-9378 within one hour of discovery of any slug loading and provide the following:

1. A description of the discharge and the cause of the slug loading;
2. The period of slug loading including exact dates and times and, if not corrected, the anticipated time the noncompliance is expected to continue;
3. The steps taken or planned to reduce, eliminate and prevent reoccurrence of the slug loading.
4. The POTW affected by the discharge.

B. A written report containing the above information shall be filed with the POTW at the address provided in Part II - Other Conditions, and the Ohio EPA, at the address provided in Part III, Paragraph 3 entitled "REPORTING" within five business days of the day when the slug loading occurred.

11. DISCHARGE CHANGES

The following changes must be reported to the Ohio EPA as soon as practicable.

A. Any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation. The permittee shall give advance notice to the director of any planned changes in the process line or treatment works from which the permitted discharge originates which may result in noncompliance with permit requirements. These changes include, but are not limited to, increases or decreases in production rates from which categorical standards are calculated, discharge flow rates, and the addition or deletion of wastestreams. Notification of permit changes or anticipated noncompliance does not stay any permit conditions.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the director of the Ohio EPA prior to construction.

12. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions under Section 307(a) of the Clean Water Act or Section 3745-3 of the Ohio Administrative Code for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the director shall modify this permit and so notify the permittee.

13. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or

B. Pursuant to rule 3745-36-08, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the Ohio EPA Pretreatment Unit at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

14. TRANSFER OF OWNERSHIP OR CONTROL

This permit cannot be transferred or assigned nor shall a new owner or successor be authorized to discharge from this facility, until the following requirements are met:

- A. The permittee shall notify the Ohio EPA Pretreatment Unit at least sixty days in advance of the proposed transfer date;
- B. The notice includes a written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on); and
- C. The director does not exercise his right to notify the current permittee and the new permittee of his or her intent to modify or revoke the permit and to require that a new application be filed.

15. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

16. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

17. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

18. SIGNATORY REQUIREMENTS

A. All applications and reports submitted to the Ohio EPA must be signed by an authorized representative of the permittee. An authorized representative may be:

- 1. In the case of a corporation, by a principal executive officer of at least the level of vice president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.
- 2. In the case of a partnership, by a general partner.
- 3. In the case of a sole proprietorship, by the proprietor.

19. NEED TO HALT OR REDUCE ACTIVITY

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 conditions of this permit.

20. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

21. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Ohio Revised Code Sections 6111.09 and 6111.99.

22. DISPOSAL OF RESIDUALS

The storage and disposal of collected screenings, slurries, sludge or other solids shall be in accordance with Section 405 of the Clean Water Act and Subtitle C and D of the Resource Conservation and Recovery Act.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on unauthorized discharges, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. OTHER INFORMATION

A. Where 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 in any report to the director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

EXHIBIT 17

Application No. OH0021628

Action Date: January 13, 2021

Effective Date: February 1, 2021

Expiration Date: January 31, 2026

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

City of Amherst

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the City of Amherst Water Pollution Control Center (WPCC), located at 931 North Lake Street, Amherst, Ohio, Lorain County and discharging to Beaver Creek at River Mile 3.85, in accordance with the conditions specified in Parts I, II, III, IV, V and VI of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Laurie A. Stevenson
Director

Total Pages:

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3PD00001001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	6.0	-	-	-	-	-	1/Day	Multiple Grab	All
00530 - Total Suspended Solids - mg/l	-	-	18	12	-	239	159	3/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	1.65	1.1	-	21.9	14.6	3/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	6.3	4.2	-	83.5	55.6	3/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	19.9	13.3	1/Week	24hr Composite	All
00671 - Orthophosphate, Dissolved (as P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	3/Week	Grab	Summer
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50092 - Mercury, Total (Low Level) - ng/l	1092	-	-	1.3	0.015	-	0.000017	1/Month	Grab	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61428 - Chronic Toxicity, Pimephales promelas - TUc	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	15	10	-	199	133	3/Week	24hr Composite	All

Notes for Station Number 3PD00001001:

* Effluent loadings based on average design flow of 3.5 MGD.

- a. Mercury - See Part II, Items S and T.
- b. Free cyanide - See Part II, Item R.
- c. Biomonitoring - See Part II, Item W.
- d. Dissolved orthophosphate - See Part II, Item U.
- e. Phosphorus - See Part I, C.2.
- f. NPDES Application Supplemental Data Submittal Requirements - See Part II, Item X.
- g. Quarterly-Alt - Sampling shall be performed in March, June, September, and December.
- h. The Permittee utilizes Ultraviolet (UV) radiation to meet the disinfection requirement.

Part I, B. - SSO MONITORING EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. SSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Number 3PD00001300, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - SSO Monitoring - 300 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	1/Month	Total	All

Notes for Station Number 3PD00001300:

- a. A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Although the above table indicates that the Measuring Frequency for Overflow Occurrence is 1/Month, the intent of that provision is to specify a reporting frequency for Overflow Occurrence, not a monitoring frequency. The monitoring requirement under this permit is that these overflows shall be monitored on each day when they discharge. Only sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, must be reported under this monitoring station.
- b. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day that enters waters of the state is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, record two occurrences for that day. If overflows from both locations continue on the following day, record two occurrences for the following day. At the end of the month, total the daily occurrences and report this number on Day 1 of the DMR. If there are no overflows during the entire month, report "zero" (0).
- c. All sanitary sewer overflows are prohibited.
- d. See Part II, Items E and F.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

2. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 3PD00001581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	2/Year	Composite	Semi-annual
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	2/Year	Composite	Semi-annual
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	2/Year	Composite	Semi-annual
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	2/Year	Composite	Semi-annual
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	2/Year	Composite	Semi-annual
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	2/Year	Composite	Semi-annual
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	2/Year	Composite	Semi-annual
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	2/Year	Total	Semi-annual
51131 - Fecal Coliform in Sludge - CFU/gram	2000000	-	-	-	-	-	-	2/Year	Multiple Grab	Semi-annual
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	2/Year	Total	Semi-annual
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	2/Year	Composite	Semi-annual
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	2/Year	Composite	Semi-annual

Notes for Station Number 3PD00001581:

a. Monitoring is required when Class B sewage sludge (biosolids) is removed from the permittee's facility for application to the land. The

monitoring data shall be reported on the March, June, September, and December Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period.

- b. Metal analysis must be completed during each reporting period whether or not sewage sludge is removed from the facility and applied to the land. Alternatively, the number of composite samples collected and reported prior to the next land application event shall be increased to account for the reporting period(s) in which land application did not occur. If all accumulated sewage sludge has been removed and hauled to a landfill, incinerated or transferred to another NPDES permit holder, then the metal analysis is not required.
- c. If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis on the DMR and enter "0" for sludge weight and sludge fee weight.
- d. If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- e. If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.
- f. It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.
- g. The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction have been met.
- h. Units of mg/kg are on a dry weight basis.
- i. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.
- j. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- k. See Part II, Items N, O, P, and Q.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

3. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 3PD00001586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

Notes for Station Number 3PD00001586:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for disposal in a licensed solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a municipal solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the Permittee's facility for disposal in a municipal solid waste landfill during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- d. See Part II, Items N, O, P, and Q.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

4. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 3PD00001588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months			
Maximum	Minimum	Weekly	Monthly	Daily				Weekly	Monthly	
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

Notes for Station Number 3PD00001588:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.
- d. See Part II, Items N, O, P, and Q.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

5. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at 3PD00001601, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 601 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Day	Multiple Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	3/Week	24hr Composite	All
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1/Month	Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	3/Week	24hr Composite	All

Notes for Station Number 3PD00001601:

- a. Sampling for the respective parameters shall occur on the same day as Outfall 3PD00001001.
- b. Mercury - See Part II, Items S and T.

Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

6. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 3PD00001602, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 602 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months			
Maximum	Minimum	Weekly	Monthly	Daily				Weekly	Monthly	
00051 - Bypass Occurrence - No./Day	-	-	-	-	-	-	-	When Disch.	Total	All
00052 - Bypass Total Hours Per Day - Hrs/Day	-	-	-	-	-	-	-	When Disch.	Total	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

Notes for Station Number 3PD00001602:

- a. This internal monitoring station shall be utilized to report bypasses of the Oxidation Ditch secondary treatment process.
- b. Data for bypass volume, bypass occurrence, and bypass duration may be estimated if a measuring device is not available.
- c. A Discharge Monitoring Report (DMR) for this station must be submitted every month.
- d. Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station.
- e. If there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- f. Bypass Occurrence: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence: Report "1" on the first day of the discharge.
- g. Discharge through this station is prohibited. The Director may take enforcement action for violations of this prohibition unless the three conditions specified at 40 CFR 122.41(m) and in Part III, Item 11.C.1 of this permit are met.

h. See Part I, C.1 - Secondary Bypass

Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

7. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 3PD00001603, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 603 - Final

<u>Effluent Characteristic</u> Parameter	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Concentration Specified Units		Loading* kg/day				Measuring	Sampling	Monitoring	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Frequency	Type	Months
00052 - Bypass Total Hours Per Day - Hrs/Day	-	-	-	-	-	-	-	When Disch.	Total	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	24hr Total	All

Notes for Station Number 3PD00001603:

- a. This internal monitoring station shall be utilized to report bypasses of the tertiary filtration process. A Discharge Monitoring Report (DMR) is only required when there is a discharge from this station.
- b. Monitoring shall be conducted and reported on each day that there is a discharge through this station.
- c. Data for bypass volume and duration may be estimated if a measuring device is not available.
- d. Treatment plant bypass is prohibited except under emergency conditions as authorized by federal regulation at 40 CFR 122.41(m) and Part III, Item 11, General Conditions, of this permit.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

8. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 3PD00001801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Year	Grab	September
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected	-	-	-	-	-	-	-	1/Year	Grab	September
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Year	Grab	September
61441 - 7-Day Chronic Toxicity Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	Grab	September

Notes for Station Number 3PD00001801:

- a. Sampling for the respective parameters shall occur on the same day as Outfall 3PD00001001.
- b. Biomonitoring - See Part II, Item W.

Part I, B. - DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

9. Downstream-Nearfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 3PD00001901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Weekly		Monthly		Loading* kg/day	Measuring Frequency	Sampling Type	Monitoring Months
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00900 - Hardness, Total (CaCO3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug

Notes for Station Number 3PD00001901:

- a. Sampling for the respective parameters shall occur on the same day as Outfall 3PD00001001.

Part I, C - Schedule of Compliance

1. No Feasibility Analysis (NFA) Implementation - Secondary Bypass

The Amherst WPCP includes a bypass (Internal Monitoring Station 3PD00001602) that does not receive the required minimum treatment, i.e. secondary treatment, prior to being discharged to the receiving stream. This untreated bypass, located after the grit chamber, diverts flow around the Oxidation Ditch Activated Sludge Treatment Process and recombines with the treated effluent prior to the final clarifiers.

Bypasses are not authorized by this permit, including Part I.C - Schedule of Compliance.

The permittee shall undertake the following actions:

- a. As soon as practicable but not later than 6 months from the effective date of this permit, the permittee shall initiate a comprehensive analysis of all feasible alternatives necessary to eliminate the secondary treatment bypass at the treatment plant. This analysis shall address and evaluate the following:
 - i. Inflow/infiltration reduction within the collection system;
 - ii. Additional wastewater storage and flow equalization;
 - iii. Providing additional secondary treatment capacity which includes an analysis of constructing additional secondary capacity as well as an analysis of process changes to enhance secondary treatment capacity;
 - iv. The analysis shall also evaluate methods that will enhance the treatment of any bypassed flow;
 - v. Costs associated with the respective alternatives;
 - vi. Elements of an integrated planning approach (if considered);
 - vii. A proposed schedule for implementation of recommended improvements in the collection system and/or the treatment plant.
- b. The permittee shall submit a status report regarding the comprehensive analysis required under Item 1a. above not later than 12 months from the effective date of the permit. (Event Code 95999)
- c. The permittee shall submit the comprehensive analysis required in Item 1a. above as soon as practicable, but no later than 24 months from the effective date of this permit. The report shall be submitted to the Ohio EPA Northeast District Office and the Ohio EPA Central Office. (Event Code 15099)

d. Ohio EPA will review the comprehensive analysis submitted under Item 1a. above and provide any necessary comments to the permittee. The permittee shall respond to any deficiencies in the analysis as noted by Ohio EPA within 30 days of receiving Ohio EPA comments.

e. Within 30 days of notification of review and acceptance by Ohio EPA, the permittee shall initiate implementation of the recommendations of the report, including any revisions necessary to address Ohio EPA comments. Implementation shall follow the permittee's schedule included in the report as accepted by Ohio EPA.

2. Evaluation for Reducing Discharge of Phosphorus

The permittee shall continue to develop and implement treatment and/or control strategies aimed at reducing the discharge of phosphorus at outfall 3PD00001001.

The permittee shall complete and submit the "Evaluation for Reducing Discharge of Phosphorus" form to report on the overall progress towards reducing the final effluent concentration of phosphorus, with the submittal of its next NPDES permit renewal application. A "fill-in" form is available vis the following internet link:
<http://epa.ohio.gov/dsw/permits/npdesform.aspx>.

Part II, Other Requirements

A. Operator Certification Requirements

1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility shall be classified as a Class III treatment works. The permittee shall designate one or more professional operator of record to oversee the technical operation of the treatment works with a valid certification of a class equal to or greater than the classification of the treatment works.

b. All sewerage (collection) systems that are tributary to this treatment works are Class II sewerage systems in accordance with paragraph (B)(1)(b) of rule 3745-7-04 of the Ohio Administrative Code. The permittee shall designate one or more professional operator of record to oversee the technical operation of the sewerage (collection) system with a valid certification of a class equal to or greater than the classification of the sewerage (collection) system.

2. Professional Operator of Record

a. Within three days of a change in a professional operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

<http://epa.ohio.gov/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf>

b. All applications for renewal of this NPDES permit shall include an updated Operator of Record Notification form along with other necessary forms and fees to be considered a complete application.

c. The professional operator of record for a class II, III, or IV treatment works or class II sewerage system may be replaced by a backup professional operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.

d. Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the professional operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup professional operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.

3. Minimum Staffing Requirements

- a. The permittee shall ensure that the treatment works professional operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.
- b. The permittee shall ensure that the collection system professional operator of record or a professional operator that is certified in the field of wastewater collection or wastewater treatment, class A operators excluded, is physically present at the collection system in accordance with the minimum staffing requirements per paragraph (C)(2) of rule 3745-7-04 of the Ohio Administrative Code.
- c. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (e.g., retirement of a professional operator listed in the approved staffing plan, loss of the professional operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

4. Additional Staffing Requirements

Visits to all treatment works shall be performed by the permittee, the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Visits shall not be necessary when the treatment works is not in operation.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
3PD00001001	Final effluent (Lat: 41N 24' 27"; Long: 82W 13' 51")
3PD00001300	Collection system sanitary sewer overflows (SSOs)
3PD00001581	Class B sewage sludge (biosolids) prior to land application
3PD00001586	Sludge hauled to a licensed landfill
3PD00001588	Sludge transferred to another NPDES permit holder
3PD00001601	Plant influent
3PD00001602	Secondary bypass prior to the final clarifiers
3PD00001603	Tertiary filter bypass prior to disinfection
3PD00001801	Beaver Creek within 500 feet upstream of outfall 3PD00001001
3PD00001901	Beaver Creek within 500 feet downstream of outfall 3PD00001001

C. Subject to the terms and conditions of this permit, the permittee is authorized to discharge from the following outfalls and/or monitoring stations that are limited to storm water associated with industrial activity. See Parts IV, V and VI for monitoring and reporting requirements.

Outfall/Station Number	Description of Location
3PD00001101	Storm water discharge from Drainage Area 1. Lat: 41N 24' 34"; Long: 82W 13' 54"
3PD00001102	Storm water discharge from Drainage Area 2. Lat: 41N 24' 32"; Long: 82W 13' 53"
3PD00001103	Storm water discharge from Drainage Area 3. Lat: 41N 24' 32"; Long: 82W 13' 53"
3PD00001104	Storm water discharge from Drainage Area 4. Lat: 41N 24' 31"; Long: 82W 13' 52"
3PD00001105	Storm water discharge from Drainage Area 5. Lat: 41N 24' 28"; Long: 82W 13' 53"
3PD00001106	Storm water discharge from Drainage Area 6. Lat: 41N 24' 26"; Long: 82W 13' 58"

Sampling locations for these storm water outfalls are defined in the Facilities Stormwater Pollution Prevention Plan.

D. All parameters, except flow and any other continuously-recorded parameters, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form. (See Part III, 4.E).

E. Sanitary Sewer Overflow (SSO) Reporting Requirements

A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. SSOs do not include wet weather discharges from combined sewer overflows specifically listed in Part II of this NPDES permit (if any). All SSOs are prohibited.

1. Reporting for SSOs That Imminently and Substantially Endanger Human Health

a) Immediate Notification

You must notify Ohio EPA (1-800-282-9378) and the appropriate Board of Health (i.e., city or county) within 24 hours of learning of any SSO from your sewers or from your maintenance contract areas that may imminently and substantially endanger human health. The telephone report must identify the location, estimated volume and receiving water, if any, of the overflow. An SSO that may imminently and substantially endanger human health includes dry weather overflows, major line breaks, overflow events that result in fish kills or other significant harm, overflows that expose the general public to contact with raw sewage, and overflow events that occur in sensitive waters and high exposure areas such as protection areas for public drinking water intakes and waters where primary contact recreation occurs.

b) Follow-Up Written Report

Within 5 days of the time you become aware of any SSO that may imminently and substantially endanger human health, you must provide the appropriate Ohio EPA district office a written report that includes:

- (i) the estimated date and time when the overflow began and stopped or will be stopped (if known);
- (ii) the location of the SSO including an identification number or designation if one exists;
- (iii) the receiving water (if there is one);
- (iv) an estimate of the volume of the SSO (if known);
- (v) a description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);
- (vi) the cause or suspected cause of the overflow;
- (vii) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps; and
- (viii) steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

An acceptable 5-day follow-up written report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx .

2. Reporting for All SSOs, Including Those That Imminently and Substantially Endanger Human Health

a) Discharge Monitoring Reports (DMRs)

Sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, shall be reported on your Discharge Monitoring Reports (DMR). You must report the system-wide number of occurrences for SSOs that enter waters of the state in accordance with the requirements for station number 300. A monitoring table for this station is included in Part I, B of this NPDES permit. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, you should record two occurrences for that day. If overflows from both locations continue on the following day, you should record two occurrences for the following day. At the end of the month, total the daily occurrences from all locations on your system and report this number using reporting code 74062 (Overflow Occurrence, No./Month) on the 4500 form for station number 300.

b) Annual Report

You must prepare an annual report of all SSOs in your collection system, including those that do not enter waters of the state. The annual report must be in an acceptable format (see below) and must include:

- (i) A table that lists an identification number, a location description, and the receiving water (if any) for each existing SSO. If an SSO previously included in the list has been eliminated, this shall be noted. Assign each SSO location a unique identification by numbering them consecutively, beginning with 301.
- (ii) A table that lists the date that an overflow occurred, the unique ID of the overflow, the name of affected receiving waters (if any), and the estimated volume of the overflow (in millions of gallons). The annual report may summarize information regarding overflows of less than approximately 1,000 gallons.
- (iii) A table that summarizes the occurrence of water in basements (WIBs) by total number and by sewershed. The report shall include a narrative analysis of WIB patterns by location, frequency and cause. Only WIBs caused by a problem in the publicly-owned collection system must be included.

Not later than March 31 of each year, you must submit one copy of the annual report for the previous calendar year. The report may be submitted electronically using the NPDES Annual Sanitary Sewer Overflow Report available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, you may submit one hardcopy of the report to the appropriate Ohio EPA district office and one copy to: Ohio EPA; Division of Surface Water; NPDES Permit Unit; P.O. Box 1049; Columbus, OH, 43216-1049. An acceptable annual SSO report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at:

http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx.

You also must provide adequate notice to the public of the availability of the report. Adequate public notice would include: notices posted at the community administration building, the public library and the post office; a public notice in the newspaper; or a notice sent out with all sewer bills.

F. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

G. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the sewage flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

H. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

I. Multiple grab samples shall be comprised of at least three grab samples collected at intervals of at least three hours during the period that the plant is staffed on each day for sampling. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance. The critical value shall be reported.

J. The treatment works must obtain at least 85 percent removal of carbonaceous biochemical oxygen demand (five-day) and suspended solids (see Part III, Item 1).

K. "Reserved"

L. POTWs that accept hazardous wastes by truck, rail, or dedicated pipeline are considered to be hazardous waste treatment, storage, and disposal facilities (TSDFs) and are subject to regulation under the Resource Conservation and Recovery Act (RCRA). Under the "permit-by-rule" regulation found at 40 CFR 270.60(c), a POTW must

- 1) comply with all conditions of its NPDES permit,
- 2) obtain a RCRA ID number and comply with certain manifest and reporting requirements under RCRA,
- 3) satisfy corrective action requirements, and
- 4) meet all federal, state, and local pretreatment requirements.

M. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

N. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

O. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the facility's sewage sludge.

P. No later than March 1 of each calendar year, the Permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

Q. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring, and the weight calculations, shall be maintained on site for a minimum of five years. The test methodology used shall be from the latest edition, Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.

R. Cyanide Low Level Method

This permit no longer authorizes the use of method 4500 CN-I from Standard Methods for free cyanide testing. Currently there are three approved methods for free cyanide listed in 40 CFR 136 that have a quantification level lower than any water quality-based effluent limits: ASTM D7237-10, OIA-1677-09, and ASTM D4282-02. (Note: The use of ASTM D4282-02 requires supporting documentation that it meets the requirement of a "sufficiently sensitive" test procedure as defined in 40 CFR 122.44(i)(1)(iv)). The permittee shall begin using one of these approved methods as soon as possible. If you must use method 4500 CN-I during the transition to an approved method, report the results on your DMR and enter "Method 4500 CN-I" in the remarks section.

S. Mercury Low Level Method

The permittee shall use EPA Method 1631 promulgated under 40 CFR 136 to comply with the influent and effluent mercury monitoring requirements of this permit.

T. Mercury Pollutant Minimization Program (PMP)

1. The goal of the PMP is to maintain effluent concentrations of mercury at or below the water quality standard of 1.3 ng/L.

2. The permittee shall submit a control strategy designed to proceed toward the goal for each pollutant listed above. Control strategies shall be submitted with the first annual PMP report, or within 12 months of the effective date of this permit, whichever comes later. Control strategies shall include:

a) Existing information on plant processes, significant and non-significant industrial, commercial and residential users of the treatment plant, and wastestreams or sewers tributary to the treatment plant.

b) A plan-of-study for locating/identifying potential sources of the pollutant.

3) Monitoring requirements:

Beginning on the effective date of this permit, the permittee shall monitor the wastewater treatment plant influent by grab sample for each pollutant that is required to have a PMP.

On or prior to March 1 of each year, the permittee shall submit two copies of an annual PMP report to Ohio EPA Northeast District Office, Division of Surface Water. The annual PMP report shall include:

a) All minimization program monitoring results for the year;

b) A list of potential sources of the pollutants that are subject to PMP requirements;

c) A summary of all actions taken to meet the effluent limits for those pollutants;

d) Any updates of the control strategy;

The Ohio EPA Annual Mercury PMP Report and Appendices are available on the Division of Surface Water Permits Program Technical Assistance web page at:

http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx . Open the Mercury list.

Based on information collected under this paragraph, this permit may be modified, or alternatively, revoked and reissued, to revise or remove the PMP requirements.

U. Monitoring for Dissolved Orthophosphate (as P)

The permittee shall monitor for dissolved orthophosphate by grab sample. The permittee shall filter the grab sample within 15 minutes of collection using a 0.45-micron filter. The filtered sample must be analyzed within 48 hours. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance.

V. The permittee shall maintain a permanent marker on the stream bank at each outfall that is regulated under this NPDES permit. This includes final outfalls, bypasses, and combined sewer overflows. The marker shall consist at a minimum of the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The marker shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall be not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water.

W. Biomonitoring Program Requirements

General Requirements

All toxicity testing conducted as required by this permit shall be done in accordance with "Reporting and Testing Guidance for Biomonitoring Required by the Ohio Environmental Protection Agency" (hereinafter, the "biomonitoring guidance"), Ohio EPA, July 1998 (or current revision). The Standard Operating Procedures (SOP) or verification of SOP submittal, as described in Section 1.B. of the biomonitoring guidance shall be submitted no later than three months after the effective date of this permit. If the laboratory performing the testing has modified its protocols, a new SOP is required.

Testing Requirements

1. Chronic Bioassays

The permittee shall conduct chronic toxicity tests, as specified in Part I, A., using the water flea (*Ceriodaphnia dubia*) and fathead minnow (*Pimephales promelas*) on effluent samples from outfall 3PD00001001. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

2. Acute Bioassays

The permittee shall conduct acute toxicity tests, as specified in Part I, A., using the water flea (*Ceriodaphnia dubia*) and fathead minnow (*Pimephales promelas*) on effluent samples from outfall 3PD00001001. These tests shall be conducted as specified in Section 2 of the biomonitoring guidance. Acute toxicity tests need not be performed for months in which chronic toxicity tests are conducted. Acute endpoints, as described in Section 2.H. of the biomonitoring guidance, shall be derived from the chronic test.

3. Testing of Ambient Water

In conjunction with the acute and chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 3PD00001801. Testing of ambient waters shall be done in accordance with Sections 2 and 3 of the biomonitoring guidance.

4. Data Review

a. Reporting

Following completion of each bioassay requirement, the permittee shall report results of the tests in accordance with Sections 2.H.1., 2.H.2.a., 3.H.1., and 3.H.2.a. of the biomonitoring guidance, including reporting the results on the monthly DMR and submitting a copy of the complete test report to Ohio EPA, Division of Surface Water. The test report may be submitted electronically using the acute or chronic NPDES Biomonitoring Report Form available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, the permittee may submit a hard copy of the report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

b. Definitions

TU_a = Acute Toxicity Units = 100/LC50

TU_c = Chronic Toxicity Units = 100/IC25

This equation for chronic toxicity units applies outside the mixing zone for warmwater, modified warmwater, exceptional warmwater, coldwater, and seasonal salmonid use designations except when the following equation is more restrictive (*Ceriodaphnia dubia* only):

TU_c = Chronic Toxic Units = 100/square root of (NOEC x LOEC)

X. NPDES Application Supplemental Data Submittal Requirements

a. Pursuant to Title 40 of the Code of Federal Regulations (40 CFR), Section 122.21, the permittee must sample and analyze for a list of 101 parameters, including hardness, metals, volatile organic compounds (VOCs), acid-extractable compounds, and base-neutral compounds, as part of its next NPDES permit renewal application. The permittee must provide effluent data from a minimum of three samples taken within four and one-half years prior to the date of the permit application. The complete list of parameters is contained in Table 2 of "Appendix J to Part 122 - NPDES Permit Testing Requirements for Publicly Owned Treatment Works (§122.21(j))."

b. The permittee must collect samples of effluent and analyze such samples for pollutants in accordance with analytical methods approved under 40 CFR Part 136, unless an alternative is specified in the existing NPDES permit. Except for VOCs and free cyanide, 24-hour composite samples must be used. Samples must be representative of any seasonal variation in the discharge. Existing data may be used, if available, in lieu of sampling done solely for the purpose of the application.

c. The required analytical data shall be submitted on a form approved by the Director of Ohio EPA.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "not greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate 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 conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<http://epa.ohio.gov/dsw/edmr/eDMR.aspx>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. 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
- c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.ohio.gov/dsw/permits/permits.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
 - b. The time(s) at which the discharge occurred, and was discovered;
 - c. The approximate amount and the characteristics of the discharge;
 - d. The stream(s) affected by the discharge;
 - e. The circumstances which created the discharge;
 - f. The name and telephone number of the person(s) who have knowledge of these circumstances;
 - g. What remedial steps are being taken; and,
 - h. The name and telephone number of the person(s) responsible for such remedial steps.
2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.
- C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
- D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
1. The compliance event which has been or will be violated;
 2. The cause of the violation;
 3. The remedial action being taken;
 4. The probable date by which compliance will occur; and,
 5. The probability of complying with subsequent and final events as scheduled.
- E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
- F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. 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.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have 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 "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
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 "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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 to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where 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 in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

Part IV. Storm Water Control Measures and Pollution Prevention Programs

In Part IV and in Part VI, the term “minimize” means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

A. Control Measures.

You shall select, design, install, and implement control measures (including best management practices) to address the selection and design considerations in Part IV.B, and meet the control measures/best management practices in Part IV.C and any applicable numeric effluent limits in Part I. The selection, design, installation, and implementation of these control measures shall be in accordance with good engineering practices and manufacturer’s specifications. Note that you may deviate from such manufacturer’s specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part IV.J.3. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges, you shall modify these control measures as expeditiously as practicable. Regulated storm water discharges from your facility include storm water run-on that commingles with storm water discharges associated with industrial activity at your facility.

B. Control Measure Selection and Design Considerations.

You shall consider the following when selecting and designing control measures:

1. Preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
2. Using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in your storm water discharge;
3. Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
4. Minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care shall be taken to avoid ground water contamination;
5. Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
6. Conserving and/or restoring of riparian buffers will help protect streams from storm water runoff and improve water quality; and
7. Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

C. Control Measures/Best Management Practices (BMPs)

1. Minimize Exposure. You shall minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, you should pay particular attention to the following:
 - a. Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
 - b. Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas);
 - c. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
 - d. Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;
 - e. Use spill/overflow protection equipment;
 - f. Drain fluids from equipment and vehicles prior to on-site storage or disposal;
 - g. Perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and
 - h. Ensure that all washwater drains to a proper collection system (i.e., not the storm water drainage system).

The discharge of vehicle and equipment washwater, including tank cleaning operations, is not authorized by this permit.

2. Good Housekeeping. You shall keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.
3. Maintenance. You shall regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in storm water discharged to receiving waters. You shall maintain all control measures that are used to achieve the control measures/best management practices (BMPs) required by this permit in effective operating condition. Nonstructural control measures shall also be diligently maintained (e.g., spill response supplies available, personnel appropriately trained). If you find that your control measures need to be replaced or repaired, you shall make the necessary repairs or modifications as expeditiously as practicable.
4. Spill Prevention and Response Procedures. You shall minimize the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur. At a minimum, you shall implement:

- a. Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
 - b. Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
 - c. Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak shall be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of your storm water pollution prevention team (Part IV.J.1); and
 - d. Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you shall notify the Ohio EPA in accordance with the requirements of Part III Item 12 of this permit.
5. Erosion and Sediment Controls. You shall stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants. Among other actions you shall take to meet this limit, you shall place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the Ohio Department of Natural Resources (ODNR) Division of Soil and Water Conservation’s Rainwater and Land Development manual (http://epa.ohio.gov/dsw/storm/technical_guidance.aspx), U.S. EPA’s internet-based resources relating to BMPs for erosion and sedimentation, including the sector-specific *Industrial Storm Water Fact Sheet Series*, (www.epa.gov/npdes/stormwater/msgp), *National Menu of Storm Water BMPs* (www.epa.gov/npdes/stormwater/menuofbmps), and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas* (www.epa.gov/owow/nps/urbanmm/index.html).
6. Management of Runoff. You shall divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the Ohio Department of Natural Resources (ODNR) Division of Soil and Water Conservation’s Rainwater and Land Development manual (http://epa.ohio.gov/dsw/storm/technical_guidance.aspx), U.S. EPA’s internet-based resources relating to runoff management, including the sector-specific *Industrial Storm Water Fact Sheet Series*, (www.epa.gov/npdes/stormwater/msgp), *National Menu of Storm Water BMPs* (www.epa.gov/npdes/stormwater/menuofbmps), and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas* (www.epa.gov/owow/nps/urbanmm/index.html).
7. Salt Storage Piles or Piles Containing Salt. You shall enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. You shall implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.

8. Sector Specific Control Measures/Best Management Practices (BMPs). You shall achieve any additional control measures/best management practices (BMPs) stipulated in the relevant sector-specific section(s) of Part IV.K. of this permit.
9. Employee Training. You shall train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of your Pollution Prevention Team. Training shall cover both the specific control measures used to achieve the conditions in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Ohio EPA requires that training be conducted at least annually (or more often if employee turnover is high).
10. Non-Storm Water Discharges. You shall eliminate non-storm water discharges not authorized in Part I and Part II of this NPDES permit. The following are additional non-storm water discharges authorized under this permit:
 - a. Discharges from fire-fighting activities (not planned exercises);
 - b. Fire hydrant flushings;
 - c. Potable water, including water line flushings;
 - d. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - e. Irrigation drainage;
 - f. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
 - g. Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc.), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part IV.J.2), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - h. Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc.);
 - i. Uncontaminated ground water or spring water;
 - j. Foundation or footing drains where flows are not contaminated with process materials; and
 - k. Incidental windblown mist from cooling towers that collect on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdowns or drains).

11. Waste, Garbage and Floatable Debris. You shall ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged.
12. Dust Generation and Vehicle Tracking of Industrial Materials. You shall minimize generation of dust and off-site tracking of raw, final, or waste materials.

D. Corrective Actions

1. Conditions Requiring Review and Revision to Eliminate Problem. If any of the following conditions occur, you shall review and revise the selection, design, installation, and implementation of your control measures to ensure that the condition is eliminated and will not be repeated in the future:
 - a. An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another NPDES permit) occurs at your facility;
 - b. A discharge violates a numeric effluent limit;
 - c. You become aware, or Ohio EPA determines, that your control measures are not stringent enough for the discharge to meet applicable water quality standards;
 - d. An inspection or evaluation of your facility by an Ohio EPA official or local MS4 operator determines that modifications to the control measures are necessary to meet the control measures/best management practices (BMPs) in this permit; or
 - e. You find in your routine facility inspection or quarterly visual assessment that your control measures are not being properly operated and maintained.
2. Conditions Requiring Review to Determine if Modifications Are Necessary. If any of the following conditions occur, you shall review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the Part IV.A conditions in this permit:
 - a. Construction or a change in design, operation, or maintenance at your facility significantly changes the nature of pollutants discharged in storm water from your facility, or significantly increases the quantity of pollutants discharged; or
 - b. Sampling results exceeds an applicable benchmark.
3. Corrective Action Deadlines. You shall document your discovery of any of the conditions listed in Part IV.D.1 and Part IV.D.2 within 24 hours of making such discovery. Subsequently, within 30 days of such discovery, you shall document any corrective action(s) to be taken to eliminate or further investigate the deficiency, or if no corrective action is needed, the basis for that determination. Specific documentation required within 24 hours and 30 days is detailed in Part IV.D.4. If you determine that changes are necessary following your review, any modifications to your control measures shall be made before the next storm event if possible, or as soon as practicable following that storm event. These time intervals are not grace periods, but are schedules considered reasonable for documenting your findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements are not allowed to persist indefinitely.

4. Corrective Action Report. Within 24 hours of discovery of any condition listed in Part IV.D.1 and Part IV.D.2, you shall document the following information (i.e., question 4 of the Corrective Actions section in the Annual Reporting Form, available at http://www.epa.state.oh.us/portals/35/permits/IndustrialStormWater_Final_GP_AppI_dec11.pdf):
- Identification of the condition triggering the need for corrective action review;
 - Description of the problem identified; and
 - Date the problem was identified.

Within 30 days of discovery of any condition listed in Part IV.D.1 and Part IV.D.2, you shall document the following information (i.e., questions 7-11 of the Corrective Actions section in the Annual Reporting Form):

- Summary of corrective action taken or to be taken (or, for triggering events identified in Part IV.D.2 where you determine that corrective action is not necessary, the basis for this determination);
- Notice of whether SWPPP modifications are required as a result of this discovery or corrective action;
- Date corrective action initiated; and
- Date corrective action completed or expected to be completed.

You shall include this documentation in an annual report as required in Part V. A.2 and retain onsite with your SWPPP.

5. Effect of Corrective Action. If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. Ohio EPA will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.
6. Substantially Identical Outfalls. If the event triggering corrective action is linked to an outfall that represents other substantially identical outfalls, your review shall assess the need for corrective action for each outfall represented by the outfall that triggered the review. Any necessary changes to control measures that affect these other outfalls shall also be made before the next storm event if possible, or as soon as practicable following that storm event.

E. Inspections

Beginning on the effective date of this permit, you shall conduct the inspections in Part IV.E.1 and Part IV.E.2 at your facility.

1. Routine Facility Inspections.
- a. Conduct routine facility inspections of all areas of the facility where industrial materials or activities are exposed to storm water, and of all storm water control measures used to comply with Part IV. Items A-C conditions contained in this permit. Routine facility inspections

shall be conducted at least quarterly (i.e., once each calendar quarter) although in many instances, more frequent inspection (e.g., monthly) may be appropriate for some types of equipment, processes, and control measures or areas of the facility with significant activities and materials exposed to storm water. Perform these inspections during periods when the facility is in operation. You shall specify the relevant inspection schedules in your SWPPP document as required in Part IV. Items A-C. These routine inspections shall be performed by qualified personnel (for definition see VI - Definitions) with at least one member of your storm water pollution prevention team participating. At least once each calendar year, the routine facility inspection shall be conducted during a period when a storm water discharge is occurring.

You shall document the findings of each routine facility inspection performed and maintain this documentation onsite with your SWPPP. You are not required to submit your routine facility inspection findings to Ohio EPA, unless specifically requested to do so. At a minimum, your documentation of each routine facility inspection shall include:

- i. The inspection date and time;
- ii. The name(s) and signature(s) of the inspector(s);
- iii. Weather information and a description of any discharges occurring at the time of the inspection;
- iv. Any previously unidentified discharges of pollutants from the site;
- v. Any control measures needing maintenance or repairs;
- vi. Any failed control measures that need replacement;
- vii. Any incidents of noncompliance observed; and
- viii. Any additional control measures needed to comply with the permit requirements.

Any corrective action required as a result of a routine facility inspection shall be performed consistent with Part IV.D of this permit.

b. Exceptions to Routine Facility Inspections:

Inactive and Unstaffed Sites: The requirement to conduct routine facility inspections on a quarterly basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. Such a facility is only required to conduct an annual site inspection in accordance with the requirements of Part IV.E.1. To invoke this exception, you shall maintain a statement in your SWPPP pursuant to Part IV.F indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement shall be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to storm water or your facility becomes active and/or staffed, this exception no longer applies and you shall immediately resume quarterly facility inspections. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial

materials or activities that are exposed to storm water, then you shall include the same signed and certified statement as above and retain it with your records pursuant to Part IV.J.5.

Inactive and unstaffed facilities covered under Sectors D (Asphalt Paving and Roofing Materials and Lubricant Manufacturing), E (Glass, Clay, Cement, Concrete, and Gypsum Products) and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to storm water” standard to be eligible for this exception from routine inspections, consistent with the requirements established in relevant sector requirements.

Ohio EPA’s Encouraging Environmental Excellence (E3) Program: If your facility has been recognized under the Gold and Platinum levels by Ohio EPA’s Encouraging Environmental Excellence (E3) Program, you only need to conduct routine facility inspections for two quarters each year. If Part IV.K of this permit requires your facility to conduct routine facility inspections on a monthly basis, you only need to conduct routine facility inspections on a quarterly basis.

2. Quarterly Visual Assessment of Storm Water Discharges.

a. Quarterly Visual Assessment Procedures

Once each calendar quarter for the entire permit term you shall collect a storm water sample from Outfall(s) 3PD00001101 - 3PD00001106 and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but should be collected in such a manner that the samples are representative of the storm water discharge. The visual assessment shall be made:

- Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample shall be collected as soon as practicable after the first 30 minutes and you shall document why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples shall be taken during a period with a measurable discharge from your site; and
- For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge. The 72-hour (3-day) storm interval does not apply if you document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. If it is not possible to collect the sample on discharges that occur at least 72 hours (3 days) from the previous discharge, the sample shall be collected as close to this storm interval as practicable and you shall document why it was not possible to take samples from a 72 hour (3 day) storm interval.
- Areas Subject to Snow: In areas subject to snow, at least one quarterly visual assessment shall capture snowmelt discharge.
- For the following water quality characteristics: color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution.

b. Quarterly Visual Assessment Documentation

You shall document the results of your visual assessments and maintain this documentation onsite with your SWPPP. You are not required to submit your visual assessment findings to Ohio EPA, unless specifically requested to do so. At a minimum, your documentation of the visual assessment shall include:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination; and
- If applicable, why it was not possible to take samples within the first 30 minutes and/or from a 72 hour (3 day) storm interval.

Any corrective action required as a result of a quarterly visual assessment shall be performed consistent with Part IV.D of this permit.

c. Exceptions to Quarterly Visual Assessments

The following are exceptions to quarterly visual assessments:

- Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, you shall take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter shall be included with your SWPPP records. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as drought or extended frozen conditions.
- Substantially identical outfalls: If your facility has two or more outfalls that you believe discharge substantially identical effluents, as documented in Part IV.J.2.a.iii, you may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that you perform visual assessments on a rotating basis of each substantially identical outfall throughout the period of your coverage under this permit. If storm water contamination is identified through visual assessment performed at a substantially identical outfall, you shall assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.
- Inactive and unstaffed sites: The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, you shall maintain a statement in your SWPPP indicating that the site is inactive and unstaffed, and

that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement shall be signed and certified in accordance with Part III.28 of this permit. If circumstances change and industrial materials or activities become exposed to storm water or your facility becomes active and/or staffed, this exception no longer applies and you shall immediately resume quarterly visual assessments. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then you shall include the same signed and certified statement as above and retain it with your records.

- *Ohio EPA's Encouraging Environmental Excellence (E3) Program*: If your facility has been recognized under the Gold and Platinum levels by Ohio EPA's Encouraging Environmental Excellence (E3) Program, you only need to conduct quarterly visual assessment of storm water discharges for two quarters each year.

F. Storm Water Pollution Prevention Plan (SWPPP)

A storm water pollution prevention plan (SWPPP) shall be developed to address each outfall that discharges to waters of the state that contains storm water associated with industrial activity. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. The SWPPP shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

The SWPPP does not contain effluent limitations; the limitations or benchmarks are contained in Part I. The SWPPP is intended to document the selection, design, and installation of control measures. As distinct from the SWPPP, the documentation requirements are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

G. Deadlines to Update the SWPPP.

1. The permittee shall continue to implement and be in compliance with the SWPPP required by the previous permit. Within six months of the effective date of this permit, the permittee shall update the SWPPP as necessary to address any new or reviewed requirements of this permit.

H. Signature and Plan Review.

1. The plan shall be signed and dated in accordance with Part III, Item 28, and be retained on-site at the facility which generates the storm water discharge.
2. The permittee shall make plans immediately available upon request to the Ohio EPA Director, or authorized representative, or Regional Administrator of U.S. EPA, a local agency approving storm water management plans, or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system, to the operator of the municipal system.

3. The Director may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Within 30 days of such notification from the Director, the permittee shall make the required changes to the plan and shall submit to the Director a written certification that the requested changes have been made.
4. All storm water pollution prevention plans required under this permit are considered reports that shall be available to the public under Section 308(b) of the Act. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within Ohio EPA. An interested party wishing a copy of a discharger's SWPPP will have to contact the Ohio EPA to obtain a copy.

I. Keeping SWPPP Current

The permittee shall modify the plan whenever necessary to address any of the triggering conditions for corrective action in Part IV.D and to ensure that they do not reoccur, or to reflect changes implemented when a review following the triggering conditions in Part IV.D.2 indicates that changes to your control measures are necessary to meet the control measures/best management practices (BMPs) in this permit. Changes to your SWPPP document shall be made in accordance with the corrective action deadlines in Part IV.D.3 and Part IV.D.4.

Amendments to the plan may be reviewed by Ohio EPA in the same manner as Part IV.H above.

J. Contents of SWPPP.

The plan shall include, at a minimum, the following items:

1. Pollution Prevention Team. You shall identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities. Your storm water pollution prevention team is responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as maintaining control measures and taking corrective actions where required. Each member of the storm water pollution prevention team shall have ready access to either an electronic or paper copy of applicable portions of this permit and your SWPPP.
2. Description of Potential Pollutant Sources. You shall document at your facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released. Industrial materials or activities, include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final product or waste product. For each area identified, the description shall include, at a minimum:
 - a. Site Description. Your SWPPP shall include:
 - i. A description of the industrial activities at your facility;
 - ii. A general location map (e.g. U.S. Geologic Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your storm water discharges.
 - iii. A site map showing

- The size of the property in acres;
 - The location and extent of significant structures and impervious surfaces;
 - Directions of storm water flow (use arrows);
 - Locations of all existing structural control measures;
 - Locations of all receiving waters in the immediate vicinity of your facility;
 - Locations of all storm water conveyances including ditches, pipes and swales;
 - Locations of potential pollutant sources identified under Part IV J. 2.b;
 - Locations where significant spills or leaks identified under Part IV J. 2.b. have occurred;
 - Locations of all storm water monitoring points;
 - Locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g. Outfall 001, Outfall 002, etc), indicating any outfalls that are considered substantially identical to another outfall, and an approximate outline of the areas draining to each outfall;
 - Municipal separate storm sewer systems, where your storm water discharges to them;
 - Locations and descriptions of all non-storm water discharges identified under Part IV. C. 10;
 - Locations of the following activities where such activities are exposed to precipitation
 - Fueling stations;
 - Vehicle and equipment maintenance and/or cleaning areas;
 - Loading/unloading areas;
 - Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
 - Transfer areas for substances in bulk;
 - Machinery; and
 - Locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.
- b. Inventory of Exposed Materials. This includes a list of industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel

- beams). This also includes a list of the pollutant(s) or pollutant constituents (e.g. crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity. The pollutant list shall include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to storm water in the three years prior to the data you prepare or amend your SWPPP.
- c. **Spills and Leaks.** You shall document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You shall document all significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a storm water conveyance, in the three years prior to the date you prepare or amend your SWPPP. Note that significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC Section 9602. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oil or hazardous substances.
 - d. **Sampling Data.** A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility.
 - e. **Non-Storm Water Discharges.** You shall document that you have evaluated for the presence of non-storm water discharges, except for those listed in Part I and Part IV.C.10, and that all unauthorized discharges have been eliminated. Documentation of your evaluation shall include: 1) The date of any evaluation; 2) A description of the evaluation criteria used; 3) A list of the outfalls or onsite drainage points that were directly observed during the evaluation; 4) The different types of non-storm water discharge(s) and source locations; and 5) The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.
 - f. **Salt Storage.** You shall document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.
3. **Description of Control Measures.** You shall document the location and type of control measures you have installed and implemented at your site to achieve the control measures/best management practices (BMPs) in Part IV.C, and where applicable, in Part IV.K. You shall describe how you addressed the control measure selection and design considerations in Part IV.B. This documentation shall describe how the control measures at your site address both the pollutant sources identified in Part IV.J.2 and any storm water run-on that commingles with any discharges covered under this permit.
 4. **Schedules and Procedures.**
 - a. **Pertaining to Control Measures used to Comply with the Control Measures/Best Management Practices (BMPs).** The following shall be documented in your SWPPP:
 - i. **Good Housekeeping (See Part IV.C.2)** – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers.

- ii. Maintenance (See Part IV.C.3) – Preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line;
 - iii. Spill Prevention and Response Procedures (See Part IV.C.4) – Procedures for preventing and responding to spills and leaks. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite (hard copy or electronic) and make it available for review consistent with Part IV.J.5; and
 - iv. Employee Training (See Part IV.C.9) – A schedule for all types of necessary training.
- b. Pertaining to Monitoring and Inspection. Where applicable, you shall document in your SWPPP your procedures for conducting analytical storm water monitoring. You shall document in your SWPPP your procedures for performing, as appropriate, the two types of inspections specified by this permit, including: 1) Routine facility inspections (See Part IV.E.1) and 2) Quarterly visual assessment of storm water discharges (See Part IV.E.2).

For each type of monitoring, your SWPPP shall document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at your facility (see Part 6.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, or other requirements) applicable to discharges from each outfall; and
- Procedures (e.g., responsible staff, logistics, laboratory to be used, etc.) for gathering storm event data.

You shall document the following in your SWPPP if you plan to use the substantially identical outfall exception for your quarterly visual assessment requirements in Part IV.E.2 or your benchmark monitoring requirements in Part V:

- Location of each of the substantially identical outfalls;
- Description of the general industrial activities conducted in the drainage area of each outfall;
- Description of the control measures implemented in the drainage area of each outfall;
- Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to storm water discharges;
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
- Why the outfalls are expected to discharge substantially identical effluents.

5. Documentation Requirements. You are required to keep inspection, monitoring, and certification records with your SWPPP that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this permit. You shall retain a copy of the current SWPPP required by this permit at the facility, and it shall be immediately available to Ohio EPA; a local agency approving storm water management plans; and the operator of an MS4 receiving discharges from the site. Ohio EPA may provide access to portions of your SWPPP to a member of the public upon request. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within Ohio EPA. Your current SWPPP or certain information from your current SWPPP shall be made available to the public, except any confidential business information (CBI) or restricted information, but you must clearly identify those portions of the SWPPP that are being withheld from public access. See 40 CFR Part 2 for relevant definitions of CBI: <http://www.gpo.gov/fdsys/pkg/CFR-2013-title40-voll/pdf/CFR-2013-title40-voll-part2-subpartB.pdf>.

K. Sector-Specific Requirements

Sector T – Treatment Works.

You shall comply with the following sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Part VI. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Limitations on Coverage.
 - a. *Prohibition of Non-Storm Water Discharges.* Sanitary and industrial wastewater and equipment and vehicle washwater are not authorized by this permit.
2. Additional Control Measures/Best Management Practices (BMPs).
 - a. *Control Measures.* (See also Part IV.C) In addition to the other control measures, consider the following: routing contaminated storm water to the treatment works; or covering exposed materials (i.e., from the following areas: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station).
 - b. *Employee Training.* (See also Part IV.C.9) At a minimum, training shall address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides.
3. Additional SWPPP Requirements.
 - a. *Drainage Area Site Map.* (See also Part IV.J.2.a.) Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

b. *Potential Pollutant Sources.* (See also Part IV.J.3.) Document in your SWPPP the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

c. *Wastewater and Washwater Requirements.* Keep a copy of all your current NPDES permits issued for wastewater and industrial, vehicle and equipment washwater discharges or, if an NPDES permit has not yet been issued, a copy of the pending application(s) with your SWPPP. If the washwater is handled in another manner, the disposal method shall be described and all pertinent documentation shall be retained onsite.

4. Additional Inspection Requirements.

(See also Part IV.E.) Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.

Part V. Monitoring and Reporting Requirements

A. Reporting and Recordkeeping

1. Reporting Benchmark Monitoring Data to Ohio EPA. Reserved.
2. Annual Report. You shall complete an annual report using the Annual Reporting Form provided by Ohio EPA at the following location:

<http://www.epa.ohio.gov/portals/35/permits/OHR000006/ARForm.docx>

You are not required to submit your annual report to Ohio EPA unless specifically requested. The timeframe to complete the report is at the discretion of the permittee but the same schedule to complete shall be maintained throughout this permit term. You shall keep the completed annual reports with your SWPPP.

B. Storm Water Monitoring Requirements - Reserved.

Part VI. Definitions and Acronyms

Action Area – all areas to be affected directly or indirectly by the storm water discharges, allowable non-storm water discharges, and storm water discharge-related activities, and not merely the immediate area involved in these discharges and activities.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to surface 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. See 40 CFR 122.2.

Co-located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Appendix D.

Control Measure – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to surface waters of the State.

Director – the Director of the Ohio Environmental Protection Agency (Ohio EPA).

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “surface waters of the State” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into surface waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge-related activities – activities that cause, contribute to, or result in storm water and allowable non-storm water point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Drought-stricken area – a period of below average water content in streams, reservoirs, ground-water aquifers, lakes and soils.

U.S. EPA Approved or Established Total Maximum Daily Loads (TMDLs) – “U.S. EPA Approved TMDLs” are those that are developed by a State and approved by U.S. EPA. “U.S. EPA Established TMDLs” are those that are developed by U.S. EPA.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Federal Facility – any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the federal government.

Illicit Discharge – is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Impaired Water (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) – A water is impaired for purposes of this permit if it has been identified by a State or U.S. EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Industrial Activity – the 10 categories of industrial activities included in the definition of “storm water discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Storm Water – storm water runoff from industrial activity.

Municipal Separate Storm Sewer – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

New Discharger – a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Source – any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or
- after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal. See 40 CFR 122.2.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

No exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Ohio EPA – the Ohio Environmental Protection Agency.

Operator – any entity with a storm water discharge associated with industrial activity that meets either of the following two criteria:

- (i) The entity has operational control over industrial activities, including the ability to modify those activities; or
- (ii) The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

Point source – 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 discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. See 40 CFR 122.2.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Primary industrial activity – includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at your facility, and who can also evaluate the effectiveness of control measures.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Semi-Arid Climate – areas where annual rainfall averages from 10 to 20 inches.

Significant materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

Special Aquatic Sites – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Storm Water – storm water runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Storm Water Discharges Associated with Construction Activity – a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Storm Water Discharges Associated with Industrial Activity – the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from

the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14).

Surface Waters of the State - Means all streams, lakes, ponds, marshes, watercourses, waterways, springs, irrigation systems, drainage systems, and all other bodies or accumulations of surface water, natural or artificial, which are situated wholly or partly within, or border upon, this state, or are within its jurisdiction, except those private waters which do not combine or effect a junction with natural surface waters.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and shall include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Water Quality Impaired – See ‘Impaired Water’.

Water Quality Standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. States and U.S. EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

“You” and “Your” – as used in this permit are intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s facility or responsibilities. The use of “you” and “your” refers to a particular facility and not to all facilities operated by a particular entity. For example, “you shall submit” means the permittee shall submit something for that particular facility. Likewise, “all your discharges” would refer only to discharges at that one facility.

ABBREVIATIONS AND ACRONYMS

BAT – Best Available Technology Economically Achievable

BOD5 – Biochemical Oxygen Demand (5-day test)

BMP – Best Management Practice

BPJ – Best Professional Judgment

BPT – Best Practicable Control Technology Currently Available

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

CGP – Construction General Permit

COD – Chemical Oxygen Demand

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 *et seq*)

CWT – Centralized Waste Treatment

DMR – Discharge Monitoring Report

U.S. EPA – U. S. Environmental Protection Agency

FWS – U. S. Fish and Wildlife Service

LA – Load Allocations

MDMR – MSGP Discharge Monitoring Report

MGD – Million Gallons per Day

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System

MSDS – Material Safety Data Sheet

MSGP – Multi-Sector General Permit

NAICS – North American Industry Classification System

NMFS – U. S. National Marine Fisheries Service

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

NRC – National Response Center

NTU – Nephelometric Turbidity Unit

OMB – U. S. Office of Management and Budget

ORW – Outstanding Resource Water

OSM – U. S. Office of Surface Mining

POTW – Publicly Owned Treatment Works

RCRA – Resource Conservation and Recovery Act

RQ – Reportable Quantity

SARA – Superfund Amendments and Reauthorization Act

SIC – Standard Industrial Classification

SMCRA – Surface Mining Control and Reclamation Act

SPCC – Spill Prevention, Control, and Countermeasures

SWPPP – Storm Water Pollution Prevention Plan

TMDL – Total Maximum Daily Load

TSDf – Treatment, Storage, or Disposal Facility

TSS – Total Suspended Solids

USGS – United States Geological Survey

WLA – Wasteload Allocation

WQS – Water Quality Standard

EXHIBIT 18

Application No. OHP000250

Issue Date: August 19, 2021

Effective Date: October 1, 2021

Expiration Date: September 30, 2026

Ohio Environmental Protection Agency

Indirect Discharge Permit

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code 6111),

National Beef, LLC

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge wastewater from its facility located at 2208 Grant Road, North Baltimore, OH 45872 into the Publicly Owned Treatment Works of the Village of North Baltimore located at 806 E Broadway, North Baltimore, OH 45872, in accordance with the conditions specified in Parts I, II, and III of this permit.

The permit is issued to apply and enforce pretreatment rules of the state of Ohio. The rights granted by this permit shall not supersede the primacy of the above authority in the regulation of its publicly owned treatment works.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Laurie A. Stevenson
Director

Total Pages: 11

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2DP00087001.

Table - End of Pipe - 001 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
Parameter										
00400 - pH - S.U.	-	5.0	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00550 - Oil and Grease, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All

Footnote:

a) Samples shall be collected from pretreatment plant effluent discharge prior to mixing with any sanitary sewage, noncontact cooling water, and storm water.

Part II, Other Requirements

1. The permittee shall comply with all applicable rules, regulations, and ordinances of the Village of North Baltimore. If the authority to discharge is revoked by the POTW, this shall also be considered grounds for revocation of this permit.

2. In addition to the report submitted to Ohio EPA under Part III, Item 3, of this permit, a copy of each discharge monitoring report shall be submitted to the POTW at the following address:

Village of North Baltimore
Wastewater Treatment Plant
806 E Broadway
North Baltimore, OH 45872

3. Any slug loading shall be reported to the POTW at (419) 257-2141 pursuant to requirements in Part III, Item 10. Any accidental discharge of wastewater to the waters of the state, including treated and untreated process wastewater, shall be reported to Ohio EPA at 1-800-282-9378 within 24 hours of becoming aware of the discharge.

Part III - GENERAL CONDITIONS

1. DEFINITIONS

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for samples and/or measurements collected.

"Composite" means a combination of individual samples collected at periodic intervals of the entire discharge day. The composite must be flow proportional; either the time interval between each individual sample or the volume of each individual sample must be directly proportional to either the wastestream flow at the time of the sampling or the total wastestream flow since the collection of the previous sample. Samples may be collected manually or automatically.

"Grab" means an individual sample collected at such time and location as to be representative of the discharge.

"Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of SWDA), the Clean Air Act, and the Toxic Substances Control Act.

"mg/l" means milligrams per liter.

"pass through" means a discharge which exits through the POTW to waters of the state in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit.

"POTW" or "publicly owned treatment works" means a treatment works owned or operated by a public authority. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the public authority which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

"Pollutant" means sewage, industrial waste, or other waste as defined by divisions (B), (C) and (D) of Section 6111.01 of the Revised Code.

"Reporting Code" is a five-digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Slug loading" means any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate and/or pollutant concentration as to cause interference in the POTW.

"ug/l" means micrograms per liter.

2. GENERAL EFFLUENT LIMITATIONS

A. All users of a POTW shall comply with the requirements of 40 CFR Part 403, the Federal "General Pretreatment Regulations for Existing and New Sources of Pollution," as appropriate.

B. The permittee shall not introduce the following pollutants into a POTW

1. Pollutants which create a fire or explosion hazard in the POTW including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade 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, unless the POTW is specifically designed to accommodate such discharges;
3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in sewers, or other interference with the operation of the POTW;
4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration as to cause interference in the POTW;
5. Heat in amounts that will inhibit biological activity in the POTW resulting in interference or causing damage, but in no case heat in such quantities that the temperature exceeds 40 Degrees C (104 Degrees F) at the POTW unless the director, upon request of the POTW, approves an alternate temperature limit;
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, vapor or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
8. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

C. The permittee shall not achieve any effluent concentration by dilution. The permittee shall not increase the use of potable water, process water or cooling water.

3. REPORTING

A. Monitoring data required by this permit, including results from any sampling pursuant to paragraph 3.H.7., below, shall be reported on a semi-annual basis, unless specified otherwise in Part II - Other Requirements. Monitoring data required by this permit shall be submitted on Ohio EPA 4519 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. It is accessed from the Ohio EPA eBusiness Center. The eBusiness Center can be found at the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the

necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. This information can be found at the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMRpin.aspx>

C. Reports for each sampling period shall be transmitted to Ohio EPA no later than the 20th day of January or July. Reports due by the 20th of January shall cover the sampling period of July through December of the previous year. Reports due by the 20th day of July shall cover the sampling period of January through June of the current year.

DMRs submitted on paper shall be the original signed DMR form and shall be mailed to:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. Regardless of the submission method, a copy of the submitted Ohio EPA 4519 DMR must be signed by a Responsible Official or a Delegated Responsible Official and maintained onsite for records retention purposes (see Section 6. RECORDS RETENTION). For e-DMR users, a copy of the DMR can be printed from e-DMR.

E. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 4. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

F. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 6. RECORDS RETENTION.

G. A copy of each DMR shall be sent to the POTW authority as specified in Part II, Other Requirements.

H. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by telephone within twenty-four (24) hours of discovery. The permittee shall report by telephone to the appropriate Ohio EPA district office as follows:

Central District Office: (800) 686-2330

Southwest District Office: (800) 686-8930

Southeast District Office: (800) 686-7330

Northwest District Office: (800) 686-6930

Northeast District Office: (800) 686-6330

The permittee shall include the following information in the noncompliance report required by paragraph H:

1. The limit(s) that has been exceeded;
2. The extent of the exceedance(s);
3. The cause of the exceedance(s);
4. The period of the exceedance(s) including exact dates and times;
5. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
6. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).
7. The permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to Ohio EPA within thirty (30) days after becoming aware of the violation. The results shall be mailed to:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - Pretreatment
P.O. Box 1049
Columbus, OH 43216-1049

4. SAMPLING AND ANALYTICAL METHODS

A. Samples and measurements taken as required herein shall be representative of daily operations. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

B. Unless otherwise specified in Part II - Other Requirements, samples shall be obtained through use of flow-proportional composite sampling techniques; where composite sampling is not physically possible or contrary to the approved methods set forth in 40 CFR 136, a grab sample is acceptable.

C. The permittee is responsible for providing a sampling location suitable for obtaining a representative sample.

5. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling;
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

6. RECORDS RETENTION

The permittee shall retain all of the following records for a minimum of three years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records; and
- D. All plant operation and maintenance records.
- E. All reports required by this permit.
- F. Records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or application.

7. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district office of the Ohio EPA. Both the Clean Water Act and Section 6111.05 of the Ohio Revised Code state that effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in the Ohio Revised Code Section 6111.99.

8. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the director, within a reasonable time, any information which the director may request to determine whether cause exists for modifying or revoking the permit, or to determine compliance with this permit. The permittee shall also furnish to the director, upon request, copies of records required to be kept by this permit.

9. RIGHT OF ENTRY

The permittee shall allow the director, or an authorized representative upon presentation of credentials and other documents as may be required by law, to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit,
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

10. NOTIFICATION OF SLUG LOADING

A. The permittee shall notify the POTW at the telephone number provided in Part II - Other Conditions and the Ohio EPA by telephone at 1-800-282-9378 within one hour of discovery of any slug loading and provide the following:

- 1. A description of the discharge and the cause of the slug loading;

2. The period of slug loading including exact dates and times and, if not corrected, the anticipated time the noncompliance is expected to continue;
3. The steps taken or planned to reduce, eliminate and prevent reoccurrence of the slug loading.
4. The POTW affected by the discharge.

B. A written report containing the above information shall be filed with the POTW at the address provided in Part II - Other Conditions, and the Ohio EPA, at the address provided in Part III, Paragraph 3 entitled "REPORTING" within five business days of the day when the slug loading occurred.

11. DISCHARGE CHANGES

The following changes must be reported to the Ohio EPA as soon as practicable.

A. Any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation. The permittee shall give advance notice to the director of any planned changes in the process line or treatment works from which the permitted discharge originates which may result in noncompliance with permit requirements. These changes include, but are not limited to, increases or decreases in production rates from which categorical standards are calculated, discharge flow rates, and the addition or deletion of wastestreams. Notification of permit changes or anticipated noncompliance does not stay any permit conditions.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the director of the Ohio EPA prior to construction.

12. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions under Section 307(a) of the Clean Water Act or Section 3745-3 of the Ohio Administrative Code for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the director shall modify this permit and so notify the permittee.

13. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or

B. Pursuant to rule 3745-36-08, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the Ohio EPA Pretreatment Unit at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

14. TRANSFER OF OWNERSHIP OR CONTROL

This permit cannot be transferred or assigned, nor shall a new owner or successor be authorized to discharge from this facility, until the following requirements are met:

- A. The permittee shall notify the Ohio EPA Pretreatment Unit at least sixty days in advance of the proposed transfer date;
- B. The notice includes a written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on); and
- C. The director does not exercise his right to notify the current permittee and the new permittee of his or her intent to modify or revoke the permit and to require that a new application be filed.

15. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

16. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

17. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

18. SIGNATORY REQUIREMENTS

- A. All applications and reports submitted to the Ohio EPA must be signed by an authorized representative of the permittee. An authorized representative may be:
 - 1. In the case of a corporation, by a principal executive officer of at least the level of vice president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.
 - 2. In the case of a partnership, by a general partner.
 - 3. In the case of a sole proprietorship, by the proprietor.

19. NEED TO HALT OR REDUCE ACTIVITY

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 conditions of this permit.

20. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

21. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Ohio Revised Code Sections 6111.09 and 6111.99.

22. DISPOSAL OF RESIDUALS

The storage and disposal of collected screenings, slurries, sludge or other solids shall be in accordance with Section 405 of the Clean Water Act and Subtitle C and D of the Resource Conservation and Recovery Act.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on unauthorized discharges, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. OTHER INFORMATION

A. Where 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 in any report to the director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

EXHIBIT 19

Application No. OH0020117

Issue Date: July 18, 2019

Effective Date: September 1, 2019

Expiration Date: August 31, 2024

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Village of North Baltimore

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the North Baltimore Wastewater Treatment Plant located at 806 East Broadway, North Baltimore, Ohio, Wood County and discharging to Rocky Ford Creek in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Laurie A. Stevenson
Director

Total Pages: 42

Part I, A. - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the last day of the 36th month, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PB00033001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Initial - 001 - Initial

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Day	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	30	20	-	91.0	61.0	2/Week	24hr Composite	Winter
00530 - Total Suspended Solids - mg/l	-	-	18	12	-	55.0	37.0	2/Week	24hr Composite	Summer
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	9.8	6.5	-	29.8	19.8	2/Week	24hr Composite	Winter
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	2.3	1.5	-	7.0	4.6	2/Week	24hr Composite	Summer
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	45.0	-	-	25.0	0.134	-	0.076	1/Quarter	24hr Composite	Quarterly
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	2/Week	Grab	Summer

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.019	-	-	-	-	-	-	1/Day	Grab	Summer
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	1.3	0.00515	-	0.0000035	1/Quarter	Grab	Quarterly
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	15	10	-	45.5	30.3	2/Week	24hr Composite	All

Notes for station 2PB00033001:

* Effluent loadings based on average design flow of 0.80 MGD.

- a. Total residual chlorine - See Part II, Item L.
- b. Phosphorus - See Schedule of Compliance, Part I, C, Item 1.
- c. Mercury - See Part II, Item T.
- d. CBOD and Suspended Solids - See Part II, Items K and O.
- e. Cadmium, Dissolved Hexavalent Chromium and Lead - See Part II, Item V.
- f. Quarterly monitoring shall occur during the months of March, June, August and December.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the first day of the 37th month from effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PB00033001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Day	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	30	20	-	91.0	61.0	2/Week	24hr Composite	Winter
00530 - Total Suspended Solids - mg/l	-	-	18	12	-	55.0	37.0	2/Week	24hr Composite	Summer
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	9.8	6.5	-	29.8	19.8	2/Week	24hr Composite	Winter
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	2.3	1.5	-	7.0	4.6	2/Week	24hr Composite	Summer
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	4.6	3.0	1 / 2 Weeks	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	45.0	-	-	25.0	0.134	-	0.076	1/Quarter	24hr Composite	Quarterly
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	2/Week	Grab	Summer

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.019	-	-	-	-	-	-	1/Day	Grab	Summer
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	1.3	0.00515	-	0.0000035	1/Quarter	Grab	Quarterly
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	15	10	-	45.5	30.3	2/Week	24hr Composite	All

Notes for station 2PB00033001:

* Effluent loadings based on average design flow of 0.80 MGD.

- a. Total residual chlorine - See Part II, Item L.
- b. Phosphorus - See Schedule of Compliance, Part I, C, Item 1.
- c. Mercury - See Part II, Item T.
- d. CBOD and Suspended Solids - See Part II, Items K and O.
- e. Cadmium, Dissolved Hexavalent Chromium and Lead - See Part II, Item V.
- f. Quarterly monitoring shall occur during the months of March, June, August and December.

Part I, B. - CSO MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

1. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Number 2PB00033002, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - CSO Monitoring - 002 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

NOTES for Station Number 2PB00033002:

a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.

b. A Discharge Monitoring Report (DMR) for this station must be submitted every month.

c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.

d. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

e. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.

f. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.

g. Overflow Volume shall be reported on each day there is a discharge through this station. Data for total suspended solids and CBOD shall be reported once per month.

h. See Schedule of Compliance, Part 1, C, Item 2. and Part II, Items D, E and F.

Part I, B. - SSO MONITORING EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. SSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Number 2PB00033300, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - SSO Monitoring - 300 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	1/Month	Total	All

NOTES for Station Number 2PB00033300:

a. A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Although the above table indicates that the Measuring Frequency for Overflow Occurrence is 1/Month, the intent of that provision is to specify a reporting frequency for Overflow Occurrence, not a monitoring frequency. The monitoring requirement under this permit is that these overflows shall be monitored on each day when they discharge. Only sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, must be reported under this monitoring station.

b. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day that enters waters of the state is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, record two occurrences for that day. If overflows from both locations continue on the following day, record two occurrences for the following day. At the end of the month, total the daily occurrences and report this number on Day 1 of the DMR. If there are no overflows during the entire month, report "zero" (0).

c. All sanitary sewer overflows are prohibited.

d. See Part II, Items G and H.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

3. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2PB00033581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Year	Composite	December
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Year	Composite	December
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Year	Composite	December
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Year	Composite	December
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Year	Composite	December
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Year	Composite	December
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Year	Composite	December
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Year	Composite	December
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Year	Composite	December
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Year	Composite	December
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Year	Composite	December
31641 - Fecal Coliform in Sludge - MPN/G	2000000	-	-	-	-	-	-	1/Year	Multiple Grab	December
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Year	Composite	December
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Year	Composite	December

NOTES for Station Number 2PB00033581: See next page

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land . The monitoring data shall be reported on the December Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period. Field locations must be approved by Ohio EPA prior to land application of biosolids.
- b. Metal analysis must be completed during each reporting period whether or not sewage sludge is removed from the facility and applied to the land. Alternatively, the number of composite samples collected and reported prior to the next land application event shall be increased to account for the reporting period(s) in which land application did not occur. If all accumulated sewage sludge has been removed and hauled to a landfill, incinerated or transferred to another NPDES permit holder, then the metal analysis is not required.
- c. If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis on the DMR and enter "0" for sludge weight and sludge fee weight.
- d. If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- e. If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.
- f. It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.
- g. The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction have been met.
- h. Units of mg/kg are on a dry weight basis.
- i. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.
- j. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

Continued on next page

k. To sample for fecal coliform, the treatment plant should collect and analyze a grab sample every other day over a two week period for a total of seven grab samples when practical. Each of the grab samples shall be analyzed independently to determine the MPN/g of fecal coliform in the individual sample. The geometric mean of those seven results shall be reported on the DMR. Each fecal coliform sample must be delivered to the analytical lab within six hours after the sample has been collected, in accordance with the requirements for Part 9221 E. or part 9222 D., "Standard Methods for the Examination of Water and Wastewater". This process must be completed prior to sewage sludge being removed from the treatment facility.

l. See Part II, Items P, Q, R and S.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

4. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2PB00033586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2PB00033586:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for disposal in a solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the Permittee's facility for disposal in a solid waste landfill during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- d. See Part II, Items P, R and S.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

5. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2PB00033588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
80991 - Sludge Volume, Gallons - Gals	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2PB00033588:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.
- d. See Part II, Item P, R and S.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

6. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 2PB00033601, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 601 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Day	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	2/Week	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	2/Week	24hr Composite	All

NOTES for Station Number 2PB00033601:

a. CBOD and Suspended Solids - See Part II, Item O.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

7. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 2PB00033801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug

NOTES for Station Number 2PB00033801:

- a. Quarterly monitoring shall occur during the months of March, June, August and December.

Part I, B. - DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

8. Downstream-Nearfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 2PB00033901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00900 - Hardness, Total (CaCO3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug

NOTES for Station Number 2PB00033901:

- a. Quarterly monitoring shall occur during the months of March, June, August and December.

Part I, C - Schedule of Compliance

1. Phosphorous Compliance Schedule

a. Evaluation for Reducing Discharge of Phosphorus

The permittee shall prepare and submit to Ohio EPA Northwest District Office for acceptance a Phosphorus Discharge Optimization Evaluation plan. The plan shall include an evaluation of collected effluent data, possible source reduction measures, operational improvements, and minor facility modifications that will optimize reductions in phosphorus discharges from the WWTP. The plan shall include a proposed schedule for implementing discharge optimization measures identified through the evaluation process.

The plan shall be completed and submitted to Ohio EPA no later than 12 months from the effective date of this permit. Upon acceptance of the plan by Ohio EPA, the permittee shall implement the measures, improvements, and modifications in accordance with the plan and schedule specified in the plan. A complete Permit-to-Install (PTI) application and approvable detail plans must be submitted to the Ohio EPA Northwest District Office where appropriate.

The permittee shall fill out and submit the Evaluation for Reducing Discharge of Phosphorus Form found at the Internet site <http://www.epa.state.oh.us/dsw/permits/npdessform.aspx> which reports on the overall progress towards reducing the final effluent concentration of nutrients attached with the submittal of the future permit renewal application.

b. Phosphorus Final Effluent Limits

As soon as possible, but not later than the dates developed in accordance with the following schedule, the permittee shall achieve compliance with the final phosphorous loading limit in Part I.A. of this permit.

- 1) The permittee shall evaluate the ability of its existing treatment facilities to meet the final effluent limit for Phosphorus at outfall 2PB00033001. Within 12 Months of the effective date of this permit the permittee shall submit a report detailing the progress in meeting the final effluent limit for Phosphorus.(Event Code 95999)
- 2) If the permittee determines that its existing treatment facilities are not capable of meeting the final effluent limit for Phosphorus, not later than 24 Months Months from the effective date of this permit, the permittee shall submit an approvable Permit To Install for plant improvements necessary to meet the final effluent limit for Phosphorus.(Event Code 01299)
- 3) Not later than 36 Months months from the effective date of this permit, the permittee shall achieve the final effluent limit for Phosphorus at outfall 2PB00033001 (Event Code 05699)

2. Combined Sewer Overflow Elimination Schedule

Post-Construction Compliance Monitoring

The permittee shall conduct the following post-construction monitoring activities in accordance with the following schedule:

- a. The permittee shall perform a minimum of eighteen (18) months of post-construction monitoring at station 2PB00033002 to determine if the goal of CSO elimination has been achieved.
- b. Six months following completion of Schedule of Compliance Items a. or 24 months from the effective date of this permit, the permittee shall submit a plan the Northwest District Office to permanently eliminate CSO 2PB00033002. (11099)
- c. Eliminate combined sewer overflow 2PC00002002 as soon as possible, but not later than 36 months from the effective date of this permit.(91099).

Part II, Other Requirements

A. Operator Certification Requirements

1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility at this facility shall be classified as a Class II facility. The permittee shall designate one or more professional operator of record to oversee the technical operation of the treatment works with a valid certification of a class equal to or greater than the classification of the treatment works.

b. All sewerage (collection) systems that are tributary to this treatment works are Class II sewerage systems in accordance with paragraph (B)(1)(b) of rule 3745-7-04 of the Ohio Administrative Code. The permittee shall designate one or more professional operator of record to oversee the technical operation of the sewerage (collection) system with a valid certification of a class equal to or greater than the classification of the sewerage (collection) system.

2. Professional Operator of Record

a. Within three days of a change in a professional operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

<http://epa.ohio.gov/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf>

b. All applications for renewal of this NPDES permit shall include an updated Operator of Record Notification form along with other necessary forms and fees to be considered a complete application.

c. The professional operator of record for a class II, III, or IV treatment works or class II sewerage system may be replaced by a backup professional operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.

d. Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the professional operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup professional operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.

3. Minimum Staffing Requirements

- a. The permittee shall ensure that the treatment works professional operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.
- b. The permittee shall ensure that the collection system professional operator of record or a professional operator that is certified in the field of wastewater collection or wastewater treatment, class A operators excluded, is physically present at the collection system in accordance with the minimum staffing requirements per paragraph (C)(2) of rule 3745-7-04 of the Ohio Administrative Code.
- c. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (e.g., retirement of a professional operator listed in the approved staffing plan, loss of the professional operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

4. Additional Staffing Requirements

Visits to all treatment works shall be performed by the permittee, the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Visits shall not be necessary when the treatment works is not in operation.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
2PB00033001	Final effluent after disinfection (Lat: 41N 11' 0"; Long: 83W 39' 45")
2PB00033002	CSO on E. Broadway at Rocky Ford Creek (Lat: 41N 11' 0"; Long: 83W 39' 45")
2PB00033300	System Wide Sanitary Sewer Overflow Occurrences
2PB00033581	Biosolids Land Applied
2PB00033586	Biosolids hauled to a landfill
2PB00033588	Biosolids hauled to another NPDES permit holder
2PB00033601	Influent monitoring
2PB00033801	Upstream monitoring
2PB00033901	Downstream monitoring

C. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

D. The permittee is authorized to discharge from the following combined sewer overflows (CSOs) only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system. See Part I,B for applicable monitoring and reporting requirements. Also see Part III, Item 11.

CSO Station Number	Description of Location	Receiving Stream
2PB00033002	CSO on E Broadway	Rocky Ford Creek

E. Public Notification Requirements for CSO discharges to the Lake Erie Basin

Beginning no later than November 7, 2018, each permittee with authorized CSO discharges to the Lake Erie Basin must provide public notification of such discharges in accordance with 40 CFR 122.38(a). At a minimum, such notification shall consist of the following:

1. Signage

The permittee shall ensure that adequate signage, where feasible, is posted at all CSO outfall locations and potentially impacted public access areas, as identified in Part II, Item, D. The signage shall adhere to the Outfall Signage requirements of Part II, Item U.

2. Notification of Local Public Health Department(s) and Other Potentially Affected Public Entities

a. Initial Notification

As soon as possible, but no later than four (4) hours after becoming aware of a CSO discharge, the permittee shall notify the appropriate local Department of Health and other affected public entities, as identified in the Public Notification Plan. Such initial notice shall, at a minimum, include the following information:

- i. The name of the affected water body;
- ii. The location of the discharge and potentially impacted public access areas;
- iii. The date and time that the discharge began;
- iv. The approximate time that the discharge ended or if the discharge is ongoing, and;
- v. A point of contact for the permittee.

b. Supplemental Notification

The permittee shall notify the appropriate local Department of Health and other affected public entities, as identified in the Public Notification Plan, within seven (7) days of becoming aware of a CSO discharge, unless the information has been provided in an earlier notice. Notification shall include:

- i. The volume of the discharge and;
- ii. The approximate time that the discharge ended.

3. Notification of the Public

a. Initial Notification

As soon as possible, but no later than four (4) hours after becoming aware of a CSO discharge, the permittee shall provide initial notification to the public, as identified in the Public Notification Plan. Such initial notice shall include, at a minimum, the following information:

- i. The name of the affected water body;
- ii. The location of the discharge and potentially impacted public access areas;
- iii. The date and time that the discharge began, and;
- iv. The approximate time that the discharge ended or if the discharge is ongoing.

b. Supplemental Notification

The permittee shall provide supplemental notification to the public, as identified in the Public Notification Plan, within seven (7) days of becoming aware of a CSO discharge, unless the information has been provided in an earlier notice. The notification shall include:

- i. The volume of the discharge and;
- ii. The approximate time that the discharge ended.

4. Annual Report

On or prior to May 1st of each year, the permittee shall make available to the public an Annual Report describing the CSO discharges from its discharge point(s) that occurred in the previous calendar year, in accordance with 40 CFR 122.38(b). Upon public availability of the Annual Report, the permittee shall submit instructions on how to access the Annual Report to Ohio EPA Northwest District Office and U.S. EPA. Such notice to US EPA shall be in the form of an email to NPDES_CS0@epa.gov.

At a minimum, the Annual Report shall include:

- a. A description of the location and receiving water for each CSO discharge point, and, if applicable, any treatment provided;
- b. The date, location, approximate duration, measured or estimated volume, and cause (e.g., rainfall, snowmelt) of each wet weather CSO discharge that occurred during the past calendar year;
- c. The date, location, duration, volume, and cause of each dry weather CSO discharge that occurred during the past calendar year;

- d. A summary of available monitoring data for CSO discharges from the past calendar year;
- e. A description of any public access areas potentially impacted by each CSO discharge;
- f. Representative precipitation data in total inches to the nearest 0.1 inch that resulted in a CSO discharge, if precipitation was the cause of the discharge;
- g. Permittee contact information; and
- h. A concise summary of implementation of the nine minimum controls and the status of implementation of the CSO long-term control plan (or other plans to reduce or prevent CSO discharges), including:
 - . (i) A description of key milestones remaining to complete implementation of the plan; and
 - . (ii) A description of the average annual number of CSO discharges anticipated after implementation of the long-term control plan (or other plan relevant to reduction of CSO overflows) is completed.

F. Nine Minimum Controls

The entire wastewater treatment system shall be operated and maintained so that the total loading of pollutants discharged during wet weather is minimized. To accomplish this, the permittee shall utilize the following technologies:

- 1) provide proper operation and maintenance for the collection system and the combined sewer overflow points;
- 2) provide the maximum use of the collection system for storage of wet weather flow prior to allowing overflows;
- 3) review and modify the pretreatment program to minimize the impact of non-domestic discharges from combined sewer overflows; or if there is no pretreatment program review and modify local programs to minimize the impact of non-domestic discharges from combined sewer overflows;
- 4) maximize the capabilities of the POTW to treat wet weather flows, and maximize the wet weather flow to the wastewater treatment plant within the limits of the plant's capabilities;
- 5) prohibit dry weather overflows;
- 6) control solid and floatable materials in the combined sewer overflow discharge;
- 7) conduct required inspection, monitoring and reporting of CSOs;
- 8) implement pollution prevention programs that focus on reducing the level of contaminants in CSOs; and
- 9) implement a public notification program for areas affected by CSOs, especially beaches and recreation areas.

G. Sanitary Sewer Overflow (SSO) Reporting Requirements

A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. SSOs do not include wet weather discharges from combined sewer overflows specifically listed in Part II of this NPDES permit (if any). All SSOs are prohibited.

1. Reporting for SSOs That Imminently and Substantially Endanger Human Health

a) Immediate Notification

You must notify Ohio EPA (1-800-282-9378) and the appropriate Board of Health (i.e., city or county) within 24 hours of learning of any SSO from your sewers or from your maintenance contract areas that may imminently and substantially endanger human health. The telephone report must identify the location, estimated volume and receiving water, if any, of the overflow. An SSO that may imminently and substantially endanger human health includes dry weather overflows, major line breaks, overflow events that result in fish kills or other significant harm, overflows that expose the general public to contact with raw sewage, and overflow events that occur in sensitive waters and high exposure areas such as protection areas for public drinking water intakes and waters where primary contact recreation occurs.

b) Follow-Up Written Report

Within 5 days of the time you become aware of any SSO that may imminently and substantially endanger human health, you must provide the appropriate Ohio EPA district office a written report that includes:

- (i) the estimated date and time when the overflow began and stopped or will be stopped (if known);
- (ii) the location of the SSO including an identification number or designation if one exists;
- (iii) the receiving water (if there is one);
- (iv) an estimate of the volume of the SSO (if known);
- (v) a description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);
- (vi) the cause or suspected cause of the overflow;
- (vii) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps; and
- (viii) steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

An acceptable 5-day follow-up written report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx .

2. Reporting for All SSOs, Including Those That Imminently and Substantially Endanger Human Health

a) Monthly Operating Reports

Sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, shall be reported on your monthly operating reports. You must report the system-wide number of occurrences for SSOs that enter waters of the state in accordance with the requirements for station number 300. A monitoring table for this station is included in Part I, B of this NPDES permit. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, you should record two occurrences for that day. If overflows from both locations continue on the following day, you should record two occurrences for the following day. At the end of the month, total the daily occurrences from all locations on your system and report this number using reporting code 74062 (Overflow Occurrence, No./Month) on the 4500 form for station number 300.

b) Annual Report

You must prepare an annual report of all SSOs in your collection system, including those that do not enter waters of the state. The annual report must be in an acceptable format (see below) and must include:

- (i) A table that lists an identification number, a location description, and the receiving water (if any) for each existing SSO. If an SSO previously included in the list has been eliminated, this shall be noted. Assign each SSO location a unique identification by numbering them consecutively, beginning with 301.
- (ii) A table that lists the date that an overflow occurred, the unique ID of the overflow, the name of affected receiving waters (if any), and the estimated volume of the overflow (in millions of gallons). The annual report may summarize information regarding overflows of less than approximately 1,000 gallons.
- (iii) A table that summarizes the occurrence of water in basements (WIBs) by total number and by sewershed. The report shall include a narrative analysis of WIB patterns by location, frequency and cause. Only WIBs caused by a problem in the publicly-owned collection system must be included.

Not later than March 31 of each year, you must submit one copy of the annual report for the previous calendar year to the appropriate Ohio EPA district office and one copy to: Ohio EPA; Division of Surface Water; NPDES Permit Unit; P.O. Box 1049; Columbus, OH 43216-1049. You also must provide adequate notice to the public of the availability of the report.

An acceptable annual SSO report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx .

H. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

I. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the sewage flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

J. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

K. The treatment works must obtain at least 85 percent removal of carbonaceous biochemical oxygen demand (five-day) and suspended solids (see Part III, Item 1).

L. The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the approved analytical procedure promulgated at 40 CFR 136. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

Compliance with an effluent limit that is below the OEPA QL is determined in accordance with ORC Section 6111.13 and OAC Rule 3745-33-07(C). For maximum effluent limits, any value reported below the OEPA QL shall be considered in compliance with the effluent limit. For average effluent limits, compliance shall be determined by taking the arithmetic mean of values reported for a specified averaging period, using zero (0) for any value reported at a concentration less than the OEPA QL, and comparing that mean to the appropriate average effluent limit. An arithmetic mean that is less than or equal to the average effluent limit shall be considered in compliance with that limit.

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters.

REPORTING:

All analytical results, even those below the OEPA QL (listed below), shall be reported. Analytical results are to be reported as follows:

1. Results above the QL: Report the analytical result for the parameter of concern.
2. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
3. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

The following table of quantification levels will be used to determine compliance with NPDES permit limits:

Parameter	PQL	ML
Chlorine, tot. res.	0.050 mg/l	--

This permit may be modified, or, alternatively, revoked and reissued, to include more stringent effluent limits or conditions if information generated as a result of the conditions of this permit indicate the presence of these pollutants in the discharge at levels above the water quality based effluent limit (WQBEL).

M. POTWs that accept hazardous wastes by truck, rail, or dedicated pipeline are considered to be hazardous waste treatment, storage, and disposal facilities (TSDFs) and are subject to regulation under the Resource Conservation and Recovery Act (RCRA). Under the "permit-by-rule" regulation found at 40 CFR 270.60(c), a POTW must:

- 1) comply with all conditions of its NPDES permit,
- 2) obtain a RCRA ID number and comply with certain manifest and reporting requirements under RCRA,
- 3) satisfy corrective action requirements, and
- 4) meet all federal, state, and local pretreatment requirements.

N. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

O. Sampling for these parameters at station 2PB00033001 and 2PB00033601 shall occur the same day.

P. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

Q. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the facility's sewage sludge.

R. No later than March 1 of each calendar year, the Permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

S. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring, and the weight calculations, shall be maintained on site for a minimum of five years. The test methodology used shall be from the latest edition, Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.

T. The permittee shall use EPA Method 1631 promulgated under 40 CFR 136 to comply with the influent and effluent mercury monitoring requirements of this permit.

U. Outfall Signage

The permittee shall maintain a permanent sign on the stream bank at each outfall that is regulated under this NPDES permit. This includes final outfalls, bypasses, and combined sewer overflows. The sign shall include, at a minimum, the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The sign shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water. When an existing sign is replaced or reset, the new sign shall comply with the requirements of this section.

V. The permittee shall use analytical procedures approved under 40 CFR 136 with MDLs (method detection limits) less than or equal to those listed below to comply with the monitoring requirements for the following parameters at station 2PB00033001:

Parameter	MDL (ug/l)
Cadmium	1.0
Dissolved Hexavalent Chromium	3.0
Lead	5.0

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "not greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate 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 conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<http://epa.ohio.gov/dsw/edmr/eDMR.aspx>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. 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
- c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.ohio.gov/dsw/permits/permits.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
 - b. The time(s) at which the discharge occurred, and was discovered;
 - c. The approximate amount and the characteristics of the discharge;
 - d. The stream(s) affected by the discharge;
 - e. The circumstances which created the discharge;
 - f. The name and telephone number of the person(s) who have knowledge of these circumstances;
 - g. What remedial steps are being taken; and,
 - h. The name and telephone number of the person(s) responsible for such remedial steps.
2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.
- C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
- D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
1. The compliance event which has been or will be violated;
 2. The cause of the violation;
 3. The remedial action being taken;
 4. The probable date by which compliance will occur; and,
 5. The probability of complying with subsequent and final events as scheduled.
- E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
- F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. 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.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have 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 "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
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 "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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 to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where 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 in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

EXHIBIT 20

Addressing Waters Not Meeting Water Quality Goals



AU Code	AU Name	U.S. EPA Approval Date	Pollutants Allocated, per U.S. EPA ⁵
04100007 020	Auglaize River (below Pusheta Creek to above Jennings Creek)		ammonia, phosphorus, pathogens, sediment
04100007 060	Auglaize River (above Jennings Creek to above Little Auglaize River)		
04110002 010	Cuyahoga River (headwaters to below Black Brook)	09/27/2004	phosphorus, sediment
04100011 020	Sandusky River (headwaters to above Broken Sword Creek)	09/30/2004	phosphorus, pathogens, sediment
04100011 030	Broken Sword Creek		
04100011 040	Sandusky River (below Broken Sword Creek to above Tymochtee Creek)		
04100011 050	Tymochtee Creek (headwaters to below Warpole Creek)		
04100011 060	Tymochtee Creek (downstream Warpole Creek to Sandusky River)		
04100011 070	Sandusky River (below Tymochtee Creek to above Honey Creek)		
04100011 080	Honey Creek		
05090203 010	Mill Creek	04/26/2005	phosphorus, nitrogen
04100012 040	Lake Erie Tributaries (below Huron River to above Vermilion River) [Old Woman and Chappel Creeks]	08/31/2005	nutrients, siltation, habitat alteration
05030204 060	Monday Creek	09/22/2005	pH, metals, sediment
05060001 130	Big Walnut Creek (headwaters to Hoover Dam)	09/26/2005	nutrients (phosphorus), pathogens, siltation, organic enrichment, flow, habitat alteration
05060001 140	Big Walnut Creek (below Hoover Dam to above Alum Creek)		
05060001 150	Alum Creek (headwaters to Alum Creek Dam)		
05060001 160	Big Walnut Creek (above Alum Creek [except above Alum Creek Dam] to Scioto River)		
04110003 010 (partial)	Lake Erie Tributaries (East of Cuyahoga River to West of Grand River; excluding Chagrin River) [Euclid Creek]	09/27/2005	nutrients (phosphorus), organic enrichment, habitat alteration
04100012 010	West Branch Huron River (headwaters to above Slate Run)	09/28/2005	nutrients (phosphorus), siltation, organic enrichment, flow, habitat alteration
04100012 020	West Branch Huron River (above Slate Run to above East Branch Huron River)		
04100012 030	Huron River (above East Branch to Lake Erie) and Lake Erie Tributaries (below Sawmill Creek to below Huron River)		
05030101 070	Middle Fork Little Beaver Creek	09/28/2005	nutrients (phosphorus), pathogens, siltation, organic enrichment, flow, habitat alteration, unionized ammonia
05030101 080	West Fork Little Beaver Creek		
05030101 090	Little Beaver Creek (downstream Middle and West Forks to mouth)		
05030204 070	Sunday Creek	03/31/2006	sediment, bacteria, acidity
05060001 190	Big Darby Creek (headwaters to below Sugar Run)	03/31/2006	phosphorus, bacteria, sediment
05060001 200	Big Darby Creek (below Sugar Run to above Little Darby Creek)	10/27/2009	
05060001 210	Little Darby Creek		
05060001 220	Big Darby Creek (below Little Darby Creek to Scioto River)		
04100010 020	Toussaint Creek	09/22/2006	phosphorus
05040004 020	Wakatomika Creek (headwaters to downstream Brushy Fork)	09/28/2006	bacteria, manganese, iron, aluminum, total dissolved solids, alkalinity
05040004 030	Wakatomika Creek (downstream Brushy Fork to mouth)		

Watershed Assessment Unit	Watershed Assessment Unit Name	Parameter	Parameter Attainment Status	TMDL Priority Ranking
OH041000070803	Maddox Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000070804	Lower Town Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071001	Upper Prairie Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071002	Upper Blue Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071003	Middle Blue Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071004	Lower Blue Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071005	Town of Charloe-Auglaize River	<i>E. coli</i>	Not meeting criteria	High
OH041000071103	Lower Powell Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071201	Headwaters Flatrock Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071205	Wildcat Creek-Flatrock Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071206	Big Run-Flatrock Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071207	Little Flatrock Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071208	Sixmile Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000071209	Eagle Creek-Auglaize River	<i>E. coli</i>	Not meeting criteria	High
OH041000110103	Mills Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000110806	Lower Honey Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000111203	Flag Run-Green Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000111403	Little Muddy Creek	<i>E. coli</i>	Not meeting criteria	High
OH041000120103	Southwest Branch Vermilion River	<i>E. coli</i>	Not meeting criteria	High
OH041000120204	Town of Vermilion-Vermilion River	<i>E. coli</i>	Not meeting criteria	High
OH041000120304	Old Woman Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100010301	East Fork of East Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010302	Headwaters West Fork East Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010303	Coon Creek-East Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010401	Town of Litchfield-East Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010402	Salt Creek-East Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010403	Willow Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100010404	Jackson Ditch-East Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010501	Charlemont Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100010502	Upper West Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010503	Wellington Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100010504	Middle West Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010505	Plum Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100010506	Lower West Branch Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010601	French Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100010602	Black River	<i>E. coli</i>	Not meeting criteria	High
OH041100010603	Heider Ditch-Frontal Lake Erie	<i>E. coli</i>	Not meeting criteria	High
OH041100020106	Sawyer Brook-Cuyahoga River	<i>E. coli</i>	Not meeting criteria	High
OH041100020201	Potter Creek-Breakneck Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100020202	Feeder Canal-Breakneck Creek	<i>E. coli</i>	Not meeting criteria	High
OH041100020203	Lake Rockwell-Cuyahoga River	<i>E. coli</i>	Not meeting criteria	High
OH041100030101	East Branch Ashtabula River	<i>E. coli</i>	Not meeting criteria	High
OH041100030102	West Branch Ashtabula River	<i>E. coli</i>	Not meeting criteria	High
OH041100030103	Upper Ashtabula River	<i>E. coli</i>	Not meeting criteria	High
OH041100030104	Middle Ashtabula River	<i>E. coli</i>	Not meeting criteria	High
OH041100030105	Lower Ashtabula River	<i>E. coli</i>	Not meeting criteria	High
OH050301010401	East Branch Middle Fork Little Beaver Creek	<i>E. coli</i>	Not meeting criteria	High
OH050301010404	Lisbon Creek-Middle Fork Little Beaver Creek	<i>E. coli</i>	Not meeting criteria	High
OH050301010502	Headwaters West Fork Little Beaver Creek	<i>E. coli</i>	Not meeting criteria	High

EXHIBIT 21

Application No. OH0002593

Issue Date: February 15, 2022

Effective Date: March 1, 2022

Expiration Date: February 28, 2027

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

G.A. Wintzer and Son Company

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the G.A. Wintzer and Son Company wastewater treatment works located at 12279 South Dixie Highway, Pusheta Township, Ohio, Auglaize County and discharging to Pusheta Creek and an unnamed tributary to Pusheta Creek in accordance with the conditions specified in Parts I, II, III, IV, V, and VI of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Laurie A. Stevenson
Director

Total Pages: 60

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IK00002001 when the Pusheta Creek upstream flow is measured at less than 0.16 cfs. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Grab	All
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	20	-	-	10	19.0	-	9.5	1/Week	24hr Composite	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Day	Grab	All
00530 - Total Suspended Solids - mg/l	30	-	-	15	28.4	-	14.2	1/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	9.5	-	-	1/Month	Grab	All
00600 - Nitrogen, Total - mg/l	194	-	-	134	184	-	127	1/Week	24hr Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	1.8	-	-	1.2	1.71	-	1.14	1/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	8.0	-	-	5.0	7.57	-	4.73	1/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01094 - Zinc, Total Recoverable - ug/l	411	-	-	374	0.389	-	0.354	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	2/Year	24hr Grab	Semi-annual
31616 - Fecal Coliform - #/100 ml	400	-	-	-	-	-	-	1/Week	24hr Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	2/Year	24hr Grab	Semi-annual
70300 - Residue, Total Filterable - mg/l	-	-	-	1578	-	-	1500	1/Month	24hr Composite	All

Notes for Station Number 2IK00002001:

- a) Effluent loadings based on average design flow of 0.250 MGD.
- b) Sampling shall be performed in accordance with this table when Pusheta Creek upstream flow is less than 0.16 cfs. A Discharge Monitoring Report (DMR) for this station must be submitted every month.
- c) If no sampling occurs in accordance with this table for the entire month, select the "No Discharge" check box on the data entry form. PIN the eDMR.
- d) If sampling occurs in accordance with table for only part of the month, use the "AC" code as needed to complete the DMR for this station when sampling does not occur in accordance with this table.
- e) Operator Certification Requirements - Part II, Item A.
- f) Treatment Additives - See Part II, Item E.
- g) Cyanide, Free (low level) - See Part II, Items J and K.
- h) Chromium, Dissolved Hexavalent and Cadmium, Total Recoverable - See Part II, Item K.
- i) Outfall Signage Requirement - See Part II, Item L.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IK00002002 when the Pusheta Creek upstream flow is measured at equal to or greater than 0.16 cfs, but less than 0.33 cfs. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Grab	All
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	20	-	-	10	19.0	-	9.5	1/Week	24hr Composite	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Day	Grab	All
00530 - Total Suspended Solids - mg/l	30	-	-	15	28.4	-	14.2	1/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	9.5	-	-	1/Month	Grab	All
00600 - Nitrogen, Total - mg/l	194	-	-	134	184	-	127	1/Week	24hr Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	1.8	-	-	1.2	1.71	-	1.14	1/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	8.0	-	-	5.0	7.57	-	4.73	1/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01094 - Zinc, Total Recoverable - ug/l	411	-	-	374	0.389	-	0.354	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	2/Year	24hr Grab	Semi-annual
31616 - Fecal Coliform - #/100 ml	400	-	-	-	-	-	-	1/Week	24hr Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	2/Year	24hr Grab	Semi-annual
70300 - Residue, Total Filterable - mg/l	-	-	-	2039	-	-	1930	1/Month	24hr Composite	All

Notes for Station Number 2IK00002002:

- a) Effluent loadings based on average design flow of 0.250 MGD.
- b) Sampling shall be performed in accordance with this table when Pusheta Creek upstream flow is equal to or greater than 0.16 cfs, but less than 0.33 cfs. A Discharge Monitoring Report (DMR) for this station must be submitted every month.
- c) If no sampling occurs in accordance with this table for the entire month, select the "No Discharge" check box on the data entry form. PIN the eDMR.
- d. If sampling occurs in accordance with table for only part of the month, use the "AC" code as needed to complete the DMR for this station when sampling does not occur in accordance with this table.
- e) Operator Certification Requirements - Part II, Item A.
- f) Treatment Additives - See Part II, Item E.
- g) Cyanide, Free (low level) - See Part II, Items J and K.
- h) Chromium, Dissolved Hexavalent and Cadmium, Total Recoverable - See Part II, Item K.
- i) Outfall Signage Requirement - See Part II, Item L.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IK00002003 when the Pusheta Creek upstream flow is measured at equal to or greater than 0.33 cfs. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 003 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Grab	All
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	20	-	-	10	19.0	-	9.5	1/Week	24hr Composite	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Day	Grab	All
00530 - Total Suspended Solids - mg/l	30	-	-	15	28.4	-	14.2	1/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	9.5	-	-	1/Month	Grab	All
00600 - Nitrogen, Total - mg/l	194	-	-	134	184	-	127	1/Week	24hr Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	1.8	-	-	1.2	1.71	-	1.14	1/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	8.0	-	-	5.0	7.57	-	4.73	1/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01094 - Zinc, Total Recoverable - ug/l	411	-	-	374	0.389	-	0.354	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
31616 - Fecal Coliform - #/100 ml	400	-	-	-	-	-	-	1/Week	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
70300 - Residue, Total Filterable - mg/l	-	-	-	2500	-	-	2370	1/Month	24hr Composite	All

Notes for Station Number 2IK00002003:

- a) Effluent loadings based on average design flow of 0.250 MGD.
- b) Sampling shall be performed in accordance with this table when Pusheta Creek upstream flow is equal to or greater than 0.33 cfs. A Discharge Monitoring Report (DMR) for this station must be submitted every month.
- c) If no sampling occurs in accordance with this table for the entire month, select the "No Discharge" check box on the data entry form. PIN the eDMR.
- d) If sampling occurs in accordance with table for only part of the month, use the "AC" code as needed to complete the DMR for this station when sampling does not occur in accordance with this table.
- e) Operator Certification Requirements - Part II, Item A.
- f) Treatment Additives - See Part II, Item E.
- g) Cyanide, Free (low level) - See Part II, Items J and K.
- h) Chromium, Dissolved Hexavalent and Cadmium, Total Recoverable - See Part II, Item K.
- i) Outfall Signage Requirement - See Part II, Item L.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IK00002004. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 004 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total Estimate	All

Notes for Station Number 2IK00002004:

- a) Monitoring and sampling shall be performed as required in the above table. Sampling shall be performed when discharging. An eDMR for this station must be submitted every month. If there are no discharges during the entire month select the "No Discharge" check box on the data entry form. PIN the eDMR
- b) The benchmark concentrations listed below apply to this outfall. The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. Benchmark monitoring data are for your use to determine the overall effectiveness of your control measures and to assist you in knowing when additional corrective action(s) may be necessary to comply with the control measures/best management practices (BMPs) in Part IV. Items A-C. See Part V.A.4 for the dates when benchmark concentrations become applicable.

Parameter	Benchmark
Biochemical Oxygen Demand	30 mg/L
Chemical Oxygen Demand	120 mg/L
Nitrate plus Nitrite Nitrogen	0.68 mg/L
Total Suspended Solids	100 mg/L

c) Outfall Signage Requirement - See Part II, Item L.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

1. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 2IK00002801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
Parameter										
00060 - Flow Rate - CFS	-	-	-	-	-	-	-	1/Day	Estimate	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly

NOTES for Station Number 2IK00002801:

- a) The upstream monitoring location is located downstream of the bridge crossing County Road 25A.

Part I, B. - DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

2. Downstream-Nearfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 2IK00002901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00900 - Hardness, Total (CaCO3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly

Part II, OTHER REQUIREMENTS

A. Operator Certification Requirements

1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility at this facility shall be classified as a Class II facility. The permittee shall designate one or more professional operator of record to oversee the technical operation of the treatment works with a valid certification of a class equal to or greater than the classification of the treatment works.

2. Professional Operator of Record

a. Within three days of a change in a professional operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

<http://epa.ohio.gov/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf>

b. All applications for renewal of this NPDES permit shall include an updated Operator of Record Notification form along with other necessary forms and fees to be considered a complete application.

c. The professional operator of record for a class II, III, or IV treatment works may be replaced by a backup professional operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.

d. Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the professional operator of record for a class II, III, or IV treatment works by a backup professional operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.

3. Minimum Staffing Requirements

a. The permittee shall ensure that the treatment works professional operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.

b. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (e.g., retirement of a professional operator listed in the approved staffing plan, loss of the professional operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

4. Additional Staffing Requirements

a. Visits to all treatment works shall be performed by the permittee, the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Visits shall not be necessary when the treatment works is not in operation.

B. All three outfalls 2IK00002001, 2IK00002002 and 2IK00002003 are for the same single final effluent located at the stated coordinates. The discharge limitations and monitoring requirements in 2IK00002001 apply when Pusheta Creek upstream flow is less than 0.16 cfs. The discharge limitations and monitoring requirements in 2IK00002002 apply when Pusheta Creek upstream flow is equal to or greater than 0.16 cfs but less than 0.33 cfs. The discharge limitations and monitoring requirements in 2IK00002003 apply when Pusheta Creek upstream flow is equal to or greater than 0.33 cfs. A description of the location of the required sampling stations are as follows:

Sampling Station Description of Location

2IK00002001	Final effluent (Lat: 40 N 32' 00"; Long: 84 W 11' 30")
.	Combined process wastewater and stormwater to be collected
.	from the manhole north of the final settling tanks when Pusheta
.	Creek upstream flow is less than 0.16 cfs
2IK00002002	Final effluent (Lat: 40 N 32' 00"; Long: 84W 11' 30")
.	Combined process wastewater and stormwater to be collected
.	from the manhole north of the final settling tanks when Pusheta
.	Creek upstream flow is equal to or greater than 0.16 cfs but less
.	than 0.33 cfs
2IK00002003	Final effluent (Lat: 40 N 32' 00"; Long: 84W 11' 30")
.	Combined process wastewater and stormwater to be collected
.	from the manhole north of the final settling tanks when Pusheta
.	Creek upstream flow is equal to or greater than 0.33 cfs
2IK00002004	Final discharge (Lat: 40 N 31' 46"; Long: 84W 11' 13")
.	from the stormwater holding pond serving the new parking lot
2IK00002801	Upstream monitoring
2IK00002901	Downstream monitoring

C. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved.

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

2. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

D. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

E. Written permission must be obtained from the director of the Ohio EPA prior to the use of any treatment additives, except for those exempt in rule. If additives are being used that have not previously been approved, an approval must be obtained for continued use. Discharges of these additives must meet Ohio Water Quality Standards and shall not be harmful or inimical to aquatic life. Request for approvals shall be filed in accordance with OAC 3745-33-03(G) and should be filed at least forty-five days prior to use or immediately if the additive is currently being used. Application forms are available for download on the DSW website:
<http://www.epa.ohio.gov/Portals/35/permits/Additive-Form.docx>

F. Oil and grease shall be monitored once per month at monitoring station number 2IK00002004. This sample shall be collected between 30 and 60 minutes following the start of any one rainfall event occurring during the sampling period. In the event of multiple rainfall events during one sampling period, the permittee shall sample only the first of such rainfall events. If a measurable rainfall event does not occur, the permittee is required to sample on the last day of the sampling period.

G. Water quality-based permit limitations in this permit may be revised based on updated waste load allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality-based effluent limits or other conditions that are necessary to comply with a revised waste load allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

H. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the wastewater flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

I. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

J. This permit no longer authorizes the use of method 4500 CN-I from Standard Methods for free cyanide testing. Currently there are three approved methods for free cyanide listed in 40 CFR 136 that have a quantification level lower than any water quality-based effluent limits: ASTM D7237-10, OIA-1677-09, and ASTM D4282-02. (Note: The use of ASTM D4282-02 requires supporting documentation that it meets the requirement of a "sufficiently sensitive" test procedure as defined in 40 CFR 122.44(i)(1)(iv)). The permittee shall begin using one of these approved methods as soon as possible. If you must use method 4500 CN-I during the transition to an approved method, report the results on your DMR and enter "Method 4500 CN-I" in the remarks section.

K. The permittee shall use analytical procedures approved under 40 CFR 136 with MDLs (method detection limits) less than or equal to those listed below to comply with the monitoring

requirements for the following parameters at stations: 2IK00002001, 2IK00002002, and 2IK00002003.

Parameter	MDL (ug/l)
Cadmium, Total Recoverable	2.3
Cyanide, Free (low level)	1.9
Chromium, Dissolved Hexavalent	4.0

L. The permittee shall maintain a permanent marker on the stream bank at each outfall that is regulated under this NPDES permit and discharges to Pusheta Creek and the unnamed tributary to Pusheta Creek. This includes final outfalls, bypasses, and combined sewer overflows. The marker shall consist at a minimum of the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The marker shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall be not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five-digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;

B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;

C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;

D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;

E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;

F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities, or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also include adequate laboratory controls and appropriate 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 conditions of the permit.

B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.

C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the

necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<http://epa.ohio.gov/dsw/edmr/eDMR.aspx>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;

- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three-year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24-hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. 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

c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us

Southwest District Office: swdo24hournpdes@epa.state.oh.us

Northwest District Office: nwdo24hournpdes@epa.state.oh.us

Northeast District Office: nedo24hournpdes@epa.state.oh.us

Central District Office: cdo24hournpdes@epa.state.oh.us

Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330

Southwest District Office: (800) 686-8930

Northwest District Office: (800) 686-6930

Northeast District Office: (800) 686-6330

Central District Office: (800) 686-2330

Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us

Southwest District Office: swdo24hournpdes@epa.state.oh.us

Northwest District Office: nwdo24hournpdes@epa.state.oh.us

Northeast District Office: nedo24hournpdes@epa.state.oh.us

Central District Office: cdo24hournpdes@epa.state.oh.us

Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.ohio.gov/dsw/permits/permits.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330

Southwest District Office: (800) 686-8930

Northwest District Office: (800) 686-6930

Northeast District Office: (800) 686-6330

Central District Office: (800) 686-2330

Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The time(s) at which the discharge occurred, and was discovered;
- c. The approximate amount and the characteristics of the discharge;
- d. The stream(s) affected by the discharge;
- e. The circumstances which created the discharge;
- f. The name and telephone number of the person(s) who have knowledge of these circumstances;
- g. What remedial steps are being taken; and,
- h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;
2. The cause of the violation;
3. The remedial action being taken;
4. The probable date by which compliance will occur; and,
5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. 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.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have 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 "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
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 "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned, and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At any time during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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 to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where 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 in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

Part IV. Storm Water Control Measures and Pollution Prevention Programs

In Part IV and in Part VI, the term “minimize” means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

A. Control Measures.

You shall select, design, install, and implement control measures (including best management practices) to address the selection and design considerations in Part IV.B, and meet the control measures/best management practices in Part IV.C and any applicable numeric effluent limits in Part I. The selection, design, installation, and implementation of these control measures shall be in accordance with good engineering practices and manufacturer’s specifications. Note that you may deviate from such manufacturer’s specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part IV.J.3. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges, you shall modify these control measures as expeditiously as practicable. Regulated storm water discharges from your facility include storm water run-on that commingles with storm water discharges associated with industrial activity at your facility.

B. Control Measure Selection and Design Considerations.

You shall consider the following when selecting and designing control measures:

1. Preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
2. Using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in your storm water discharge;
3. Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
4. Minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care shall be taken to avoid ground water contamination;
5. Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
6. Conserving and/or restoring of riparian buffers will help protect streams from storm water runoff and improve water quality; and

7. Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

C. Control Measures/Best Management Practices (BMPs)

1. Minimize Exposure. You shall minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, you should pay particular attention to the following:
 - a. Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
 - b. Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas);
 - c. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
 - d. Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;
 - e. Use spill/overflow protection equipment;
 - f. Drain fluids from equipment and vehicles prior to on-site storage or disposal;
 - g. Perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and
 - h. Ensure that all washwater drains to a proper collection system (i.e., not the storm water drainage system).

The discharge of vehicle and equipment washwater, including tank cleaning operations, is not authorized by this permit.

2. Good Housekeeping. You shall keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.
3. Maintenance. You shall regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in storm water discharged to receiving waters. You shall maintain all control

- measures that are used to achieve the control measures/best management practices (BMPs) required by this permit in effective operating condition. Nonstructural control measures shall also be diligently maintained (e.g., spill response supplies available, personnel appropriately trained). If you find that your control measures need to be replaced or repaired, you shall make the necessary repairs or modifications as expeditiously as practicable.
4. Spill Prevention and Response Procedures. You shall minimize the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur. At a minimum, you shall implement:
 - a. Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
 - b. Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
 - c. Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak shall be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of your storm water pollution prevention team (Part IV.J.1); and
 - d. Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you shall notify the Ohio EPA in accordance with the requirements of Part III Item 12 of this permit.
 5. Erosion and Sediment Controls. You shall stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants. Among other actions you shall take to meet this limit, you shall place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the Ohio Department of Natural Resources (ODNR) Division of Soil and Water Conservation’s Rainwater and Land Development manual (http://epa.ohio.gov/dsw/storm/technical_guidance.aspx), U.S. EPA’s internet-based resources relating to BMPs for erosion and sedimentation, including the sector-specific *Industrial Storm Water Fact Sheet Series*, (www.epa.gov/npdes/stormwater/msgp), *National Menu of Storm Water BMPs* (www.epa.gov/npdes/stormwater/menuofbmps), and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas* (www.epa.gov/owow/nps/urbanmm/index.html).

6. Management of Runoff. You shall divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the Ohio Department of Natural Resources (ODNR) Division of Soil and Water Conservation's Rainwater and Land Development manual (http://epa.ohio.gov/dsw/storm/technical_guidance.aspx), U.S. EPA's internet-based resources relating to runoff management, including the sector-specific *Industrial Storm Water Fact Sheet Series*, (www.epa.gov/npdes/stormwater/msgp), *National Menu of Storm Water BMPs* (www.epa.gov/npdes/stormwater/menuofbmps), and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas* (www.epa.gov/owow/nps/urbanmm/index.html).
7. Salt Storage Piles or Piles Containing Salt. You shall enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. You shall implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.
8. Sector Specific Control Measures/Best Management Practices (BMPs). You shall achieve any additional control measures/best management practices (BMPs) stipulated in the relevant sector-specific section(s) of Part IV.K. of this permit.
9. Employee Training. You shall train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of your Pollution Prevention Team. Training shall cover both the specific control measures used to achieve the conditions in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Ohio EPA requires that training be conducted at least annually (or more often if employee turnover is high).
10. Non-Storm Water Discharges. You shall eliminate non-storm water discharges not authorized in Part I and Part II of this NPDES permit. The following are additional non-storm water discharges authorized under this permit:
 - a. Discharges from fire-fighting activities (not planned exercises);
 - b. Fire hydrant flushings;
 - c. Potable water, including water line flushings;
 - d. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - e. Irrigation drainage;

- f. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
 - g. Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc.), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part IV.J.2), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - h. Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc.);
 - i. Uncontaminated ground water or spring water;
 - j. Foundation or footing drains where flows are not contaminated with process materials; and
 - k. Incidental windblown mist from cooling towers that collect on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdowns or drains).
11. Waste, Garbage and Floatable Debris. You shall ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged.
12. Dust Generation and Vehicle Tracking of Industrial Materials. You shall minimize generation of dust and off-site tracking of raw, final, or waste materials.

D. Corrective Actions

1. Conditions Requiring Review and Revision to Eliminate Problem. If any of the following conditions occur, you shall review and revise the selection, design, installation, and implementation of your control measures to ensure that the condition is eliminated and will not be repeated in the future:
- a. An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another NPDES permit) occurs at your facility;
 - b. A discharge violates a numeric effluent limit;
 - c. You become aware, or Ohio EPA determines, that your control measures are not stringent enough for the discharge to meet applicable water quality standards;

- d. An inspection or evaluation of your facility by an Ohio EPA official or local MS4 operator determines that modifications to the control measures are necessary to meet the control measures/best management practices (BMPs) in this permit; or
 - e. You find in your routine facility inspection or quarterly visual assessment that your control measures are not being properly operated and maintained.
2. Conditions Requiring Review to Determine if Modifications Are Necessary. If any of the following conditions occur, you shall review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the Part IV.A conditions in this permit:
- a. Construction or a change in design, operation, or maintenance at your facility significantly changes the nature of pollutants discharged in storm water from your facility, or significantly increases the quantity of pollutants discharged; or
 - b. Sampling results exceeds an applicable benchmark.
3. Corrective Action Deadlines. You shall document your discovery of any of the conditions listed in Part IV.D.1 and Part IV.D.2 within 24 hours of making such discovery. Subsequently, within 30 days of such discovery, you shall document any corrective action(s) to be taken to eliminate or further investigate the deficiency, or if no corrective action is needed, the basis for that determination. Specific documentation required within 24 hours and 30 days is detailed in Part IV.D.4. If you determine that changes are necessary following your review, any modifications to your control measures shall be made before the next storm event if possible, or as soon as practicable following that storm event. These time intervals are not grace periods, but are schedules considered reasonable for documenting your findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements are not allowed to persist indefinitely.
4. Corrective Action Report. Within 24 hours of discovery of any condition listed in Part IV.D.1 and Part IV.D.2, you shall document the following information (i.e., question 4 of the Corrective Actions section in the Annual Reporting Form, available at http://www.epa.state.oh.us/portals/35/permits/IndustrialStormWater_Final_GP_AppI_dec11.pdf):
- Identification of the condition triggering the need for corrective action review;
 - Description of the problem identified; and
 - Date the problem was identified.

Within 30 days of discovery of any condition listed in Part IV.D.1 and Part IV.D.2, you shall document the following information (i.e., questions 7-11 of the Corrective Actions section in the Annual Reporting Form):

- Summary of corrective action taken or to be taken (or, for triggering events identified in Part IV.D.2 where you determine that corrective action is not necessary, the basis for this determination);
- Notice of whether SWPPP modifications are required as a result of this discovery or corrective action;
- Date corrective action initiated; and
- Date corrective action completed or expected to be completed.

You shall include this documentation in an annual report as required in Part V. A.2 and retain onsite with your SWPPP.

5. Effect of Corrective Action. If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. Ohio EPA will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.
6. Substantially Identical Outfalls. If the event triggering corrective action is linked to an outfall that represents other substantially identical outfalls, your review shall assess the need for corrective action for each outfall represented by the outfall that triggered the review. Any necessary changes to control measures that affect these other outfalls shall also be made before the next storm event if possible, or as soon as practicable following that storm event.

E. Inspections

Beginning on the effective date of this permit, you shall conduct the inspections in Part IV.E.1 and Part IV.E.2 at your facility.

1. Routine Facility Inspections.
 - a. Conduct routine facility inspections of all areas of the facility where industrial materials or activities are exposed to storm water, and of all storm water control measures used to comply with Part IV. Items A-C conditions contained in this permit. Routine facility inspections shall be conducted at least quarterly (i.e., once each calendar quarter) although in many instances, more frequent inspection (e.g., monthly) may be appropriate for some types of equipment, processes, and control measures or areas of the facility with significant activities and materials exposed to storm water. Perform these inspections during periods when the facility is in operation. You shall

specify the relevant inspection schedules in your SWPPP document as required in Part IV. Items A-C. These routine inspections shall be performed by qualified personnel (for definition see VI - Definitions) with at least one member of your storm water pollution prevention team participating. At least once each calendar year, the routine facility inspection shall be conducted during a period when a storm water discharge is occurring.

You shall document the findings of each routine facility inspection performed and maintain this documentation onsite with your SWPPP. You are not required to submit your routine facility inspection findings to Ohio EPA, unless specifically requested to do so. At a minimum, your documentation of each routine facility inspection shall include:

- i. The inspection date and time;
- ii. The name(s) and signature(s) of the inspector(s);
- iii. Weather information and a description of any discharges occurring at the time of the inspection;
- iv. Any previously unidentified discharges of pollutants from the site;
- v. Any control measures needing maintenance or repairs;
- vi. Any failed control measures that need replacement;
- vii. Any incidents of noncompliance observed; and
- viii. Any additional control measures needed to comply with the permit requirements.

Any corrective action required as a result of a routine facility inspection shall be performed consistent with Part IV.D of this permit.

b. Exceptions to Routine Facility Inspections:

Inactive and Unstaffed Sites: The requirement to conduct routine facility inspections on a quarterly basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. Such a facility is only required to conduct an annual site inspection in accordance with the requirements of Part IV.E.1. To invoke this exception, you shall maintain a statement in your SWPPP pursuant to Part IV.F indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement shall be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to storm water or your facility becomes active and/or staffed, this exception no longer applies and you shall immediately resume quarterly facility inspections. If you are not

qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then you shall include the same signed and certified statement as above and retain it with your records pursuant to Part IV.J.5.

Inactive and unstaffed facilities covered under Sectors D (Asphalt Paving and Roofing Materials and Lubricant Manufacturing), E (Glass, Clay, Cement, Concrete, and Gypsum Products) and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to storm water” standard to be eligible for this exception from routine inspections, consistent with the requirements established in relevant sector requirements.

Ohio EPA’s Encouraging Environmental Excellence (E3) Program: If your facility has been recognized under the Gold and Platinum levels by Ohio EPA’s Encouraging Environmental Excellence (E3) Program, you only need to conduct routine facility inspections for two quarters each year. If Part IV.K of this permit requires your facility to conduct routine facility inspections on a monthly basis, you only need to conduct routine facility inspections on a quarterly basis.

2. Quarterly Visual Assessment of Storm Water Discharges.

a. Quarterly Visual Assessment Procedures

Once each calendar quarter for the entire permit term you shall collect a storm water sample from Outfall 2IK00002004 and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but should be collected in such a manner that the samples are representative of the storm water discharge. The visual assessment shall be made:

- Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample shall be collected as soon as practicable after the first 30 minutes and you shall document why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples shall be taken during a period with a measurable discharge from your site; and
- For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge. The 72-hour (3-day) storm interval does not apply if you document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. If it is not possible to collect the sample on discharges that occur at least 72 hours (3 days) from the previous discharge, the sample shall be collected as close to this storm interval as practicable and you shall

document why it was not possible to take samples from a 72 hour (3 day) storm interval.

- Areas Subject to Snow: In areas subject to snow, at least one quarterly visual assessment shall capture snowmelt discharge.
- For the following water quality characteristics: color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution.

b. Quarterly Visual Assessment Documentation

You shall document the results of your visual assessments and maintain this documentation onsite with your SWPPP. You are not required to submit your visual assessment findings to Ohio EPA, unless specifically requested to do so. At a minimum, your documentation of the visual assessment shall include:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination; and
- If applicable, why it was not possible to take samples within the first 30 minutes and/or from a 72 hour (3 day) storm interval.

Any corrective action required as a result of a quarterly visual assessment shall be performed consistent with Part IV.D of this permit.

c. Exceptions to Quarterly Visual Assessments

The following are exceptions to quarterly visual assessments:

- Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, you shall take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual

assessment for the quarter shall be included with your SWPPP records. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as drought or extended frozen conditions.

- Substantially identical outfalls: If your facility has two or more outfalls that you believe discharge substantially identical effluents, as documented in Part IV.J.2.a.iii, you may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that you perform visual assessments on a rotating basis of each substantially identical outfall throughout the period of your coverage under this permit. If storm water contamination is identified through visual assessment performed at a substantially identical outfall, you shall assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.
- Inactive and unstaffed sites: The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, you shall maintain a statement in your SWPPP indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement shall be signed and certified in accordance with Part III.28 of this permit. If circumstances change and industrial materials or activities become exposed to storm water or your facility becomes active and/or staffed, this exception no longer applies and you shall immediately resume quarterly visual assessments. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then you shall include the same signed and certified statement as above and retain it with your records.
- Ohio EPA's Encouraging Environmental Excellence (E3) Program: If your facility has been recognized under the Gold and Platinum levels by Ohio EPA's Encouraging Environmental Excellence (E3) Program, you only need to conduct quarterly visual assessment of storm water discharges for two quarters each year.

F. Storm Water Pollution Prevention Plan (SWPPP)

A storm water pollution prevention plan (SWPPP) shall be developed to address each outfall that discharges to waters of the state that contains storm water associated with industrial activity. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. The SWPPP shall describe and ensure the implementation of

practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

The SWPPP does not contain effluent limitations; the limitations or benchmarks are contained in Part I. The SWPPP is intended to document the selection, design, and installation of control measures. As distinct from the SWPPP, the documentation requirements are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

G. Deadlines to Update the SWPPP.

1. The permittee shall continue to implement and be in compliance with the SWPPP required by the previous permit. Within six months of the effective date of this permit, the permittee shall update the SWPPP as necessary to address any new or reviewed requirements of this permit.

H. Signature and Plan Review.

1. The plan shall be signed and dated in accordance with Part III, Item 28, and be retained on-site at the facility which generates the storm water discharge.
2. The permittee shall make plans immediately available upon request to the Ohio EPA Director, or authorized representative, or Regional Administrator of U.S. EPA, a local agency approving storm water management plans, or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system, to the operator of the municipal system.
3. The Director may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Within 30 days of such notification from the Director, the permittee shall make the required changes to the plan and shall submit to the Director a written certification that the requested changes have been made.
4. All storm water pollution prevention plans required under this permit are considered reports that shall be available to the public under Section 308(b) of the Act. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within Ohio EPA. An interested party wishing a copy of a discharger's SWPPP will have to contact the Ohio EPA to obtain a copy.

I. Keeping SWPPP Current

The permittee shall modify the plan whenever necessary to address any of the triggering conditions for corrective action in Part IV.D and to ensure that they do not reoccur, or to reflect

changes implemented when a review following the triggering conditions in Part IV.D.2 indicates that changes to your control measures are necessary to meet the control measures/best management practices (BMPs) in this permit. Changes to your SWPPP document shall be made in accordance with the corrective action deadlines in Part IV.D.3 and Part IV.D.4.

Amendments to the plan may be reviewed by Ohio EPA in the same manner as Part IV.H above.

J. Contents of SWPPP.

The plan shall include, at a minimum, the following items:

1. Pollution Prevention Team. You shall identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities. Your storm water pollution prevention team is responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as maintaining control measures and taking corrective actions where required. Each member of the storm water pollution prevention team shall have ready access to either an electronic or paper copy of applicable portions of this permit and your SWPPP.
2. Description of Potential Pollutant Sources. You shall document at your facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released. Industrial materials or activities, include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final product or waste product. For each area identified, the description shall include, at a minimum:
 - a. Site Description. Your SWPPP shall include:
 - i. A description of the industrial activities at your facility;
 - ii. A general location map (e.g. U.S. Geologic Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your storm water discharges.
 - iii. A site map showing
 - The size of the property in acres;
 - The location and extent of significant structures and impervious surfaces;
 - Directions of storm water flow (use arrows);
 - Locations of all existing structural control measures;
 - Locations of all receiving waters in the immediate vicinity of your facility;

- Locations of all storm water conveyances including ditches, pipes and swales;
 - Locations of potential pollutant sources identified under Part IV J. 2.b;
 - Locations where significant spills or leaks identified under Part IV J. 2.b. have occurred;
 - Locations of all storm water monitoring points;
 - Locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g. Outfall 001, Outfall 002, etc), indicating any outfalls that are considered substantially identical to another outfall, and an approximate outline of the areas draining to each outfall;
 - Municipal separate storm sewer systems, where your storm water discharges to them;
 - Locations and descriptions of all non-storm water discharges identified under Part IV. C. 10;
 - Locations of the following activities where such activities are exposed to precipitation
 - Fueling stations;
 - Vehicle and equipment maintenance and/or cleaning areas;
 - Loading/unloading areas;
 - Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
 - Transfer areas for substances in bulk;
 - Machinery; and
 - Locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.
- b. Inventory of Exposed Materials. This includes a list of industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams). This also includes a list of the pollutant(s) or pollutant constituents (e.g, crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity. The pollutant list shall include all significant materials

that have been handled, treated, stored, or disposed, and that have been exposed to storm water in the three years prior to the data you prepare or amend your SWPPP.

- c. **Spills and Leaks.** You shall document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You shall document all significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a storm water conveyance, in the three years prior to the date you prepare or amend your SWPPP. Note that significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC Section 9602. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oil or hazardous substances.
 - d. **Sampling Data.** A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility.
 - e. **Non-Storm Water Discharges.** You shall document that you have evaluated for the presence of non-storm water discharges, except for those listed in Part I and Part IV.C.10, and that all unauthorized discharges have been eliminated. Documentation of your evaluation shall include: 1) The date of any evaluation; 2) A description of the evaluation criteria used; 3) A list of the outfalls or onsite drainage points that were directly observed during the evaluation; 4) The different types of non-storm water discharge(s) and source locations; and 5) The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.
 - f. **Salt Storage.** You shall document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.
3. **Description of Control Measures.** You shall document the location and type of control measures you have installed and implemented at your site to achieve the control measures/best management practices (BMPs) in Part IV.C, and where applicable, in Part IV.K. You shall describe how you addressed the control measure selection and design considerations in Part IV.B. This documentation shall describe how the control measures at your site address both the pollutant sources identified in Part IV.J.2 and any storm water run-on that commingles with any discharges covered under this permit.
 4. **Schedules and Procedures.**
 - a. **Pertaining to Control Measures used to Comply with the Control Measures/Best Management Practices (BMPs).** The following shall be documented in your SWPPP:

- i. Good Housekeeping (See Part IV.C.2) – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers.
 - ii. Maintenance (See Part IV.C.3) – Preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line;
 - iii. Spill Prevention and Response Procedures (See Part IV.C.4) – Procedures for preventing and responding to spills and leaks. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite (hard copy or electronic) and make it available for review consistent with Part IV.J.5; and
 - iv. Employee Training (See Part IV.C.9) – A schedule for all types of necessary training.
- b. Pertaining to Monitoring and Inspection. Where applicable, you shall document in your SWPPP your procedures for conducting analytical storm water monitoring. You shall document in your SWPPP your procedures for performing, as appropriate, the two types of inspections specified by this permit, including: 1) Routine facility inspections (See Part IV.E.1) and 2) Quarterly visual assessment of storm water discharges (See Part IV.E.2).

For each type of monitoring, your SWPPP shall document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at your facility (see Part 6.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, or other requirements) applicable to discharges from each outfall; and
- Procedures (e.g., responsible staff, logistics, laboratory to be used, etc.) for gathering storm event data.

You shall document the following in your SWPPP if you plan to use the substantially identical outfall exception for your quarterly visual assessment requirements in Part IV.E.2 or your benchmark monitoring requirements in Part V:

- Location of each of the substantially identical outfalls;
 - Description of the general industrial activities conducted in the drainage area of each outfall;
 - Description of the control measures implemented in the drainage area of each outfall;
 - Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to storm water discharges;
 - An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
 - Why the outfalls are expected to discharge substantially identical effluents.
5. Documentation Requirements. You are required to keep inspection, monitoring, and certification records with your SWPPP that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this permit. You shall retain a copy of the current SWPPP required by this permit at the facility, and it shall be immediately available to Ohio EPA; a local agency approving storm water management plans; and the operator of an MS4 receiving discharges from the site. Ohio EPA may provide access to portions of your SWPPP to a member of the public upon request. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within Ohio EPA. Your current SWPPP or certain information from your current SWPPP shall be made available to the public, except any confidential business information (CBI) or restricted information, but you must clearly identify those portions of the SWPPP that are being withheld from public access. See 40 CFR Part 2 for relevant definitions of CBI: <http://www.gpo.gov/fdsys/pkg/CFR-2013-title40-vol1/pdf/CFR-2013-title40-vol1-part2-subpartB.pdf>.

K. Sector-Specific Requirements

You shall comply with the following sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Part VI. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Limitations on Coverage.

- a. *Prohibition of Non-Storm Water Discharges.* Except for process discharges covered under Part I and other allowable discharges listed in Part IV.C.10, the following discharges are not authorized by this permit: discharges containing boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

2. Additional Control Measures/Best Management Practices (BMPs).

b. *Employee Training.* (See also Part IV.C.9) Address pest control in your employee training program.

3. Additional SWPPP Requirements.

a. *Drainage Area Site Map.* (See also Part IV.J.2.a.) Document in your SWPPP the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas.

b. *Potential Pollutant Sources.* (See also Part IV.J.3.) Document in your SWPPP, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds.

4. Additional Inspection Requirements.

(See also Part IV.E.) Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to storm water exists: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

Part V. Monitoring and Reporting Requirements

A. Reporting and Recordkeeping

1. Reporting Benchmark Monitoring Data to Ohio EPA. Benchmark monitoring data shall be submitted to Ohio EPA in accordance with Part III Item 4. of this permit.
2. Annual Report. You shall complete an annual report using the Annual Reporting Form provided by Ohio EPA at the following location:

<http://www.epa.ohio.gov/portals/35/permits/OHR000006/ARForm.docx>

You are not required to submit your annual report to Ohio EPA unless specifically requested. The timeframe to complete the report is at the discretion of the permittee but the same schedule to complete shall be maintained throughout this permit term. You shall keep the completed annual reports with your SWPPP.

B. Storm Water Monitoring Requirements

1. Monitored Outfalls. Applicable benchmark monitoring requirements apply storm water outfall 2IK00002004, except as otherwise exempt from monitoring as a “substantially identical outfall”. The allowance for monitoring only one of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. You are required to monitor each outfall covered by a numeric effluent limit as identified in Part I. For monitoring purposes, an outfall can include a discrete conveyance (i.e., pipe, ditch, channel tunnel or conduit) or a location where sheet flow leaves your facility’s property.
2. Measurable Storm Event. All required monitoring shall be performed on a storm event that results in an actual discharge from your site (“measurable storm event”) that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. In the case of snowmelt, the monitoring shall be performed at a time when a measurable discharge occurs at your site.

For each monitoring event, except snowmelt monitoring, you shall identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event. For snowmelt monitoring, you shall identify the date of the sampling event.

3. Sample Type. You shall take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part V.B.2. Samples shall be collected within the first 30 minutes of a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample shall be collected as soon as practicable after the first 30 minutes and documentation shall be kept with the SWPPP explaining why it was not possible to take samples within the first 30

minutes. In the case of snowmelt, samples shall be taken during a period with a measurable discharge.

4. Benchmark Monitoring. This permit stipulates pollutant benchmark concentrations that are applicable to certain sectors and subsectors and must be monitored quarterly during the first twelve quarterly monitoring periods of this permit. **The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation.** Benchmark monitoring data are for your use to determine the overall effectiveness of your control measures and to assist you in knowing when additional corrective action(s) may be necessary to comply with the control measures/best management practices (BMPs) in Part IV. Items A-C.
 - a. Based on the average of your quarterly monitoring results of the three-year benchmark evaluation period, if the monitoring values for any parameter exceeds the benchmark, you shall perform the following within one year of exceeding the benchmark:
 - i. In accordance with Part IV.D.2, review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the Part IV. Items A-C control measures/best management practices (BMPs) of this permit; or
 - ii. Make a determination that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice to meet the control measures/best management practices (BMPs) in Part IV. Items A-C of this permit. You shall also document your rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with your SWPPP. You shall also notify Ohio EPA and, if applicable, the MS4 operator of this determination within 30 days.

Ideally your storm water samples will contain only runoff from your site. However, storm water from a neighboring facility can run-on and comingle with your regulated storm water discharge, possibly adding contaminants not found at your facility. The SWPPP site description shall document the locations and sources of any run-on. If you feel your discharge is exceeding a benchmark value due to, run-on from neighboring properties, you may collect and analyze samples of the run-on. Determined contaminant concentrations of run-on from neighboring properties may be deducted from your storm water discharge when determining whether a benchmark has been exceeded. This information shall be documented within eDMR's comment section. All sample data and findings shall be maintained with your SWPPP.

If it is determined that a water quality standard is less restrictive than this permit's benchmark value, you may use the less restrictive value for benchmark monitoring purposes.

Pollutant concentrations from your facility's structures (roofs, walls, fencing, etc.) can be considered to determine if it is technologically available and economically practical and achievable in light of best industry practice to implement additional control measures or not when a benchmark has been exceeded.

In accordance with Part IV.D.2, you shall review your control measures and perform any required corrective action immediately or document why no corrective action is required.

- b. If you determine that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, you are not required to perform corrective action provided that:
 - i. The concentration of your benchmark monitoring result is less than or equal to the concentration of that pollutant in the natural background;
 - ii. You document and maintain with your SWPPP your supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background levels. You shall include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of natural background pollutants in your storm water discharge.

Natural background pollutants include those substances that are naturally occurring in soils or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources which are not naturally occurring.

- c. *Exception for Inactive and Unstaffed Sites.* The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, you shall do the following:
 - i. Maintain a statement onsite with your SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to storm water in accordance with the substantive requirements in 40 CFR 122.26(g) and sign and certify the statement in accordance with Part IV.E.1.b.
 - ii. If circumstances change and your facility becomes active and/or staffed, this exception no longer applies and you shall immediately begin complying with the applicable benchmark monitoring requirements under Part V. B; and
 - iii. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then you shall notify the appropriate district office of Ohio

EPA of this change in your next benchmark monitoring report. You may discontinue benchmark monitoring once you have notified Ohio EPA, and prepared and signed the certification statement described above concerning your facility's qualification for this special exception.

Part VI. Definitions and Acronyms

Action Area – all areas to be affected directly or indirectly by the storm water discharges, allowable non-storm water discharges, and storm water discharge-related activities, and not merely the immediate area involved in these discharges and activities.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to surface 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. See 40 CFR 122.2.

Co-located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Appendix D.

Control Measure – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to surface waters of the State.

Director – the Director of the Ohio Environmental Protection Agency (Ohio EPA).

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “surface waters of the State” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into surface waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge-related activities – activities that cause, contribute to, or result in storm water and allowable non-storm water point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Drought-stricken area – a period of below average water content in streams, reservoirs, ground-water aquifers, lakes and soils.

U.S. EPA Approved or Established Total Maximum Daily Loads (TMDLs) – “U.S. EPA Approved TMDLs” are those that are developed by a State and approved by U.S. EPA. “U.S. EPA Established TMDLs” are those that are developed by U.S. EPA.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Federal Facility – any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the federal government.

Illicit Discharge – is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Impaired Water (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) – A water is impaired for purposes of this permit if it has been identified by a State or U.S. EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Industrial Activity – the 10 categories of industrial activities included in the definition of “storm water discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Storm Water – storm water runoff from industrial activity.

Municipal Separate Storm Sewer – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

New Discharger – a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Source – any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or
- after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal. See 40 CFR 122.2.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

No exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Ohio EPA – the Ohio Environmental Protection Agency.

Operator – any entity with a storm water discharge associated with industrial activity that meets either of the following two criteria:

- (i) The entity has operational control over industrial activities, including the ability to modify those activities; or
- (ii) The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

Point source – 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 discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. See 40 CFR 122.2.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as *causing an impairment in a state's 303(d) list*.

Primary industrial activity – includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at your facility, and who can also evaluate the effectiveness of control measures.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Semi-Arid Climate – areas where annual rainfall averages from 10 to 20 inches.

Significant materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

Special Aquatic Sites – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Storm Water – storm water runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Storm Water Discharges Associated with Construction Activity – a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Storm Water Discharges Associated with Industrial Activity – the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14).

Surface Waters of the State - Means all streams, lakes, ponds, marshes, watercourses, waterways, springs, irrigation systems, drainage systems, and all other bodies or accumulations of surface water, natural or artificial, which are situated wholly or partly within, or border upon, this state, or are within its jurisdiction, except those private waters which do not combine or effect a junction with natural surface waters.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and shall include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Water Quality Impaired – See ‘Impaired Water’.

Water Quality Standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. States and U.S. EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

“You” and “Your” – as used in this permit are intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s facility or responsibilities. The use of “you” and “your” refers to a particular facility and not to all facilities operated by a particular entity. For example, “you shall submit” means the permittee shall submit something for that particular facility. Likewise, “all your discharges” would refer only to discharges at that one facility.

ABBREVIATIONS AND ACRONYMS

BAT – Best Available Technology Economically Achievable

BOD5 – Biochemical Oxygen Demand (5-day test)

BMP – Best Management Practice

BPJ – Best Professional Judgment

BPT – Best Practicable Control Technology Currently Available

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

CGP – Construction General Permit

COD – Chemical Oxygen Demand

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 *et seq*)

CWT – Centralized Waste Treatment

DMR – Discharge Monitoring Report

U.S. EPA – U. S. Environmental Protection Agency

FWS – U. S. Fish and Wildlife Service

LA – Load Allocations

MDMR – MSGP Discharge Monitoring Report

MGD – Million Gallons per Day

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System

MSDS – Material Safety Data Sheet

MSGP – Multi-Sector General Permit

NAICS – North American Industry Classification System

NMFS – U. S. National Marine Fisheries Service

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

NRC – National Response Center

NTU – Nephelometric Turbidity Unit

OMB – U. S. Office of Management and Budget

ORW – Outstanding Resource Water

OSM – U. S. Office of Surface Mining

POTW – Publicly Owned Treatment Works

RCRA – Resource Conservation and Recovery Act

RQ – Reportable Quantity

SARA – Superfund Amendments and Reauthorization Act

SIC – Standard Industrial Classification

SMCRA – Surface Mining Control and Reclamation Act

SPCC – Spill Prevention, Control, and Countermeasures

SWPPP – Storm Water Pollution Prevention Plan

TMDL – Total Maximum Daily Load

TSDf – Treatment, Storage, or Disposal Facility

TSS – Total Suspended Solids

USGS – United States Geological Survey

WLA – Wasteload Allocation

WQS – Water Quality Standard

EXHIBIT 22

Biological and Water Quality Study of Lower Auglaize River Tributaries

Defiance, Mercer, Paulding, Putnam, and Van Wert Counties



OHIO EPA Technical Report EAS/2016-11-06

Division of Surface Water
Ecological Assessment Section
November 17, 2016

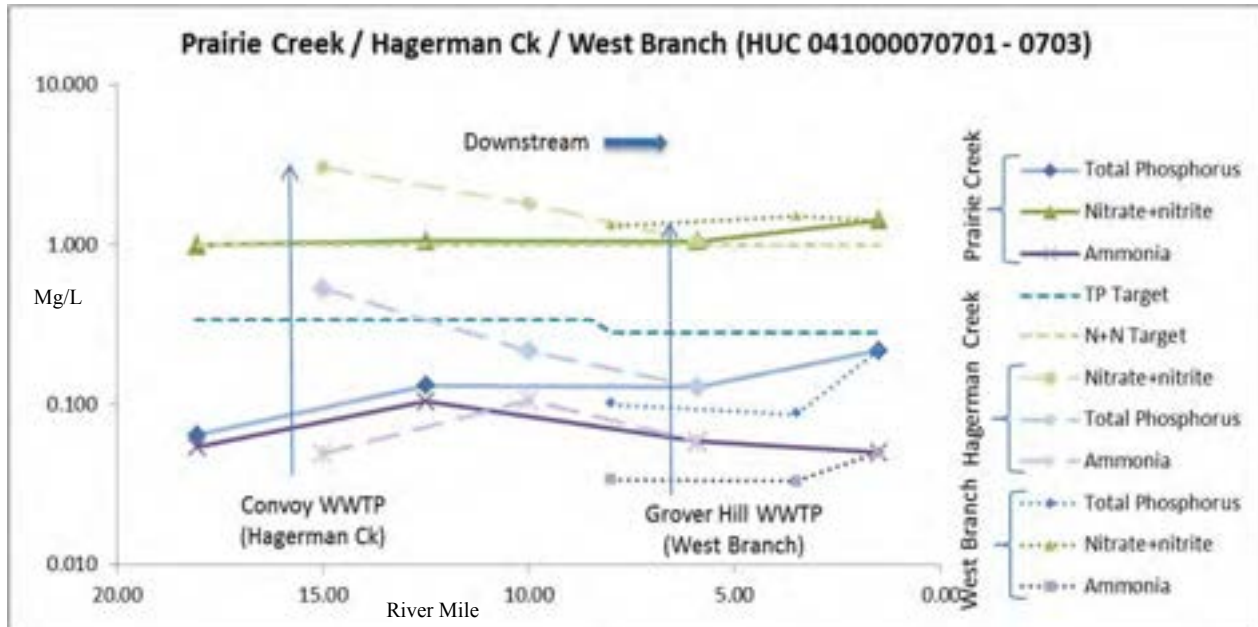


Figure 9. Longitudinal values for total phosphorus, nitrate+nitrite, and ammonia in Prairie Creek, Hagerman Creek, and West Branch Prairie Creek, 2014.

Prairie Creek exceeded the iron standard in five single samples at three sites over the course of the project. Two of these were at the Van Wert County Line site, downstream from the Stoneco Inc. Scott Plant. There were three exceedances of the temperature standard at three sites on Prairie Creek as well. Hagerman Creek, West Branch Prairie Creek, and the smaller tributaries to Prairie Creek, including Hoaglin Creek and Monkey Run, had no WQS exceedances.

Maddox Creek/Town Creek/Middle Creek

Nitrate-nitrite exceeded the target at three of the four sites on Maddox Creek (Figure 10). Higher levels of total phosphorus occurred in the headwaters and decreased at the downstream sampling sites due to uptake of total phosphorus by the biomass. The increase in nitrate-nitrite over the last ten downstream miles indicated that the amount entering the stream exceeds the amount the biomass can assimilate, resulting in total phosphorus being the limiting factor for algal growth in the stream. The downstream exceedance of the nutrient target for nitrate-nitrite was minor relative to many of the streams in the study area.

Nitrate-nitrite exceeded the target across the entire length of Town Creek (Figure 10). Levels gradually increased at the downstream sites. Total phosphorus increased through RM 11.32, downstream from Van Wert at Stripe Road, where the geometric mean exceeded the target. Over the last ten miles of Town Creek, the biomass appeared to utilize total phosphorus, and nitrate-nitrite inputs were in excess of what the biomass needs, much like Maddox Creek. Town Creek appears to export significant amounts of nitrate-nitrite to Middle Creek, with the most downstream geometric mean values more than four times the target. Town Creek had one temperature exceedance downstream from Van Wert which is most likely due to habitat alterations.

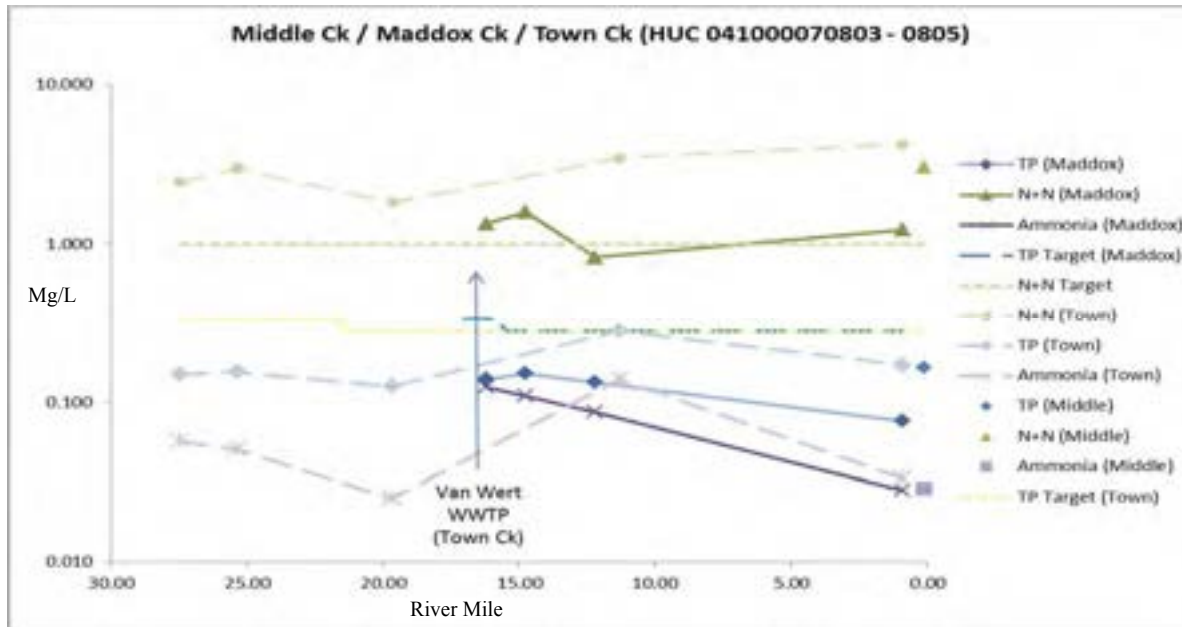


Figure 10. Longitudinal values for total phosphorus, nitrate-nitrite, and ammonia in Middle Creek, Maddox Creek, and Town Creek, 2014.

Middle Creek’s single site exceeded the nitrate-nitrite target, likely in large part due to the nutrient transport occurring from Town Creek. Figure 10 shows the longitudinal nutrient values for the two tributary streams, Town Creek and Maddox Creek, as well as providing the single point nutrient values for Middle Creek.

Dog Creek

Nitrate-nitrite levels were elevated at two of the three Dog Creek sites (Figure 11). The most downstream site had three temperature exceedances. Dog Creek appears to serve as a source of nitrate-nitrite to downstream systems.

The downstream site had three temperature and two iron violations. The lack of adequate riparian corridor and other direct habitat alterations are most likely responsible for the temperature exceedances.

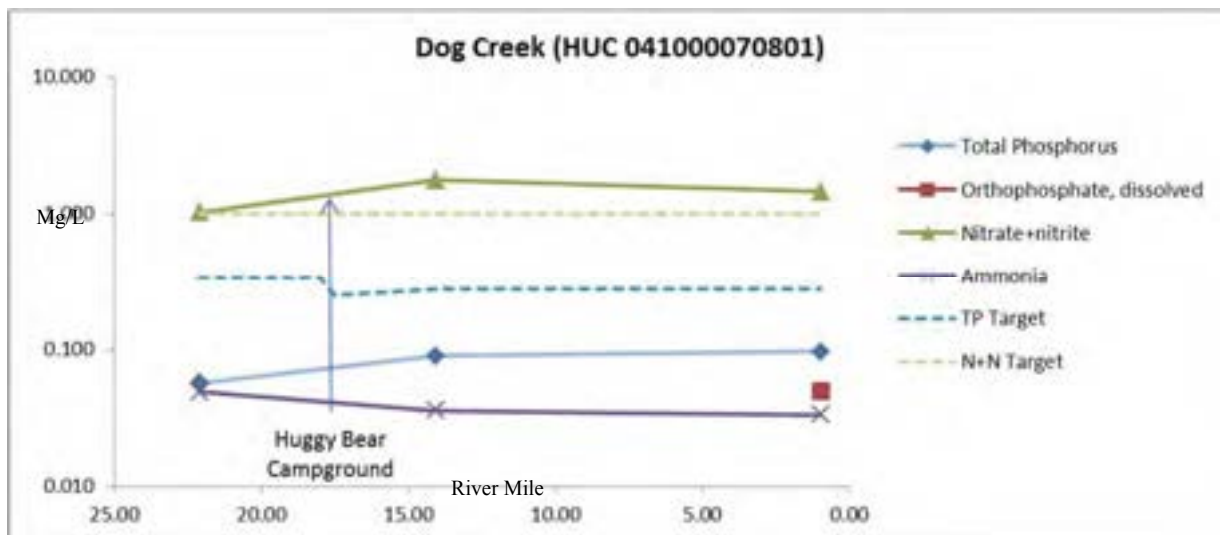


Figure 11. Longitudinal values for total phosphorus, nitrate-nitrite, and ammonia in Dog Creek, 2014.

meet the applicable geometric mean criterion, indicating non-attainment of the recreation use at these locations. The sole station in attainment was the Auglaize River upstream from Defiance at Harding Road (500290), with a geometric mean of 42. The four highest geometric means were at Town Creek North of Van Wert at Stripe Road (P02W10), Eagle Creek WNW of Junction at River Road (P06K28), Fivemile Creek at Defiance/Paulding County Line (302539), and Maddox Creek near Van Wert at West Ridge Road (P02G02), with geometric means of 2973, 2859, 2248, and 2196, respectively. Sites on Eagle, Fivemile, and Maddox creeks are downstream from areas dominated by rural residential and agricultural uses. The Town Creek site is downstream from the city of Van Wert and multiple NPDES permitted outfalls, including the City's WWTP and CSOs (Ohio EPA Permit: 2PD00006), and Cooper Farms Cooked Meats (Ohio EPA Permit: 21H00110).

Potential sources of *E. coli* contamination at locations not attaining the recreation use criteria are failing home sewage treatment systems (HSTS), livestock pasture land runoff, agricultural runoff, combined sewer overflows (CSOs), and wildlife accumulations. Many of the sites sampled had extensive amounts of agricultural land and drastically reduced riparian buffer along the stream.

Areas listed in non-attainment of the recreation use standard for failing HSTS may need individual system improvements to reduce the discharge of bacteria. Runoff from livestock manure application and livestock grazing areas could be improved by the installation of additional buffers and/or livestock exclusion fencing between the activity and the stream.

EXHIBIT 23

Ohio EPA Permit No. 2IH00110*GD
Application No. OH0132772

Modification Issue Date: February 22, 2023
Modification Effective Date: March 1, 2023
Expiration Date: December 31, 2024

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Cooper Hatchery, Inc.

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Cooper Farms Cooked Meats wastewater treatment works located at 6793 U.S. 127 North, Van Wert, Ohio, Van Wert County and discharging to Town Creek in accordance with the conditions specified in Parts I, II, and III of this permit.

I have determined that a lowering of water quality in Town Creek and subsequently Middle Creek is necessary. In accordance with OAC 3745-1-05, this decision was reached only after examining a series of technical alternatives, reviewing social and economic issues related to the degradation, and considering all public and appropriate intergovernmental comments. The lowering of water quality is necessary to accommodate important social or economic development in the area in which the water body is located.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Anne M. Vogel
Director

Total Pages: 27

Part I, A. - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the 10 month, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00110002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Interim

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum	All
00300 - Dissolved Oxygen - mg/l	-	4.0	-	-	-	-	-	1/Day	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Day	Grab	All
00515 - Residue, Total Dissolved - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00530 - Total Suspended Solids - mg/l	90	-	65	-	-	-	-	2/Week	Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10.0	-	-	-	-	-	-	1/Month	Grab	All
00600 - Nitrogen, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	2/Week	Grab	Summer
34044 - Oxidants, Total Residual - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
50060 - Chlorine, Total Residual - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
80082 - CBOD 5 day - mg/l	45	-	30	-	-	-	-	2/Week	Composite	All

Notes for Station Number 2IH00110002:

Intermittent Discharge
Monitoring required only when discharging

a. Data for 24 hour total flow, may be estimated if a measuring device is not available.

b. A Discharge Monitoring Report (DMR) for this station must be submitted every month.

c. Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station. d. If there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

e. Water treatment additives - See Part II, C.

f. Total Residual Oxidants (reporting code 34044):

- 1) Permittees are required to monitor for this parameter only if Ohio EPA has approved the use of a water treatment additive in the cooling water system, which releases bromine; and
- 2) Monitoring is required once per month during months when the water treatment additive is used.

g. Total Residual Chlorine (reporting code 50060):

- 1) Permittees are required to monitor for this parameter only if Ohio EPA has approved the use of a water treatment additive in the cooling water system which releases chlorine; and
- 2) Monitoring is required once per month during months when the water treatment additive is used.

h. TRO and TRC. The following limits apply to TRO and TRC beginning six months after obtaining coverage under this permit is authorized. If the requirements for TRO or TRC are exceeded, coverage may be granted if the applicant installs de-chlorination equipment designed to meet discharge limits.
For total residual Oxidants:

- 1) 0.01 mg/L for discharges greater than or equal to two hours per day in duration; or
- 2) 0.05 mg/L for discharges less than two hours per day in duration

For total residual chlorine:

- 1) 0.038 mg/L for discharges greater than or equal to two hours per day in duration; or
- 2) 0.2 mg/L for discharges less than two hours per day in duration

f. Estimated flows must be reasonably accurate. Flows can be estimated by the use of a weir or flume, bucket-and-stopwatch measurements, integrating timers on pumps, and/or application of flow versus head curves may be used for estimating flows.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the 10 month of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00110002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum	All
00300 - Dissolved Oxygen - mg/l	-	4.0	-	-	-	-	-	1/Day	Grab	All
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	30.4	-	-	18.1	-	-	-	2/Week	Composite	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Day	Grab	All
00515 - Residue, Total Dissolved - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00530 - Total Suspended Solids - mg/l	35.3	-	-	22.5	-	-	-	2/Week	Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10.0	-	-	9.1	-	-	-	1/Month	Grab	All
00600 - Nitrogen, Total - mg/l	400	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	8.0	-	-	4.0	-	-	-	2/Week	Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	2/Week	Grab	Summer
34044 - Oxidants, Total Residual - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
50060 - Chlorine, Total Residual - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

Notes for Station Number 2IH00110002:

Intermittent Discharge
Monitoring required only when discharging

a. Data for 24 hour total flow, may be estimated if a measuring device is not available.

b. A Discharge Monitoring Report (DMR) for this station must be submitted every month. c. Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station.

d. If there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

e. Water treatment additives - See Part II, C.

f. Total Residual Oxidants (reporting code 34044):

- 1) Permittees are required to monitor for this parameter only if Ohio EPA has approved the use of a water treatment additive in the cooling water system, which releases bromine; and
- 2) Monitoring is required once per month during months when the water treatment additive is used.

g. Total Residual Chlorine (reporting code 50060):

- 1) Permittees are required to monitor for this parameter only if Ohio EPA has approved the use of a water treatment additive in the cooling water system which releases chlorine; and
- 2) Monitoring is required once per month during months when the water treatment additive is used.

h. TRO and TRC. The following limits apply to TRO and TRC beginning six months after obtaining coverage under this permit is authorized. If the requirements for TRO or TRC are exceeded, coverage may be granted if the applicant installs de-chlorination equipment designed to meet discharge limits.
For total residual Oxidants:

- 1) 0.01 mg/L for discharges greater than or equal to two hours per day in duration; or
- 2) 0.05 mg/L for discharges less than two hours per day in duration

For total residual chlorine:

- 1) 0.038 mg/L for discharges greater than or equal to two hours per day in duration; or
- 2) 0.2 mg/L for discharges less than two hours per day in duration

f. Estimated flows must be reasonably accurate. Flows can be estimated by the use of a weir or flume, bucket-and-stopwatch measurements, integrating timers on pumps, and/or application of flow versus head curves may be used for estimating flows.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2IH00110586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2IH00110586:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for disposal in a solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the Permittee's facility for disposal in a solid waste landfill during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- d. See Part II, Items K, L and M.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

2. Sludge Monitoring. During the period beginning on effective date of this permit and lasting until expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2IH00110588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
80991 - Sludge Volume, Gallons - Gals	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2IH00110588:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.
- d. See Part II, Item K, L and M.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

3. Influent Monitoring. During the period beginning on effective date of this permit and lasting until expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 2IH00110601, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 601 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Day	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	2/Week	Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	2/Week	Composite	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	2/Week	Composite	All

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

4. Upstream Monitoring. During the period beginning on effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 2IH00110801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Quarter	Grab	Summer - Qtrly
99986 - Flow Rate - CFS	-	-	-	-	-	-	-	1/Day	Estimate	All

Notes for Stateion Number 2IH00110801:

- a. Flow is limited - See Part II, Item I.
- b. Sampling and monitoring shall occur when discharging.

PART I, B. DOWNSTREAM-NEARFIELD MONITORING STATION LIMITATIONS AN MONITORING REQUIREMENTS

1. Downstream-Nearfield Monitoring. During the period beginning on March 1, 2023 and lasting until January 1, 2027, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Quarter	Grab	Summer - Qtrly

Part I, C - Schedule of Compliance

1. Evaluation for Reducing Discharge of Phosphorus

a. From the previous permit, the permittee prepared and submitted to Ohio EPA for acceptance a Phosphorus Discharge Optimization Evaluation plan. The plan included an evaluation of collected effluent data, possible source reduction measures, operational improvements, and minor facility modifications that will optimize reductions in phosphorus discharges from the WWTP.

The plan included a proposed schedule for implementing any recommended discharge optimization measures identified through the evaluation process.

Upon acceptance of the plan by Ohio EPA, the permittee shall implement the recommended measures, improvements, and modifications in accordance with the plan and schedule specified in the plan. A complete Permit-to-Install (PTI) application and approvable detail plans must be submitted to the Ohio EPA Northwest District Office where appropriate.

The permittee shall fill out and submit the Evaluation for Reducing Discharge of Phosphorus Form found at the Internet site <http://www.epa.state.oh.us/dsw/permits/npdesform.aspx> which reports on the overall progress towards reducing the final effluent concentration of nutrients attached with the submittal of the future permit renewal application.

2. Industrial Construction Schedule

a. The permittee shall achieve compliance with the final effluent limitations for outfall 2IH00110002 as specified in Part I.A. of this NPDES permit as expeditiously as practicable. In any event, the permittee shall attain final compliance not later than the dates developed in accordance with the following schedule:

b. The permittee shall submit to the Ohio EPA Northwest District Office a complete and approvable PTI application and detailed plans for achieving final compliance for outfall 2IH00110002 as soon as possible, but not later than 7 months from the effective date of this permit. October 1, 2021 (Event Code 01299) (COMPLETED)

c. The permittee shall initiate construction as soon as possible, but not later than 16 months from the effective date of this permit. July 1, 2022 (Event Code 03099) (COMPLETED)

d. The permittee shall have completed construction as soon as possible, but not later than 25 months from the effective date of this permit. April 1, 2023 (Event Code 04599)

e. The permittee shall have attained full compliance with the final effluent limitations for outfall 2IH00110002 as soon as possible, but not later than 34 months from the effective date of this permit. January 1, 2024 (Event Code 05599)

f. The permittee shall submit written verification to Ohio EPA Northwest District Office of the completion of steps 2.c, 2.d., and 2.e. of this schedule of compliance within 14 days after completion of each step.

Part II, OTHER REQUIREMENTS

A. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
2IH00110002	Final effluent (Lat: 40N 54' 18"; Long: 84W 34' 12")
2IH00110586	Sewage sludge removed from the permittee's facility for disposal in a mixed solid waste landfill
2IH00110588	Sewage sludge removed from the permittee's facility for transfer to another NPDES permit holder
2IH00110601	Influent monitoring
2IH00110801	Upstream monitoring
2IH00110901	Downstream monitoring

B. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

C. Written permission must be obtained from the director of the Ohio EPA prior to the use of any treatment additives, except for those exempt in rule. If additives are being used that have not previously been approved, an approval must be obtained for continued use. Discharges of these additives must meet Ohio Water Quality Standards and shall not be harmful or inimical to aquatic life. Request for approvals shall be filed in accordance with OAC 3745-33-03(G) and should be filed at least forty-five days prior to use or immediately if the additive is currently being used. Application forms are available for download on the DSW website: <http://www.epa.ohio.gov/Portals/35/permits/Additive-Form.docx>

D. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

E. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

F. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the wastewater flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

G. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

H. Effluent disinfection is not directly required, however, the entity is required to meet all applicable discharge permit limits. If disinfection facilities exist, they shall be maintained in an operable condition. Any design of wastewater treatment facilities should provide for the capability to install disinfection if required at a future time. Disinfection may be required if future bacteriological studies or emergency conditions indicate the need.

I. The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the approved analytical procedure promulgated at 40 CFR 136. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

Compliance with an effluent limit that is below the OEPA QL is determined in accordance with ORC Section 6111.13 and OAC Rule 3745-33-07(C). For maximum effluent limits, any value reported below the OEPA QL shall be considered in compliance with the effluent limit. For average effluent limits, compliance shall be determined by taking the arithmetic mean of values reported for a specified averaging period, using zero (0) for any value reported at a concentration less than the OEPA QL, and comparing that mean to the appropriate average effluent limit. An arithmetic mean that is less than or equal to the average effluent limit shall be considered in compliance with that limit.

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters.

REPORTING:

All analytical results, even those below the OEPA QL (listed below), shall be reported. Analytical results are to be reported as follows:

1. Results above the QL: Report the analytical result for the parameter of concern.
2. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
3. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

The following table of quantification levels will be used to determine compliance with NPDES permit limits:

Parameter PQL ML

Chlorine, tot. res. 0.050 mg/l --

This permit may be modified, or, alternatively, revoked and reissued, to include more stringent effluent limits or conditions if information generated as a result of the conditions of this permit indicate the presence of these pollutants in the discharge at levels above the water quality based effluent limit (WQBEL).

J. Controlled discharge flows shall be limited to not more than 90 gallons per minute (gpm) for each cubic foot per second (cfs) stream flow measured upstream of the plant final effluent. The permittee must monitor the stream flow when discharging and report the flow (parameter: flow, STORET code: 00060, units: cfs) to Ohio EPA with the monitoring report. Should the permittee desire to discharge a flow in excess of 90 gpm per cfs, the permittee shall submit to the Ohio EPA analytical data to demonstrate that the receiving stream is capable of assimilating the additional flow. Upon acceptance of this report, the flow limit per cfs, as written in the permit, will be modified to reflect the conclusions of that report.

No discharge shall be allowed when the upstream flow is less than one cfs.

K. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

L. No later than March 1 of each calendar year, the Permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

M. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring, and the weight calculations, shall be maintained on site for a minimum of five years. The test methodology used shall be from the latest edition, Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

N. The permittee shall maintain a permanent sign on the stream bank of Town Creek at each outfall that is regulated under this NPDES permit. This includes final outfalls, bypasses, and combined sewer overflows. The sign shall include, at a minimum, the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The sign shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water. When an existing sign is replaced or reset, the new sign shall comply with the requirements of this section.

O. It is understood by Ohio EPA that at the time this permit becomes effective, an analytical method is not approved under 40 CFR 136 to comply with the total residual oxidants monitoring requirements included in the permit. The permittee shall utilize a method approved for chlorine with a minimum detection level no greater than 0.01 mg/L.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or *E.coli* bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or *E.coli* bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures

such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATION

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or waterfowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam, or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growth become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate 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 conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

- A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (a) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (b) The manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

3. In the case of a municipal, state or other public facility, by either the principal executive officer, the ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services-sub/edmr>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest.

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director

may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

- 1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- 2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

- 1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. 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
 - c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
Southwest District Office: swdo24hournpdes@epa.ohio.gov
Northwest District Office: nwdo24hournpdes@epa.ohio.gov
Northeast District Office: nedo24hournpdes@epa.ohio.gov
Central District Office: cdo24hournpdes@epa.ohio.gov
Central Office: co24hournpdes@epa.ohio.gov

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/individual-wastewater-discharge-permits>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;

- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
Southwest District Office: swdo24hournpdes@epa.ohio.gov
Northwest District Office: nwdo24hournpdes@epa.ohio.gov
Northeast District Office: nedo24hournpdes@epa.ohio.gov
Central District Office: cdo24hournpdes@epa.ohio.gov
Central Office: co24hournpdes@epa.ohio.gov

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

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Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

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Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The time(s) at which the discharge occurred, and was discovered;
- c. The approximate amount and the characteristics of the discharge;
- d. The stream(s) affected by the discharge;
- e. The circumstances which created the discharge;
- f. The name and telephone number of the person(s) who have knowledge of these circumstances;

g. What remedial steps are being taken; and,

h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;
2. The cause of the violation;
3. The remedial action being taken;
4. The probable date by which compliance will occur; and,
5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. 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.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such

violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have 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 "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
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 "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these

standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At any time during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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 to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where 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 in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment work

EXHIBIT 24

Application No. OH0003298

Issue Date: February 15, 2022

Effective Date: March 1, 2022

Expiration Date: February 28, 2027

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Campbell Soup Supply Company, LLC

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Campbell Soup Supply Company, LLC wastewater treatment works located at 12-773 State Route 110, Napoleon, Ohio, Henry County to the Maumee River in accordance with the conditions specified in Parts I, II, III, IV, V, and VI of this permit.

I have determined that a lowering of water quality in the Maumee River is necessary. In accordance with OAC 3745-1-05, this decision was reached only after examining a series of technical alternatives, reviewing social and economic issues related to the degradation, and considering all public and appropriate intergovernmental comments.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Laurie A. Stevenson
Director

Total Pages: 78

Part I, A. - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting through the 36th month, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Initial

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00045 - Total Precipitation - Inches	-	-	-	-	-	-	-	1/Day	24hr Total	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	45	-	-	30	1710	-	1140	2/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	378.5	-	-	1/Quarter	Grab	Quarterly
00610 - Nitrogen, Ammonia (NH3) - mg/l	3.5	-	-	1.6	90.9	-	60.6	2/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	24hr Composite	Winter
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	1.5	-	-	1.0	56.8	-	37.9	2/Week	24hr Composite	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01034 - Chromium, Total (Cr) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01092 - Zinc, Total (Zn) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00045 - Total Precipitation - Inches	-	-	-	-	-	-	-	1/Day	24hr Total	All
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	1/Week	Grab	Summer
34044 - Oxidants, Total Residual - mg/l	0.0048	-	-	-	0.182	-	-	2/Week	Grab	All
34413 - Methyl Bromide - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.038	-	-	-	1.44	-	-	1/Day	Grab	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61428 - Chronic Toxicity, Pimephales promelas - TUc	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00045 - Total Precipitation - Inches	-	-	-	-	-	-	-	1/Day	24hr Total	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
80082 - CBOD 5 day - mg/l	40	-	-	25	1520	-	947	2/Week	24hr Composite	All

Notes for Station Number 2IH00021001:

- a. Effluent loadings based on average design flow of 10.0 MGD.
- b. The permittee shall maximize treatment efficiency during wet weather.
- c. Aluminum and Whole Effluent Toxicity - samples must be taken on the same day.
- d. Whole Effluent Toxicity - See Part II, Item S.
- e. The Total Residual Chlorine (TRC) and Total Residual Oxidants (TRO) limits are the maximum allowed at any time at the outfall. Report the maximum concentration of TRC and/or TRO detected during chlorination and/or bromination for each day.
- f. TRO reflects the use of bromine compounds. Bromine can be used separately or in combination with chlorine. These limits are effective when bromine is used.
- g. For TRC, report on days when only chlorine compounds are used (i.e. no bromine compounds). Report "AH" for TRC on discharge monitoring report (DMR) if bromine (or a combination of bromine and chlorine) is used and explain in the remarks section.
- h. For TRO, report on days when bromine or bromine and chlorine containing compounds are used. Report "AH" for TRO on the DMR if only chlorine is used and explain in the remarks section.
- i. Analyses for TRC and TRO are to be performed by low level amperometric titration, Standard Method 4500-CL E.
- j. Fluoride, Chromium, Zinc and Aluminum, see Part II, Items K and W.
- k. Free Cyanide - See Part II, Items Q and X.
- l. Copper - See Part II, Item J.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the 37th month of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00045 - Total Precipitation - Inches	-	-	-	-	-	-	-	1/Day	24hr Total	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	45	-	-	30	1710	-	1140	2/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	378.5	-	-	1/Quarter	Grab	Quarterly
00610 - Nitrogen, Ammonia (NH3) - mg/l	3.5	-	-	1.6	90.9	-	60.6	2/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	24hr Composite	Winter
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	1.5	-	-	1.0	56.8	-	37.9	2/Week	24hr Composite	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01034 - Chromium, Total (Cr) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01092 - Zinc, Total (Zn) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	1/Week	Grab	Summer
34044 - Oxidants, Total Residual - mg/l	0.0048	-	-	-	0.182	-	-	2/Week	Grab	All
34413 - Methyl Bromide - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.038	-	-	-	-	-	-	1/Day	Grab	All
51173 - Cyanide, Free (Low-Level) - ug/l	44	-	-	11	1.67	-	0.417	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	2.1	-	-	-	2/Year	24hr Composite	Semi-annual
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61428 - Chronic Toxicity, Pimephales promelas - TUc	-	-	-	-	-	-	-	1/Year	24hr Composite	September
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
80082 - CBOD 5 day - mg/l	40	-	-	25	1520	-	947	2/Week	24hr Composite	All

Notes for Station Number 2IH00021001:

- a. Effluent loadings based on average design flow of 10.0 MGD.
- b. The permittee shall maximize treatment efficiency during wet weather.
- c. Aluminum and Whole Effluent Toxicity - samples must be taken on the same day.
- d. Whole Effluent Toxicity - See Part II, Item S.
- e. The Total Residual Chlorine (TRC) and Total Residual Oxidants (TRO) limits are the maximum allowed at any time at the outfall. Report the maximum concentration of TRC and/or TRO detected during chlorination and/or bromination for each day.
- f. TRO reflects the use of bromine compounds. Bromine can be used separately or in combination with chlorine. These limits are effective when bromine is used.
- g. For TRC, report on days when only chlorine compounds are used (i.e. no bromine compounds). Report "AH" for TRC on discharge monitoring report (DMR) if bromine (or a combination of bromine and chlorine) is used and explain in the remarks section.
- h. For TRO, report on days when bromine or bromine and chlorine containing compounds are used. Report "AH" for TRO on the DMR if only chlorine is used and explain in the remarks section.
- i. Analyses for TRC and TRO are to be performed by low level amperometric titration, Standard Method 4500-CL E.
- j. Fluoride, Chromium, Zinc and Aluminum, see Part II, Items K and W.
- k. Free Cyanide - See Part II, Items Q and X.
- l. Copper - See Part II, Item J.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	1.0	-	-	-	-	-	-	1/Year	24hr Composite	September
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All
70300 - Residue, Total Filterable - mg/l	-	-	-	2403	-	-	9095	2/Week	24hr Composite	All

Notes for Station Number 2IH00021002:

- a. Effluent loadings based on average design flow of 1.0 MGD.
- b. Sampling shall be performed when discharging. If there are no discharges during the entire month, eDMR users should select the No Discharge checkbox on the data entry form and pin the eDMR.
- c. Whole Effluent Toxicity - See Part II, Item S.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021006. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 006 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	1/Day	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	45	-	-	30	474	-	316	2/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00665 - Phosphorus, Total (P) - mg/l	1.5	-	-	1.0	15.8	-	10.5	2/Week	Grab	All
39730 - 2,4-D - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50042 - Area Sprayed, Acres - Acres	-	-	-	-	-	-	-	1/Day	Calculated	All
50045 - Application Rate-Wastewater, Spray - inches/day	1.5	-	-	-	-	-	-	1/Day	Calculated	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	40	-	-	25	421	-	263	2/Week	Grab	All

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
80996 - Spray Irrigation, Hours per day - Hr/Day	-	-	-	-	-	-	-	1/Day	24hr Total	All

Notes for Station Number 2IH00021006:

- a. Effluent loadings based on an average design flow of 2.78 MGD.
- b. Sampling shall be performed when discharging. If there are no discharges during the entire month, eDMR users should select the No Discharge checkbox on the data entry form and pin the eDMR.
- c. Dissolved Oxygen - Report on eDMR the minimum value recorded for each 24-hour sampling day.
- d. Water Temperature and Conductivity - Report on eDMR the maximum value recorded for each 24-hour sampling day.
- e. pH - Report on the eDMR both the minimum and maximum values recorded for each 24-hour sampling day.
- f. Application Rate- Wastewater Spray, Inches/day - Flow will be calculated using period of application and the number of spray nozzles in operation. The effect of malfunctioning spray nozzles will be incorporated and recorded in field logs.
- g. The permittee may not land apply when the ground is frozen.
- h. If there is a discharge on any 2 days within a 7-day period, the permittee must sample and report data for each of those 2 days for Total Suspended Solids, Ammonia-Nitrogen, Phosphorus and CBOD5.
- i. No more than 1.5 inches per acre of wastewater may be sprayed on any of the spray irrigation fields over any 24-hour period.
- j. See Part II, Item V for record keeping requirements.
- k. 2, 4 - D - See Part II, Item T. Samples must be taken twice a week for two weeks after 2, 4 - D is applied to any field in this watershed, and there is a discharge from this station.
- l. Area sprayed will be calculated based on the number of spray nozzles used in this watershed in a 24-hour period.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021007. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 007 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	1/Day	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	45	-	-	30	103	-	68.2	2/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00665 - Phosphorus, Total (P) - mg/l	1.5	-	-	1.0	3.42	-	2.28	2/Week	Grab	All
39730 - 2,4-D - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50042 - Area Sprayed, Acres - Acres	-	-	-	-	-	-	-	1/Day	Calculated	All
50045 - Application Rate-Wastewater, Spray - inches/day	1.5	-	-	-	-	-	-	1/Day	Calculated	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	40	-	-	25	91.3	-	57.0	2/Week	Grab	All

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
80996 - Spray Irrigation, Hours per day - Hr/Day	-	-	-	-	-	-	-	1/Day	24hr Total	All

Notes for Station Number 2IH00021007:

- a. Effluent loadings based on an average design flow of 0.60 MGD.
- b. Sampling shall be performed when discharging. If there are no discharges during the entire month, eDMR users should select the No Discharge checkbox on the data entry form and pin the eDMR.
- c. Dissolved Oxygen - Report on eDMR the minimum value recorded for each 24-hour sampling day.
- d. Water Temperature and Conductivity - Report on eDMR the maximum value recorded for each 24-hour sampling day.
- e. pH - Report on the eDMR both the minimum and maximum values recorded for each 24-hour sampling day.
- f. Application Rate- Wastewater Spray, Inches/day - Flow will be calculated using period of application and the number of spray nozzles in operation. The effect of malfunctioning spray nozzles will be incorporated and recorded in field logs.
- g. The permittee may not land apply when the ground is frozen.
- h. If there is a discharge on any 2 days within a 7-day period, the permittee must sample and report data for each of those 2 days for Total Suspended Solids, Ammonia-Nitrogen, Phosphorus and CBOD5.
- i. No more than 1.5 inches per acre of wastewater may be sprayed on any of the spray irrigation fields over any 24-hour period.
- j. See Part II, Item V for record keeping requirements.
- k. 2, 4 - D - See Part II, Item T. Samples must be taken twice a week for two weeks after 2, 4 - D is applied to any field in this watershed, and there is a discharge from this station.
- l. Area sprayed will be calculated based on the number of spray nozzles used in this watershed in a 24-hour period.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

6. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021008. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 008 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months
Maximum		Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	1/Day	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	45	-	-	30	115	-	76.7	2/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00665 - Phosphorus, Total (P) - mg/l	1.5	-	-	1.0	3.84	-	2.56	2/Week	Grab	All
39730 - 2,4-D - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50042 - Area Sprayed, Acres - Acres	-	-	-	-	-	-	-	1/Day	Calculated	All
50045 - Application Rate-Wastewater, Spray - inches/day	1.5	-	-	-	-	-	-	1/Day	Calculated	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	40	-	-	25	102	-	63.9	2/Week	Grab	All

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
80996 - Spray Irrigation, Hours per day - Hr/Day	-	-	-	-	-	-	-	1/Day	24hr Total	All

Notes for Station Number 2IH00021008:

- a. Effluent loadings based on an average design flow of 0.68 MGD.
- b. Sampling shall be performed when discharging. If there are no discharges during the entire month, eDMR users should select the No Discharge checkbox on the data entry form and pin the eDMR.
- c. Dissolved Oxygen - Report on eDMR the minimum value recorded for each 24-hour sampling day.
- d. Water Temperature and Conductivity - Report on eDMR the maximum value recorded for each 24-hour sampling day.
- e. pH - Report on the eDMR both the minimum and maximum values recorded for each 24-hour sampling day.
- f. Application Rate- Wastewater Spray, Inches/day - Flow will be calculated using period of application and the number of spray nozzles in operation. The effect of malfunctioning spray nozzles will be incorporated and recorded in field logs.
- g. The permittee may not land apply when the ground is frozen.
- h. If there is a discharge on any 2 days within a 7-day period, the permittee must sample and report data for each of those 2 days for Total Suspended Solids, Ammonia-Nitrogen, Phosphorus and CBOD5.
- i. No more than 1.5 inches per acre of wastewater may be sprayed on any of the spray irrigation fields over any 24-hour period.
- j. See Part II, Item V for record keeping requirements.
- k. 2, 4 - D - See Part II, Item T. Samples must be taken twice a week for two weeks after 2, 4 - D is applied to any field in this watershed, and there is a discharge from this station.
- l. Area sprayed will be calculated based on the number of spray nozzles used in this watershed in a 24-hour period.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

7. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021009. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 009 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00094 - Conductivity - Umho/Cm	-	-	-	-	-	-	-	1/Day	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	45	-	-	30	221.4	-	147.6	2/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Week	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00665 - Phosphorus, Total (P) - mg/l	1.5	-	-	1.0	7.38	-	4.92	2/Week	Grab	All
39730 - 2,4-D - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50042 - Area Sprayed, Acres - Acres	-	-	-	-	-	-	-	1/Day	Calculated	All
50045 - Application Rate-Wastewater, Spray - inches/day	1.5	-	-	-	-	-	-	1/Day	Calculated	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	40	-	-	25	196.8	-	123.0	2/Week	Grab	All

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
80996 - Spray Irrigation, Hours per day - Hr/Day	-	-	-	-	-	-	-	1/Day	24hr Total	All

Notes for Station Number 2IH00021009:

- a. Effluent loadings based on an average design flow of 1.3 MGD.
- b. Sampling shall be performed when discharging. If there are no discharges during the entire month, eDMR users should select the No Discharge checkbox on the data entry form and pin the eDMR.
- c. Dissolved Oxygen - Report on eDMR the minimum value recorded for each 24-hour sampling day.
- d. Water Temperature and Conductivity - Report on eDMR the maximum value recorded for each 24-hour sampling day.
- e. pH - Report on the eDMR both the minimum and maximum values recorded for each 24-hour sampling day.
- f. Application Rate- Wastewater Spray, Inches/day - Flow will be calculated using period of application and the number of spray nozzles in operation. The effect of malfunctioning spray nozzles will be incorporated and recorded in field logs.
- g. The permittee may not land apply when the ground is frozen.
- h. If there is a discharge on any 2 days within a 7-day period, the permittee must sample and report data for each of those 2 days for Total Suspended Solids, Ammonia-Nitrogen, Phosphorus and CBOD5.
- i. No more than 1.5 inches per acre of wastewater may be sprayed on any of the spray irrigation fields over any 24-hour period.
- j. See Part II, Item V for record keeping requirements.
- k. 2, 4 - D - See Part II, Item T. Samples must be taken twice a week for two weeks after 2, 4 - D is applied to any field in this watershed, and there is a discharge from this station.
- l. Area sprayed will be calculated based on the number of spray nozzles used in this watershed in a 24-hour period.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

8. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021099. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Calculated Outfall/Station - 099 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00530 - Total Suspended Solids - mg/l	-	-	-	-	10.51	-	5.00	1 / 2 Weeks	Calculated	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	5.13	-	3.08	1 / 2 Weeks	Calculated	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	4.28	-	1.75	1 / 2 Weeks	Calculated	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	15.26	-	6.77	1 / 2 Weeks	Calculated	All
01034 - Chromium, Total (Cr) - ug/l	-	-	-	-	0.11	-	0.05	1 / 2 Weeks	Calculated	All
01092 - Zinc, Total (Zn) - ug/l	-	-	-	-	0.37	-	0.16	1 / 2 Weeks	Calculated	All
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	1.65	-	0.83	1 / 2 Weeks	Calculated	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61941 - pH, Maximum - S.U.	10.0	-	-	-	-	-	-	1 / 2 Weeks	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	7.0	-	-	-	-	-	1 / 2 Weeks	Multiple Grab	All

Notes for station 2IH00021099:

a. Effluent loadings based on the average daily number of cans produced and the effluent guidelines for canmaking described in 40 CFR 465.43.

b. In order to take into account the wastewater treatment plant removal efficiencies, the concentrations reported at this station shall be the same concentrations that are sampled and reported at Outfall 2IH00021605 after each parameter's concentration is multiplied by one minus their respective wastewater treatment plant removal efficiencies. One minus the removal efficiency for each parameter is listed below:

TSS: 0.05

Oil and Grease: 0.06

Phosphorus: 0.23

Fluoride: 0.79

Chromium: 0.85

Zinc: 0.46

Aluminum: 0.35

c. Fluoride, Chromium, Zinc and Aluminum, see Part II, Items K and W.

d. Flow, pH Maximum and pH Minimum: Report the same numbers at this monitoring station as measured and reported at Outfall 2IH00021605.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

9. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IH00021605. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 605 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
00550 - Oil and Grease, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
01034 - Chromium, Total (Cr) - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
01092 - Zinc, Total (Zn) - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	1 / 2 Weeks	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1 / 2 Weeks	Multiple Grab	All

Notes for station 2IH00021605:

a. Fluoride, Chromium, Zinc and Aluminum, see Part II, Items K and W.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2IH00021581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
31641 - Fecal Coliform in Sludge - MPN/G	2000000	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.

NOTES for Station Number 2IH00021581:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land. The monitoring data shall be reported each quarter, enter the March, June, September, and December. Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period.
- b. Metal pollutant analysis must be completed during each reporting period, whether sewage sludge is removed from the facility or not, or the number of composite samples collected and reported shall be increased prior to the next land application event to account for the reporting period(s) in which land application did not occur, unless all previously accumulated sewage sludge has been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.
- c. If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis in eDMR or on the 4500 report and enter "0" for sludge weight and sludge fee weight.
- d. If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, the permittee shall report under station 581 in the following manner:
 - 1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.
 - 2) Permittees reporting on paper should report "AL" in the first column of the first day of the 4500 Form. Sign the form.
- e. If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.

- f. It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.
- g. The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction have been met.
- h. Units of mg/kg are on a dry weight basis.
- i. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.
- j. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- k. To sample for fecal coliform, the treatment plant should collect and analyze a grab sample every other day over a two week period for a total of seven grab samples when practical. Each of the grab samples shall be analyzed independently to determine the MPN/g (or CFU/g when applicable) of fecal coliform in the individual sample. The geometric mean of those seven results shall be reported on the DMR. Each fecal coliform sample must be delivered to the analytical lab within six hours after the sample has been collected, in accordance with the requirements for Part 9221 E. or part 9222 D., "Standard Methods for the Examination of Water and Wastewater". This process must be completed prior to sewage sludge being removed from the treatment facility.
- l. See Part II, Items L, M, N, and O.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

2. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2IH00021588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Day	24hr Total	All
80991 - Sludge Volume, Gallons - Gals	-	-	-	-	-	-	-	1/Day	24hr Total	All

NOTES for Station Number 2IH00021588:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to the neighboring Anaerobic Digester facility, Napoleon Biogas. The total sludge weight and sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. The permittee is authorized to dispose of the sewage sludge by transfer to another NPDES permit holder in emergency situations only and with Ohio EPA approval. Station 588 will be used to report the volume and weight of sludge transferred to either of these facilities.
- c. If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- d. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.
- e. Annually, on January 30th, a spreadsheet will be submitted to the Ohio EPA Northwest District Office for the previous calendar year, detailing the destination of all permittee's sludge by volume and weight per day.
- f. See Part II, Items L, N, O, and P.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

3. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 2IH00021601, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 601 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Parameter	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months	
Maximum		Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01034 - Chromium, Total (Cr) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01092 - Zinc, Total (Zn) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
Parameter										
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All

NOTES for Station Number 2IH00021601:

- a. Water Temperature - Report on eDMR the maximum value recorded at 2IH00021601 for each 24-hour sampling day.
 - b. pH - Report on the eDMR both the minimum and maximum values recorded at 2IH00021601 for each 24-hour sampling day.
 - c. Flow - Report on eDMR the total at 2IH00021601 for each 24-hour sampling day.
5. Fluoride, Chromium, Zinc and Aluminum, see Part II, Item K.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

4. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 2IH00021602, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 602 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All

NOTES for Station Number 2IH00021602:

- a. CBOD5, Flow, Ammonia-Nitrogen, Nitrate/Nitrite-Nitrogen, Phosphorus and Water Temperature - The maximum value recorded during typical and/or increased monitoring, shall be recorded at the 2IH00021602 outfall station for each 24-hour sampling day.
- b. pH - Both the minimum and maximum values recorded during typical and/or increased monitoring, shall be recorded at the 2IH00021602 outfall station for each 24-hour sampling day.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

5. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 2IH00021604, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 604 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01034 - Chromium, Total (Cr) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01092 - Zinc, Total (Zn) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All

NOTES for Station Number 2IH00021604:

- a. Wastewater from the neighboring Anaerobic Digester Facility, Napoleon Biogas, is pumped back to permittee's waste water treatment plant.
- b. Fluoride, Chromium, Zinc and Aluminum, see Part II, Item K.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

6. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 2IH00021801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	August
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Year	Grab	August
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected	-	-	-	-	-	-	-	1/Year	Grab	August
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Year	Grab	August
61441 - 7-Day Chronic Toxicity Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	Grab	August

NOTES for Station Number 2IH00021801:

a. Whole effluent toxicity - See Part II, Item S.

Part I, B. - DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

7. Downstream-Nearfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 2IH00021901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units				Loading* kg/day		Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01105 - Aluminium, Total (Al) - ug/l	-	-	-	-	-	-	-	1/Year	Grab	Yearly

NOTES for Station Number 2IH00021901:

- a. Aluminum - Sampling shall be performed on the same day as WET sampling is performed for outfall 2IH00011001.

Part I, C. - SCHEDULE OF COMPLIANCE

1. Compliance Schedule to Meet Final Effluent Limits for Free Cyanide and Whole Effluent Toxicity (WET)

The permittee shall attain compliance with the final effluent limits for outfall 2IH00021001 as soon as possible, but no later than the schedule included below.

- a. Within 12 months of the effective date of the NPDES permit, the permittee shall submit to the Ohio EPA Northwest District Office a status report regarding the progress towards achieving the final effluent limitations for Free Cyanide and Whole Effluent Toxicity (WET) at outfall 2IH00021001. (Event Code 95999)
- b. Within 24 months of the effective date of the NPDES permit, the permittee shall submit to the Ohio EPA Northwest District Office a status report regarding the progress towards achieving the final effluent limitations for Free Cyanide and Whole Effluent Toxicity (WET) at outfall 2IH00021001. (Event Code 95999)
- c. Within 36 months of the effective date of the NPDES permit, the permittee shall have attained full compliance with the final effluent limitations for Free Cyanide and Whole Effluent Toxicity (WET) at outfall 2IH00021001. (Event Code 05699)

Part II, OTHER REQUIREMENTS

A. Operator Certification Requirements

1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the wastewater treatment facility shall be classified as a Class IV facility. The permittee shall designate one or more professional operator of record to oversee the technical operation of the treatment works with a valid certification of a class equal to or greater than the classification of the treatment works.

2. Professional Operator of Record

a. Within three days of a change in a professional operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

<http://epa.ohio.gov/static/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf>

b. All applications for renewal of this NPDES permit shall include an updated Operator of Record Notification form along with other necessary forms and fees to be considered a complete application.

c. The professional operator of record for a class II, III, or IV treatment works may be replaced by a backup professional operator with a certificate one classification lower than the treatment works for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.

d. Upon proper justification, such as military leave or long-term illness, the director may authorize the replacement of the professional operator of record for a class II, III, or IV treatment works by a backup professional operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the Ohio EPA Northwest District Office.

3. Minimum Staffing Requirements

a. The permittee shall ensure that the treatment works professional operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.

b. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (e.g., retirement of a professional operator listed in the approved staffing plan, loss of the professional operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

4. Additional Staffing Requirements

Visits to all treatment works shall be performed by the permittee, the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Visits shall not be necessary when the treatment works is not in operation.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
2IH00021001	Final effluent discharge to the Maumee River (Lat: 41 N 23 ' 46 "; Long: 84 W 06 ' 38 ")
2IH00021002	Reverse osmosis concentrate discharge at the water treatment plant - prior to discharge to the Maumee River (Lat: 41 N 23 ' 44 "; Long: 84 W 06 ' 23 ")
2IH00021006	Spray Field Overland Flow Treatment System - discharge to unnamed tributary of the Maumee River (Lat: 41 N 24 ' 23 "; Long: 84 W 05 ' 04 ")
2IH00021007	Spray Field Overland Flow Treatment System - discharge to unnamed tributary of the Maumee River (Lat: 41 N 24 ' 19 "; Long: 84 W 04 ' 51 ")
2IH00021008	Spray Field Overland Flow Treatment System - discharge to unnamed tributary of the Maumee River (Lat: 41 N 24 ' 16 "; Long: 84 W 04 ' 33 ")
2IH00021009	Spray Field Overland Flow Treatment System - discharge to unnamed tributary of the Maumee River (Lat: 41 N 24 ' 15 "; Long: 84 W 04 ' 20 ")
2IH00021010	Storm water runoff from area in front of Warehouse Building to the Maumee River
2IH00021099	Fictitious Outfall where FEG limits are applied.
2IH00021601	Influent to the Wastewater Treatment Plant
2IH00021602	Effluent from the Campbell's Building N11 and Influent to the Spray Field Overland Flow Treatment System Pump Station
2IH00021604	Wastewater from the neighboring anaerobic digester facility, Napoleon Biogas, pumped back to the permittee's wastewater treatment plant
2IH00021605	Internal monitoring of can making wastewater
2IH00021581	Biosolids from Wastewater Treatment Plant - Land Applied
2IH00021588	Sludge hauled to another facility with a NPDES permit or approved Sludge Management Plan
2IH00021801	Upstream sampling in the Maumee River
2IH00021901	Downstream sampling in the Maumee River

C. Discharges from station 2IH00021010 shall be limited to uncontaminated storm water. See Parts IV, V and VI for additional requirements.

D. Water quality-based permit limitations in this permit may be revised based on updated waste load allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality-based effluent limits or other conditions that are necessary to comply with a revised waste load allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

E. Written permission must be obtained from the director of the Ohio EPA prior to the use of any treatment additives discharged to waters of the state, except for those exempt in rule. If additives are being used that have not previously been approved, an approval must be obtained for continued use. Discharges of these additives must meet Ohio Water Quality Standards and shall not be harmful or inimical to aquatic life. Request for approvals shall be filed in accordance with OAC 3745-33-03(G) and should be filed at least forty-five days prior to use or immediately if the additive is currently being used. Application forms are available for download on the DSW website:

<http://www.epa.ohio.gov/static/Portals/35/permits/Additive-Form.docx>

F. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the wastewater flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

G. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

H. Multiple grab samples shall be comprised of at least three grab samples collected at intervals of at least three hours during the period that the plant is staffed on each day for sampling. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance. The critical value shall be reported.

I. The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the approved analytical procedure promulgated at 40 CFR 136. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

Compliance with an effluent limit that is below the OEPA QL is determined in accordance with ORC Section 6111.13 and OAC Rule 3745-33-07(C). For maximum effluent limits, any value reported below the OEPA QL shall be considered in compliance with the effluent limit. For average effluent limits, compliance shall be determined by taking the arithmetic mean of values reported for a specified averaging period, using zero (0) for any value reported at a concentration less than the OEPA QL, and comparing that mean to the appropriate average effluent limit. An arithmetic mean that is less than or equal to the average effluent limit shall be considered in compliance with that limit.

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters.

REPORTING:

All analytical results, even those below the OEPA QL (listed below), shall be reported. Analytical results are to be reported as follows:

1. Results above the QL: Report the analytical result for the parameter of concern.
2. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
3. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

The following table of quantification levels will be used to determine compliance with NPDES permit limits:

Parameter	PQL
Chlorine, tot. res.	0.050 mg/L
Oxidants, tot. res.	0.050 mg/L

This permit may be modified, or, alternatively, revoked and reissued, to include more stringent effluent limits or conditions if information generated as a result of the conditions of this permit indicate the presence of these pollutants in the discharge at levels above the water quality-based effluent limit (WQBEL).

J. Tracking of Group 4 Parameters

A preliminary effluent limit (PEL) has been provided below for parameters with a projected effluent quality (PEQ) equivalent to or exceeding seventy-five percent of the PEL. In accordance with rule 3745-33-07(A)(2) of the Ohio Administrative Code, the permittee must report in writing, any effluent concentration sample result greater than the PEL values listed below to Ohio EPA, Northwest District Office. Written notification must be submitted within 30 days of an effluent concentration sample result that exceeds the PEL and must detail the reasons why the PEL has been exceeded and the expectation of continued levels above the PEL.

Parameter	PEL(avg)	PEL(max)
Copper	32 µg/L	74 µg/L

The permittee must reduce discharge levels to below the PEL if either of the following conditions are met:

1. The maximum detected concentration per month is greater than the maximum PEL for four or more months during a consecutive six month period; or
2. The thirty-day average for any pollutant is greater than the average PEL for two or more months during a consecutive six-month period; and

If the permittee cannot reduce discharge levels below the PEL within six months after either of conditions 1 or 2 above are met, the permittee may request to modify the permit to contain a compliance schedule. This request shall contain justification for the additional time necessary to reduce discharge levels.

K. Sampling for these parameters at stations 2IH00021001, 2IH00021601, 2IH00021604 and 2IH00021605 shall occur the same day.

- L. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code and any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.
- M. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the facility's sewage sludge.
- N. No later than March 1 of each calendar year, the Permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.
- O. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring and the weight calculations shall be maintained on site for a minimum of five years. The test methodology used shall be from Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation, using the edition which is current on the issuance date of the permit. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.
- P. The permittee is authorized to dispose of sewage sludge by transfer to the neighboring Anaerobic Digester facility, Napoleon Biogas. The permittee is authorized to dispose of the sewage sludge by transfer to another NPDES permit holder in emergency situations only and with Ohio EPA approval. Station 588 will be used to report the volume and weight of sludge transferred to either of these facilities. Annually, on January 30th, a spreadsheet will be submitted to the Ohio EPA Northwest District Office for the previous calendar year, detailing the destination of all permittee's sludge by volume and weight per day.
- Q. Currently there are three approved methods for free cyanide listed in 40 CFR 136 that have a quantification level lower than any water quality-based effluent limits: ASTM D7237-10, OIA-1677-09, and ASTM D4282-02. (Note: The use of ASTM D4282-02 requires supporting documentation that it meets the requirement of a "sufficiently sensitive" test procedure as defined in 40 CFR 122.44(i)(1)(iv)). The permittee shall use one of these approved methods.
- R. The permittee shall maintain a permanent sign on the stream bank at each outfall that is regulated under this NPDES permit. The sign shall include, at a minimum, the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The sign shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally

submerged the sign shall indicate that. When an existing sign is replaced or reset, the new sign shall comply with the requirements of this section.

S. Biomonitoring Program Requirements

The permittee shall continue to implement an effluent biomonitoring program to determine the toxicity of the effluent from outfalls 2IH00021001 and 2IH00021002.

General Requirements

All toxicity testing conducted as required by this permit shall be done in accordance with "Reporting and Testing Guidance for Biomonitoring Required by the Ohio Environmental Protection Agency" (hereinafter, the "biomonitoring guidance"), Ohio EPA, July 1998 (or current revision). The Standard Operating Procedures (SOP) or verification of SOP submittal, as described in Section 1.B. of the biomonitoring guidance shall be submitted no later than three months after the effective date of this permit. If the laboratory performing the testing has modified its protocols, a new SOP is required.

Testing Requirements

1. Chronic Bioassays

For the life of the permit, the permittee shall conduct chronic toxicity tests using *Ceriodaphnia dubia* and fathead minnows (*Pimephales promelas*) on effluent samples from outfall 2IH00021001. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

2. Acute Bioassays

Acute endpoints, as described in Section 2.H. of the biomonitoring guidance, shall be derived from the chronic test.

3. Testing of Ambient

Water In conjunction with the acute and chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 2IH00021801. Testing of ambient waters shall be done in accordance with Sections 2 and 3 of the biomonitoring guidance.

4. Data Review

a. Reporting

Following completion of each annual bioassay requirement, the permittee shall report results of the tests in accordance with Sections 2.H.1., 2.H.2.a., 3.H.1., and 3.H.2.a. of the biomonitoring guidance, including reporting the results on the monthly DMR and submitting a copy of the complete test report to Ohio EPA, Division of Surface Water. The test report may be submitted electronically using the acute or chronic NPDES Biomonitoring Report Form available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, the permittee may submit a hard copy of the report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

Based on Ohio EPA's evaluation of the results, this permit may be modified to require additional biomonitoring, require a toxicity reduction evaluation, and/or contain whole effluent toxicity limits.

b. Definitions

TUa = Acute Toxicity Units = 100/LC50

TUc = Chronic Toxicity Units = 100/IC25

This equation for chronic toxicity units applies outside the mixing zone for warmwater, modified warmwater, exceptional warmwater, coldwater, and seasonal salmonid use designations except when the following equation is more restrictive (*Ceriodaphnia dubia* only):

TUc = Chronic Toxic Units = 100/square root of (NOEC x LOEC)

T. The permittee shall notify the Ohio EPA Northwest District Office in writing, a minimum of 210 days prior to application of any herbicide that is not 2,4-D on the irrigation fields, to determine whether an NPDES permit modification is necessary.

U. Soils Testing

The permittee shall submit an Annual Soils Analysis Report to the Ohio EPA, Northwest District Office, Division of Surface Water no later than July 1 of each year. The annual soils report shall include, but not necessarily be limited to, an analysis of the concentrations of pollutants found in the soil located in the overland flow treatment fields. At a minimum, the annual soils analysis shall include total phosphorus monitoring results. The soil sampling result must have documented the characteristics of the wastewater applied to the spray irrigation fields prior to the soil sampling event, specifically the variation in pH, precipitation and soil saturation conditions prior to the sampling event. There shall be at a minimum one soils test per 25 acres of overland flow treatment system. The soils test shall be performed each year at least 6 months after the last land application.

V. Record Keeping

In addition to the record keeping requirements in part three of this permit:

-daily records showing which spray nozzles were operating within each outfall station watershed, within each spray irrigation system series. These daily sheets will be summarized in a spreadsheet titled "Annual Summary of Spray Irrigation System Series Nozzle Activity" and submitted electronically to the Ohio EPA Northwest District Office annually, no later than January 30th for the previous calendar year. (The raw data in this spreadsheet will validate the calculations that prove that no more than 1.5 inches of wastewater are sprayed onto the overland flow fields per day.)

-the volume and weight of sludge pumped to the neighboring anaerobic digester, Napoleon Biogas, is recorded at outfall station 2IH00021588. In an emergency, the permittee may pump and haul sludge to an Ohio EPA approved NPDES permitted Wastewater Treatment Plant. In both of these cases the volume of weight and sludge would be reported in the eDMR outfall station 2IH00021588 table. The permittee will also log in a spreadsheet the volume and weight of sludge that is discharged to each destination on a daily basis and submit this information

electronically to the Ohio EPA Northwest District Office annually, no later than January 30th for the previous calendar year.

W. Wastewater treatment plant removal efficiencies as referenced in this permit may be revised based on a statistically representative set of sampling data that assesses the plant's performance during different types of production, flows and weather conditions. This permit may be modified, or revoked and reissued, to include alternative wastewater treatment plant removal efficiencies.

X. Method Detection Limits

In order to properly characterize final effluent quality, the permittee shall use methods that can achieve a method detection limit (MDL) equivalent to (or lower than) the parameter values listed below or utilize the most sensitive EPA approved method:

Parameter MDL less than or equal to:

Free Cyanide 3.0 µg/L

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five-digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;

B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;

C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;

D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;

E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;

F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities, or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate 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 conditions of the permit.

B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.

C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the

necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<http://epa.ohio.gov/dsw/edmr/eDMR.aspx>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;

- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three-year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. 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 this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24-hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. 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

c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us

Southwest District Office: swdo24hournpdes@epa.state.oh.us

Northwest District Office: nwdo24hournpdes@epa.state.oh.us

Northeast District Office: nedo24hournpdes@epa.state.oh.us

Central District Office: cdo24hournpdes@epa.state.oh.us

Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330

Southwest District Office: (800) 686-8930

Northwest District Office: (800) 686-6930

Northeast District Office: (800) 686-6330

Central District Office: (800) 686-2330

Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us

Southwest District Office: swdo24hournpdes@epa.state.oh.us

Northwest District Office: nwdo24hournpdes@epa.state.oh.us

Northeast District Office: nedo24hournpdes@epa.state.oh.us

Central District Office: cdo24hournpdes@epa.state.oh.us

Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.ohio.gov/dsw/permits/permits.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330

Southwest District Office: (800) 686-8930

Northwest District Office: (800) 686-6930

Northeast District Office: (800) 686-6330

Central District Office: (800) 686-2330

Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The time(s) at which the discharge occurred, and was discovered;
- c. The approximate amount and the characteristics of the discharge;
- d. The stream(s) affected by the discharge;
- e. The circumstances which created the discharge;
- f. The name and telephone number of the person(s) who have knowledge of these circumstances;
- g. What remedial steps are being taken; and,
- h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;
2. The cause of the violation;
3. The remedial action being taken;
4. The probable date by which compliance will occur; and,
5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. 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.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have 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 "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
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 "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned, and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At any time during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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 to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, 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.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where 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 in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 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 \$25,000 per violation.

C. ORC 6111.99 states 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 \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

Part IV. Storm Water Control Measures and Pollution Prevention Programs

In Part IV and in Part VI, the term “minimize” means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

A. Control Measures.

You shall select, design, install, and implement control measures (including best management practices) to address the selection and design considerations in Part IV.B, and meet the control measures/best management practices in Part IV.C and any applicable numeric effluent limits in Part I. The selection, design, installation, and implementation of these control measures shall be in accordance with good engineering practices and manufacturer’s specifications. Note that you may deviate from such manufacturer’s specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part IV.J.3. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges, you shall modify these control measures as expeditiously as practicable. Regulated storm water discharges from your facility include storm water run-on that commingles with storm water discharges associated with industrial activity at your facility.

B. Control Measure Selection and Design Considerations.

You shall consider the following when selecting and designing control measures:

1. Preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
2. Using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in your storm water discharge;
3. Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
4. Minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care shall be taken to avoid ground water contamination;
5. Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
6. Conserving and/or restoring of riparian buffers will help protect streams from storm water runoff and improve water quality; and

7. Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

C. Control Measures/Best Management Practices (BMPs)

1. Minimize Exposure. You shall minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, you should pay particular attention to the following:
 - a. Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
 - b. Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas);
 - c. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
 - d. Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;
 - e. Use spill/overflow protection equipment;
 - f. Drain fluids from equipment and vehicles prior to on-site storage or disposal;
 - g. Perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and
 - h. Ensure that all washwater drains to a proper collection system (i.e., not the storm water drainage system).

The discharge of vehicle and equipment washwater, including tank cleaning operations, is not authorized by this permit.

2. Good Housekeeping. You shall keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.
3. Maintenance. You shall regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in storm water discharged to receiving waters. You shall maintain all control

- measures that are used to achieve the control measures/best management practices (BMPs) required by this permit in effective operating condition. Nonstructural control measures shall also be diligently maintained (e.g., spill response supplies available, personnel appropriately trained). If you find that your control measures need to be replaced or repaired, you shall make the necessary repairs or modifications as expeditiously as practicable.
4. Spill Prevention and Response Procedures. You shall minimize the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur. At a minimum, you shall implement:
 - a. Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
 - b. Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
 - c. Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak shall be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of your storm water pollution prevention team (Part IV.J.1); and
 - d. Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you shall notify the Ohio EPA in accordance with the requirements of Part III Item 12 of this permit.
 5. Erosion and Sediment Controls. You shall stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants. Among other actions you shall take to meet this limit, you shall place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the Ohio Department of Natural Resources (ODNR) Division of Soil and Water Conservation’s Rainwater and Land Development manual (http://epa.ohio.gov/dsw/storm/technical_guidance.aspx), U.S. EPA’s internet-based resources relating to BMPs for erosion and sedimentation, including the sector-specific *Industrial Storm Water Fact Sheet Series*, (www.epa.gov/npdes/stormwater/msgp), *National Menu of Storm Water BMPs* (www.epa.gov/npdes/stormwater/menuofbmps), and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas* (www.epa.gov/owow/nps/urbanmm/index.html).

6. Management of Runoff. You shall divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with the Ohio Department of Natural Resources (ODNR) Division of Soil and Water Conservation's Rainwater and Land Development manual (http://epa.ohio.gov/dsw/storm/technical_guidance.aspx), U.S. EPA's internet-based resources relating to runoff management, including the sector-specific *Industrial Storm Water Fact Sheet Series*, (www.epa.gov/npdes/stormwater/msgp), *National Menu of Storm Water BMPs* (www.epa.gov/npdes/stormwater/menuofbmps), and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas* (www.epa.gov/owow/nps/urbanmm/index.html).
7. Salt Storage Piles or Piles Containing Salt. You shall enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. You shall implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile.
8. Sector Specific Control Measures/Best Management Practices (BMPs). You shall achieve any additional control measures/best management practices (BMPs) stipulated in the relevant sector-specific section(s) of Part IV.K. of this permit.
9. Employee Training. You shall train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of your Pollution Prevention Team. Training shall cover both the specific control measures used to achieve the conditions in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Ohio EPA requires that training be conducted at least annually (or more often if employee turnover is high).
10. Non-Storm Water Discharges. You shall eliminate non-storm water discharges not authorized in Part I and Part II of this NPDES permit. The following are additional non-storm water discharges authorized under this permit:
 - a. Discharges from fire-fighting activities (not planned exercises);
 - b. Fire hydrant flushings;
 - c. Potable water, including water line flushings;
 - d. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - e. Irrigation drainage;

- f. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
 - g. Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc.), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part IV.J.2), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - h. Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc.);
 - i. Uncontaminated ground water or spring water;
 - j. Foundation or footing drains where flows are not contaminated with process materials; and
 - k. Incidental windblown mist from cooling towers that collect on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdowns or drains).
11. Waste, Garbage and Floatable Debris. You shall ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged.
12. Dust Generation and Vehicle Tracking of Industrial Materials. You shall minimize generation of dust and off-site tracking of raw, final, or waste materials.

D. Corrective Actions

1. Conditions Requiring Review and Revision to Eliminate Problem. If any of the following conditions occur, you shall review and revise the selection, design, installation, and implementation of your control measures to ensure that the condition is eliminated and will not be repeated in the future:
- a. An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another NPDES permit) occurs at your facility;
 - b. A discharge violates a numeric effluent limit;
 - c. You become aware, or Ohio EPA determines, that your control measures are not stringent enough for the discharge to meet applicable water quality standards;

- d. An inspection or evaluation of your facility by an Ohio EPA official or local MS4 operator determines that modifications to the control measures are necessary to meet the control measures/best management practices (BMPs) in this permit; or
 - e. You find in your routine facility inspection or quarterly visual assessment that your control measures are not being properly operated and maintained.
2. Conditions Requiring Review to Determine if Modifications Are Necessary. If any of the following conditions occur, you shall review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the Part IV.A conditions in this permit:
- a. Construction or a change in design, operation, or maintenance at your facility significantly changes the nature of pollutants discharged in storm water from your facility, or significantly increases the quantity of pollutants discharged; or
 - b. Sampling results exceeds an applicable benchmark.
3. Corrective Action Deadlines. You shall document your discovery of any of the conditions listed in Part IV.D.1 and Part IV.D.2 within 24 hours of making such discovery. Subsequently, within 30 days of such discovery, you shall document any corrective action(s) to be taken to eliminate or further investigate the deficiency, or if no corrective action is needed, the basis for that determination. Specific documentation required within 24 hours and 30 days is detailed in Part IV.D.4. If you determine that changes are necessary following your review, any modifications to your control measures shall be made before the next storm event if possible, or as soon as practicable following that storm event. These time intervals are not grace periods, but are schedules considered reasonable for documenting your findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements are not allowed to persist indefinitely.
4. Corrective Action Report. Within 24 hours of discovery of any condition listed in Part IV.D.1 and Part IV.D.2, you shall document the following information (i.e., question 4 of the Corrective Actions section in the Annual Reporting Form, available at http://www.epa.state.oh.us/portals/35/permits/IndustrialStormWater_Final_GP_AppI_dec11.pdf):
- Identification of the condition triggering the need for corrective action review;
 - Description of the problem identified; and
 - Date the problem was identified.

Within 30 days of discovery of any condition listed in Part IV.D.1 and Part IV.D.2, you shall document the following information (i.e., questions 7-11 of the Corrective Actions section in the Annual Reporting Form):

- Summary of corrective action taken or to be taken (or, for triggering events identified in Part IV.D.2 where you determine that corrective action is not necessary, the basis for this determination);
- Notice of whether SWPPP modifications are required as a result of this discovery or corrective action;
- Date corrective action initiated; and
- Date corrective action completed or expected to be completed.

You shall include this documentation in an annual report as required in Part V. A.2 and retain onsite with your SWPPP.

5. Effect of Corrective Action. If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. Ohio EPA will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.
6. Substantially Identical Outfalls. If the event triggering corrective action is linked to an outfall that represents other substantially identical outfalls, your review shall assess the need for corrective action for each outfall represented by the outfall that triggered the review. Any necessary changes to control measures that affect these other outfalls shall also be made before the next storm event if possible, or as soon as practicable following that storm event.

E. Inspections

Beginning on the effective date of this permit, you shall conduct the inspections in Part IV.E.1 and Part IV.E.2 at your facility.

1. Routine Facility Inspections.
 - a. Conduct routine facility inspections of all areas of the facility where industrial materials or activities are exposed to storm water, and of all storm water control measures used to comply with Part IV. Items A-C conditions contained in this permit. Routine facility inspections shall be conducted at least quarterly (i.e., once each calendar quarter) although in many instances, more frequent inspection (e.g., monthly) may be appropriate for some types of equipment, processes, and control measures or areas of the facility with significant activities and materials exposed to storm water. Perform these inspections during periods when the facility is in operation. You shall

specify the relevant inspection schedules in your SWPPP document as required in Part IV. Items A-C. These routine inspections shall be performed by qualified personnel (for definition see VI - Definitions) with at least one member of your storm water pollution prevention team participating. At least once each calendar year, the routine facility inspection shall be conducted during a period when a storm water discharge is occurring.

You shall document the findings of each routine facility inspection performed and maintain this documentation onsite with your SWPPP. You are not required to submit your routine facility inspection findings to Ohio EPA, unless specifically requested to do so. At a minimum, your documentation of each routine facility inspection shall include:

- i. The inspection date and time;
- ii. The name(s) and signature(s) of the inspector(s);
- iii. Weather information and a description of any discharges occurring at the time of the inspection;
- iv. Any previously unidentified discharges of pollutants from the site;
- v. Any control measures needing maintenance or repairs;
- vi. Any failed control measures that need replacement;
- vii. Any incidents of noncompliance observed; and
- viii. Any additional control measures needed to comply with the permit requirements.

Any corrective action required as a result of a routine facility inspection shall be performed consistent with Part IV.D of this permit.

b. Exceptions to Routine Facility Inspections:

Inactive and Unstaffed Sites: The requirement to conduct routine facility inspections on a quarterly basis does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. Such a facility is only required to conduct an annual site inspection in accordance with the requirements of Part IV.E.1. To invoke this exception, you shall maintain a statement in your SWPPP pursuant to Part IV.F indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement shall be signed and certified in accordance with Appendix B, Subsection 11. If circumstances change and industrial materials or activities become exposed to storm water or your facility becomes active and/or staffed, this exception no longer applies and you shall immediately resume quarterly facility inspections. If you are not

qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then you shall include the same signed and certified statement as above and retain it with your records pursuant to Part IV.J.5.

Inactive and unstaffed facilities covered under Sectors D (Asphalt Paving and Roofing Materials and Lubricant Manufacturing), E (Glass, Clay, Cement, Concrete, and Gypsum Products) and J (Non-Metallic Mineral Mining and Dressing), are not required to meet the “no industrial materials or activities exposed to storm water” standard to be eligible for this exception from routine inspections, consistent with the requirements established in relevant sector requirements.

Ohio EPA’s Encouraging Environmental Excellence (E3) Program: If your facility has been recognized under the Gold and Platinum levels by Ohio EPA’s Encouraging Environmental Excellence (E3) Program, you only need to conduct routine facility inspections for two quarters each year. If Part IV.K of this permit requires your facility to conduct routine facility inspections on a monthly basis, you only need to conduct routine facility inspections on a quarterly basis.

2. Quarterly Visual Assessment of Storm Water Discharges.

a. Quarterly Visual Assessment Procedures

Once each calendar quarter for the entire permit term you shall collect a storm water sample from outfall 010 and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but should be collected in such a manner that the samples are representative of the storm water discharge. The visual assessment shall be made:

- Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample shall be collected as soon as practicable after the first 30 minutes and you shall document why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples shall be taken during a period with a measurable discharge from your site; and
- For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge. The 72-hour (3-day) storm interval does not apply if you document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period. If it is not possible to collect the sample on discharges that occur at least 72 hours (3 days) from the previous discharge, the sample shall be collected as close to this storm interval as practicable and you shall

document why it was not possible to take samples from a 72 hour (3 day) storm interval.

- Areas Subject to Snow: In areas subject to snow, at least one quarterly visual assessment shall capture snowmelt discharge.
- For the following water quality characteristics: color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution.

b. Quarterly Visual Assessment Documentation

You shall document the results of your visual assessments and maintain this documentation onsite with your SWPPP. You are not required to submit your visual assessment findings to Ohio EPA, unless specifically requested to do so. At a minimum, your documentation of the visual assessment shall include:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination; and
- If applicable, why it was not possible to take samples within the first 30 minutes and/or from a 72 hour (3 day) storm interval.

Any corrective action required as a result of a quarterly visual assessment shall be performed consistent with Part IV.D of this permit.

c. Exceptions to Quarterly Visual Assessments

The following are exceptions to quarterly visual assessments:

- Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, you shall take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter shall be included with your SWPPP records. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such

as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as drought or extended frozen conditions.

- Substantially identical outfalls: If your facility has two or more outfalls that you believe discharge substantially identical effluents, as documented in Part IV.J.2.a.iii, you may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that you perform visual assessments on a rotating basis of each substantially identical outfall throughout the period of your coverage under this permit. If storm water contamination is identified through visual assessment performed at a substantially identical outfall, you shall assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.
- Inactive and unstaffed sites: The requirement for a quarterly visual assessment does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. To invoke this exception, you shall maintain a statement in your SWPPP indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii). The statement shall be signed and certified in accordance with Part III.28 of this permit. If circumstances change and industrial materials or activities become exposed to storm water or your facility becomes active and/or staffed, this exception no longer applies and you shall immediately resume quarterly visual assessments. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, and there are no industrial materials or activities that are exposed to storm water, then you shall include the same signed and certified statement as above and retain it with your records.
- Ohio EPA's Encouraging Environmental Excellence (E3) Program: If your facility has been recognized under the Gold and Platinum levels by Ohio EPA's Encouraging Environmental Excellence (E3) Program, you only need to conduct quarterly visual assessment of storm water discharges for two quarters each year.

F. Storm Water Pollution Prevention Plan (SWPPP)

A storm water pollution prevention plan (SWPPP) shall be developed to address each outfall that discharges to waters of the state that contains storm water associated with industrial activity. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. The SWPPP shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions

of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

The SWPPP does not contain effluent limitations; the limitations or benchmarks are contained in Part I. The SWPPP is intended to document the selection, design, and installation of control measures. As distinct from the SWPPP, the documentation requirements are intended to document the implementation (including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

G. Deadlines for SWPPP Preparation and Compliance

1. The permittee shall continue to implement and be in compliance with the SWPPP required by the previous permit. Within six months of the effective date of this permit, the permittee shall update the SWPPP as necessary to address any new or reviewed requirements of this permit.

H. Signature and Plan Review.

1. The plan shall be signed and dated in accordance with Part III, Item 28, and be retained on-site at the facility which generates the storm water discharge.
2. The permittee shall make plans immediately available upon request to the Ohio EPA Director, or authorized representative, or Regional Administrator of U.S. EPA, a local agency approving storm water management plans, or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system, to the operator of the municipal system.
3. The Director may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Within 30 days of such notification from the Director, the permittee shall make the required changes to the plan and shall submit to the Director a written certification that the requested changes have been made.
4. All storm water pollution prevention plans required under this permit are considered reports that shall be available to the public under Section 308(b) of the Act. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within Ohio EPA. An interested party wishing a copy of a discharger's SWPPP will have to contact the Ohio EPA to obtain a copy.

I. Keeping SWPPP Current

The permittee shall modify the plan whenever necessary to address any of the triggering conditions for corrective action in Part IV.D and to ensure that they do not reoccur, or to reflect changes implemented when a review following the triggering conditions in Part IV.D.2 indicates that changes to your control measures are necessary to meet the control measures/best

management practices (BMPs) in this permit. Changes to your SWPPP document shall be made in accordance with the corrective action deadlines in Part IV.D.3 and Part IV.D.4.

Amendments to the plan may be reviewed by Ohio EPA in the same manner as Part IV.H above.

J. Contents of SWPPP.

The plan shall include, at a minimum, the following items:

1. Pollution Prevention Team. You shall identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities. Your storm water pollution prevention team is responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as maintaining control measures and taking corrective actions where required. Each member of the storm water pollution prevention team shall have ready access to either an electronic or paper copy of applicable portions of this permit and your SWPPP.
2. Description of Potential Pollutant Sources. You shall document at your facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released. Industrial materials or activities, include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes: and intermediate products, by-products, final product or waste product. For each area identified, the description shall include, at a minimum:
 - a. Site Description. Your SWPPP shall include:
 - i. A description of the industrial activities at your facility;
 - ii. A general location map (e.g. U.S. Geologic Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your storm water discharges.
 - iii. A site map showing
 - The size of the property in acres;
 - The location and extent of significant structures and impervious surfaces;
 - Directions of storm water flow (use arrows);
 - Locations of all existing structural control measures;
 - Locations of all receiving waters in the immediate vicinity of your facility;
 - Locations of all storm water conveyances including ditches, pipes and swales;

- Locations of potential pollutant sources identified under Part IV J. 2.b;
 - Locations where significant spills or leaks identified under Part IV J. 2.b. have occurred;
 - Locations of all storm water monitoring points;
 - Locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g. Outfall 001, Outfall 002, etc), indicating any outfalls that are considered substantially identical to another outfall, and an approximate outline of the areas draining to each outfall;
 - Municipal separate storm sewer systems, where your storm water discharges to them;
 - Locations and descriptions of all non-storm water discharges identified under Part IV. C. 10;
 - Locations of the following activities where such activities are exposed to precipitation
 - Fueling stations;
 - Vehicle and equipment maintenance and/or cleaning areas;
 - Loading/unloading areas;
 - Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
 - Transfer areas for substances in bulk;
 - Machinery; and
 - Locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.
- b. Inventory of Exposed Materials. This includes a list of industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams). This also includes a list of the pollutant(s) or pollutant constituents (e.g, crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity. The pollutant list shall include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to storm water in the three years prior to the data you prepare of amend your SWPPP.

- c. **Spills and Leaks.** You shall document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You shall document all significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a storm water conveyance, in the three years prior to the date you prepare or amend your SWPPP. Note that significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC Section 9602. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oil or hazardous substances.
 - d. **Sampling Data.** A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility.
 - e. **Non-Storm Water Discharges.** You shall document that you have evaluated for the presence of non-storm water discharges, except for those listed in Part I and Part IV.C.10, and that all unauthorized discharges have been eliminated. Documentation of your evaluation shall include: 1) The date of any evaluation; 2) A description of the evaluation criteria used; 3) A list of the outfalls or onsite drainage points that were directly observed during the evaluation; 4) The different types of non-storm water discharge(s) and source locations; and 5) The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.
 - f. **Salt Storage.** You shall document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.
3. **Description of Control Measures.** You shall document the location and type of control measures you have installed and implemented at your site to achieve the control measures/best management practices (BMPs) in Part IV.C, and where applicable, in Part IV.K. You shall describe how you addressed the control measure selection and design considerations in Part IV.B. This documentation shall describe how the control measures at your site address both the pollutant sources identified in Part IV.J.2 and any storm water run-on that commingles with any discharges covered under this permit.
 4. **Schedules and Procedures.**
 - a. **Pertaining to Control Measures used to Comply with the Control Measures/Best Management Practices (BMPs).** The following shall be documented in your SWPPP:

- i. Good Housekeeping (See Part IV.C.2) – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers.
 - ii. Maintenance (See Part IV.C.3) – Preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line;
 - iii. Spill Prevention and Response Procedures (See Part IV.C.4) – Procedures for preventing and responding to spills and leaks. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite (hard copy or electronic) and make it available for review consistent with Part IV.J.5; and
 - iv. Employee Training (See Part IV.C.9) – A schedule for all types of necessary training.
- b. Pertaining to Monitoring and Inspection. Where applicable, you shall document in your SWPPP your procedures for conducting analytical storm water monitoring. You shall document in your SWPPP your procedures for performing, as appropriate, the two types of inspections specified by this permit, including: 1) Routine facility inspections (See Part IV.E.1) and 2) Quarterly visual assessment of storm water discharges (See Part IV.E.2).

For each type of monitoring, your SWPPP shall document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at your facility (see Part 6.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, or other requirements) applicable to discharges from each outfall; and
- Procedures (e.g., responsible staff, logistics, laboratory to be used, etc.) for gathering storm event data.

You shall document the following in your SWPPP if you plan to use the substantially identical outfall exception for your quarterly visual assessment requirements in Part IV.E.2 or your benchmark monitoring requirements in Part V:

- Location of each of the substantially identical outfalls;
 - Description of the general industrial activities conducted in the drainage area of each outfall;
 - Description of the control measures implemented in the drainage area of each outfall;
 - Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to storm water discharges;
 - An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%); and
 - Why the outfalls are expected to discharge substantially identical effluents.
5. Documentation Requirements. You are required to keep inspection, monitoring, and certification records with your SWPPP that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this permit. You shall retain a copy of the current SWPPP required by this permit at the facility, and it shall be immediately available to Ohio EPA; a local agency approving storm water management plans; and the operator of an MS4 receiving discharges from the site. Ohio EPA may provide access to portions of your SWPPP to a member of the public upon request. Confidential Business Information (CBI) may be withheld from the public, but may not be withheld from those staff cleared for CBI review within Ohio EPA. Your current SWPPP or certain information from your current SWPPP shall be made available to the public, except any confidential business information (CBI) or restricted information, but you must clearly identify those portions of the SWPPP that are being withheld from public access. See 40 CFR Part 2 for relevant definitions of CBI: <http://www.gpo.gov/fdsys/pkg/CFR-2013-title40-vol1/pdf/CFR-2013-title40-vol1-part2-subpartB.pdf>.

K. Sector-Specific Requirements

Sector U – Food and Kindred Products.

You shall comply with the following sector-specific requirements associated with your primary industrial activity and any co-located industrial activities, as defined in Part VI. The sector-specific requirements apply to those areas of your facility where those sector-specific activities occur. These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Limitations on Coverage.

- a. *Prohibition of Non-Storm Water Discharges.* Except for process discharges covered under Part I and other allowable discharges listed in Part IV.C.10, the following discharges are not authorized by this permit: discharges containing boiler blowdown,

cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

2. Additional Control Measures/Best Management Practices (BMPs).

b. *Employee Training.* (See also Part IV.C.9) Address pest control in your employee training program.

3. Additional SWPPP Requirements.

a. *Drainage Area Site Map.* (See also Part IV.J.2.a.) Document in your SWPPP the locations of the following activities if they are exposed to precipitation or runoff: vents and stacks from cooking, drying, and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas.

b. *Potential Pollutant Sources.* (See also Part IV.J.3.) Document in your SWPPP, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides) used on plant grounds.

4. Additional Inspection Requirements.

(See also Part IV.E.) Inspect on a quarterly basis, at a minimum, the following areas where the potential for exposure to storm water exists: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

Part V. Monitoring and Reporting Requirements

A. Reporting and Recordkeeping

1. Reporting Benchmark Monitoring Data to Ohio EPA. Benchmark monitoring data shall be submitted to Ohio EPA in accordance with Part III Item 4. of this permit.
2. Annual Report. You shall complete an annual report using the Annual Reporting Form provided by Ohio EPA at the following location:

<http://www.epa.ohio.gov/portals/35/permits/OHR000006/ARForm.docx>

You are not required to submit your annual report to Ohio EPA unless specifically requested. The timeframe to complete the report is at the discretion of the permittee but the same schedule to complete shall be maintained throughout this permit term. You shall keep the completed annual reports with your SWPPP.

B. Storm Water Monitoring Requirements

Reserved

Part VI. Definitions and Acronyms

Action Area – all areas to be affected directly or indirectly by the storm water discharges, allowable non-storm water discharges, and storm water discharge-related activities, and not merely the immediate area involved in these discharges and activities.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to surface 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. See 40 CFR 122.2.

Co-located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Appendix D.

Control Measure – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to surface waters of the State.

Director – the Director of the Ohio Environmental Protection Agency (Ohio EPA).

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “surface waters of the State” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into surface waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge-related activities – activities that cause, contribute to, or result in storm water and allowable non-storm water point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Drought-stricken area – a period of below average water content in streams, reservoirs, ground-water aquifers, lakes and soils.

U.S. EPA Approved or Established Total Maximum Daily Loads (TMDLs) – “U.S. EPA Approved TMDLs” are those that are developed by a State and approved by U.S. EPA. “U.S. EPA Established TMDLs” are those that are developed by U.S. EPA.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Federal Facility – any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the federal government.

Illicit Discharge – is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Impaired Water (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) – A water is impaired for purposes of this permit if it has been identified by a State or U.S. EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Industrial Activity – the 10 categories of industrial activities included in the definition of “storm water discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Storm Water – storm water runoff from industrial activity.

Municipal Separate Storm Sewer – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

New Discharger – a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Source – any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or
- after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal. See 40 CFR 122.2.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

No exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Ohio EPA – the Ohio Environmental Protection Agency.

Operator – any entity with a storm water discharge associated with industrial activity that meets either of the following two criteria:

- (i) The entity has operational control over industrial activities, including the ability to modify those activities; or
- (ii) The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

Point source – 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 discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. See 40 CFR 122.2.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Primary industrial activity – includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at your facility, and who can also evaluate the effectiveness of control measures.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Semi-Arid Climate – areas where annual rainfall averages from 10 to 20 inches.

Significant materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

Special Aquatic Sites – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as

significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Storm Water – storm water runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Storm Water Discharges Associated with Construction Activity – a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Storm Water Discharges Associated with Industrial Activity – the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14).

Surface Waters of the State - Means all streams, lakes, ponds, marshes, watercourses, waterways, springs, irrigation systems, drainage systems, and all other bodies or accumulations of surface water, natural or artificial, which are situated wholly or partly within, or border upon, this state, or are within its jurisdiction, except those private waters which do not combine or effect a junction with natural surface waters.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and shall

include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Water Quality Impaired – See ‘Impaired Water’.

Water Quality Standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. States and U.S. EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

“You” and “Your” – as used in this permit are intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s facility or responsibilities. The use of “you” and “your” refers to a particular facility and not to all facilities operated by a particular entity. For example, “you shall submit” means the permittee shall submit something for that particular facility. Likewise, “all your discharges” would refer only to discharges at that one facility.

ABBREVIATIONS AND ACRONYMS

BAT – Best Available Technology Economically Achievable

BOD5 – Biochemical Oxygen Demand (5-day test)

BMP – Best Management Practice

BPJ – Best Professional Judgment

BPT – Best Practicable Control Technology Currently Available

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

CGP – Construction General Permit

COD – Chemical Oxygen Demand

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 *et seq*)

CWT – Centralized Waste Treatment

DMR – Discharge Monitoring Report

U.S. EPA – U. S. Environmental Protection Agency

FWS – U. S. Fish and Wildlife Service

LA – Load Allocations

MDMR – MSGP Discharge Monitoring Report

MGD – Million Gallons per Day

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System

MSDS – Material Safety Data Sheet

MSGP – Multi-Sector General Permit

NAICS – North American Industry Classification System

NMFS – U. S. National Marine Fisheries Service

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

NRC – National Response Center

NTU – Nephelometric Turbidity Unit

OMB – U. S. Office of Management and Budget

ORW – Outstanding Resource Water

OSM – U. S. Office of Surface Mining

POTW – Publicly Owned Treatment Works

RCRA – Resource Conservation and Recovery Act

RQ – Reportable Quantity

SARA – Superfund Amendments and Reauthorization Act

SIC – Standard Industrial Classification

SMCRA – Surface Mining Control and Reclamation Act

SPCC – Spill Prevention, Control, and Countermeasures

SWPPP – Storm Water Pollution Prevention Plan

TMDL – Total Maximum Daily Load

TSDf – Treatment, Storage, or Disposal Facility

TSS – Total Suspended Solids

USGS – United States Geological Survey

WLA – Wasteload Allocation

WQS – Water Quality Standard

EXHIBIT 25

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ENVIRONMENT AMERICA, D/B/A)	
ENVIRONMENT OHIO, AND LAKE ERIE)	Civil Action No.:
WATERKEEPER,)	
)	<u>COMPLAINT</u>
Plaintiffs,)	
)	
)	
vs.)	
)	
CAMPBELL SOUP SUPPLY COMPANY)	
L.L.C.,)	
)	
Defendant.)	
_____)	

INTRODUCTION

1. This is a citizen enforcement suit brought by two non-profit environmental organizations, Environment America d/b/a Environment Ohio and Lake Erie Waterkeeper (collectively, “Plaintiffs”). Plaintiffs bring suit on behalf of their individual members against Campbell Soup Supply Company L.L.C. (“Campbell Soup” or “Defendant”) to redress and prevent ongoing violations of the federal Clean Water Act (“CWA” or the “Act”) that pollute and adversely affect the Maumee River and Lake Erie.

2. This suit is authorized under Section 505 of the CWA, 33 U.S.C. § 1365, commonly known as the “citizen suit” provision.

3. Defendant Campbell Soup is an Ohio corporation operating a heat process and canned food facility (“Facility”) located in Napoleon, Ohio.

4. For at least the past five years, Campbell Soup has released and continues to release a variety of pollutants from the Facility into the Maumee River and into unnamed tributaries of the Maumee River at levels that violate the CWA.

5. Campbell Soup will continue to violate the CWA after the date this Complaint is filed.

6. Plaintiffs intend this action to encompass post-Complaint violations of the types alleged herein.

7. Plaintiffs and their individual members place a high value on the health and quality of the Maumee River and its surroundings and on the health and quality of western Lake Erie. They are concerned about the impacts that the pollutants discharged by Campbell Soup have on the health and safety of the river, the lake, and their local environment. Plaintiffs' members' use and enjoyment of the Maumee River and Lake Erie are adversely affected by the CWA violations described herein.

NPDES PERMITTING AND CITIZEN ENFORCEMENT UNDER THE CWA

8. The objective of the CWA “is to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” 33 U.S.C. § 1251(a).

9. Dischargers of industrial wastewater, like Campbell Soup, must comply with permits issued under the National Pollutant Discharge Elimination System (“NPDES”), a federal program established in Section 402 of the Act, 33 U.S.C. § 1342. In Ohio, the NPDES program is administered by the Ohio Environmental Protection Agency (“Ohio EPA”), subject to the oversight and ultimate authority of the U.S. Environmental Protection Agency (“USEPA”).

10. An NPDES wastewater discharge permit, which is required by federal law to meet certain specified criteria, contains limits on (and often other requirements for) the discharge of allowable pollutants, and contains pollutant monitoring and reporting requirements.

The discharge of any pollutant in violation of an NPDES permit is prohibited by Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a), and is thus a violation of the Act.

11. The CWA authorizes citizens who are affected by such violations to commence an enforcement action in federal court against any “person,” including corporations, alleged to be in violation of “an effluent standard or limitation.” 33 U.S.C. § 1365(a). By definition, “effluent standard or limitation” includes any condition or requirement of an NPDES permit. 33 U.S.C. § 1365(f).

12. The CWA authorizes the plaintiffs in such citizen enforcement suits to seek injunctive relief, civil penalties payable to the United States, and their costs of litigation. 33 U.S.C. § 1365(a) & (d).

13. To facilitate citizen oversight of water pollution and to encourage the filing of citizen enforcement suits, the CWA requires the monitoring of pollution discharges and makes the resulting discharge data available to the public. 33 U.S.C. § 1318.

CAMPBELL SOUP’S PERMIT AND DISCHARGE MONITORING REPORTS

14. Campbell Soup’s operations at the Facility are governed by NPDES Permit No. 2IH00021 (the “Permit”). The Permit requires Campbell Soup to monitor its wastewater effluent and to submit the monitoring results to Ohio EPA on monthly forms known as “discharge monitoring reports” (“DMRs”). Under the CWA, DMRs are required to be signed by a company official under the penalty of perjury and are publicly available.

15. DMRs submitted by Campbell Soup to Ohio EPA contain information on the levels of certain pollutants in the Facility’s wastewater and on other water quality indicators. These pollutants and water quality indicators, also known as “parameters,” include carbonaceous biochemical oxygen demand (“CBOD”), dissolved oxygen (“DO”), E. coli bacteria, phosphorus, nitrogen (as ammonia, NH₃), total suspended solids (“TSS”), and oil and grease, among others.

16. The DMRs Campbell Soup has submitted to Ohio EPA are conclusive evidence of the compliance information reported in those DMRs.

PARTIES

Environment Ohio

17. Environment America, Inc., is a Colorado non-profit corporation with over 130,000 members nationwide.

18. Environment America does business in Ohio as Environment Ohio and will be referred to subsequently herein as “Environment Ohio.”

19. Environment Ohio is a “person” within the meaning of 33 U.S.C. § 1362(5), which defines “person” under the CWA to include “corporation.”

20. Environment Ohio has approximately 830 members in Ohio.

21. Environment Ohio advocates for clean air, clean water, and the preservation of Ohio’s natural resources. Environment Ohio advocates to protect and preserve Lake Erie and the Maumee River specifically.

22. Among other activities in pursuit of these goals, Environment Ohio researches and distributes analytical reports on environmental issues, advocates before legislative and administrative bodies, conducts public education and membership recruitment campaigns (door to door, over the phone, via social media, and by direct mail), and pursues public interest litigation on behalf of its members.

23. Environment Ohio has members who live, own homes, own businesses, or recreate in, on, or near the Maumee River and Lake Erie downstream of the Facility.

24. Environment Ohio brings this suit on behalf of its members who are adversely affected by the Facility’s violations of discharge limits for CBOD, DO, phosphorus, nitrogen, E. coli bacteria, TSS, and oil and grease.

Lake Erie Waterkeeper

25. Lake Erie Waterkeeper is an Ohio non-profit corporation with approximately 200 members in Ohio, Michigan, Indiana, Pennsylvania, and Ontario, Canada.

26. Lake Erie Waterkeeper is a “person” within the meaning of 33 U.S.C. § 1362(5), which defines “person” under the CWA to include “corporation.”

27. Lake Erie Waterkeeper advocates for fishable, swimmable, drinkable water for the Lake Erie watershed, which includes the Maumee River.

28. A primary project Lake Erie Waterkeeper undertakes is prevention of nearshore algal blooms. Lake Erie Waterkeeper designates the Maumee River as a “priority tributary” for nearshore algal blooms.

29. Among other activities in pursuit of its organizational goals, Lake Erie Waterkeeper advocates and educates on issues affecting water quality in the Lake Erie watershed and recruits members to assist in these efforts through tabling, meetings, presentations, and direct mail.

30. Lake Erie Waterkeeper has members who live, own homes, or recreate in, on, or near the Maumee River and Lake Erie downstream of the Facility.

31. Lake Erie Waterkeeper brings this suit on behalf of its members who are adversely affected by the Facility’s violations of discharge limits for CBOD, DO, phosphorus, nitrogen, E. coli bacteria, TSS, and oil and grease.

Campbell Soup Supply Company

32. Campbell Soup Supply Company L.L.C. is a for-profit corporation, incorporated in Delaware and with its headquarters in Camden, New Jersey.

33. Campbell Soup is a “person” within the meaning of 33 U.S.C. § 1362(5), which defines “person” under the CWA to include “corporation.”

34. Campbell Soup cans soups, beverages, and other food products at the Facility. This involves producing cans for packaging the products, preparing foods for canning, and heat-process canning of the foods. The Facility is surrounded by acres of crop fields in which wheat and other crops are grown for use in the company's food and snack production.

35. Campbell Soup operates the Facility.

36. Campbell Soup owns the Facility.

37. Campbell Soup Supply Company L.L.C. is a subsidiary of Campbell Soup Company, a publicly traded corporation incorporated in Camden, New Jersey.

38. Campbell Soup Company, the parent corporation, reported annual sales of \$8.6 billion for Fiscal Year 2022.

JURISDICTION, VENUE, AND NOTICE

39. This Court has subject matter jurisdiction over this action pursuant to 33 U.S.C. § 1365(a)(1) (the CWA citizen suit provision) and 28 U.S.C. § 1331.

40. Venue lies in this District under 33 U.S.C. § 1365(a)(1) because the Facility is located within this District.

41. Pursuant to 28 U.S.C. § 2201(a), this Court may issue a declaratory judgment that Campbell Soup has violated its Permit and the CWA, and determining the number of days of violations Campbell Soup has committed.

42. On July 13, 2023, counsel for Environment Ohio and Lake Erie Waterkeeper mailed a letter (the "Notice Letter," a copy of which is attached as Exhibit 1 and is incorporated by reference herein) by certified mail, return receipt requested, to the following, each of whom received the Notice Letter:

- a. The Facility Manager of Campbell Soup's Napoleon Plant. A copy of the return receipt for Campbell Soup is attached as part of Exhibit 2.

- b. CT Corporation System, the registered agent for Campbell Soup Supply Company L.L.C. A copy of the return receipt for CT Corporation System is attached as part of Exhibit 2.
 - c. The Administrator of the USEPA, Michael S. Regan. A copy of the return receipt for the Administrator is attached as part of Exhibit 2.
 - d. The Regional Administrator for Region 5 of the USEPA, Debra Shore. A copy of the return receipt for the Regional Administrator is attached as part of Exhibit 2.
 - e. The Director of the Ohio EPA, Anne M. Vogel. A copy of the U.S. Postal Service confirmation of delivery to the Director is attached as part of Exhibit 2.
43. The Notice Letter satisfies the CWA's pre-suit notice requirements, as set forth in 33 U.S.C. § 1365(b)(1)(A) and 40 C.F.R. § 135.3.
44. Environment Ohio and Lake Erie Waterkeeper filed this Complaint more than 60 days after the mailing of the Notice Letter, as required by 33 U.S.C. § 1365(b)(1)(A). For the purpose of the Act's 60-day notice requirement, the Notice Letter was served on July 13, 2023, the date on which it was sent via certified mail, return receipt requested. 40 C.F.R. § 135.2(c).
45. Environment Ohio and Lake Erie Waterkeeper will serve a copy of this Complaint on the U.S. Attorney General and the Administrator of the USEPA, pursuant to 33 U.S.C. § 1365(c)(3).
46. As of the time of filing of this Complaint, neither USEPA nor Ohio EPA commenced or is diligently prosecuting a civil or criminal action against Campbell Soup in a court of the United States or a state to require compliance with any of the effluent standards or limitations Plaintiffs allege are being violated at the Facility.

47. As of the date of service of the Notice Letter, neither USEPA nor Ohio EPA had begun an administrative action to financially penalize Campbell Soup for any of the violations set forth in the Notice Letter.

FACTUAL BACKGROUND

The Facility

48. Campbell Soup's operations take place at 12-773 State Route 110 in the city of Napoleon, Ohio.

49. Operations at the Facility include can-making, canning, washing, blending, and filling. The Facility includes buildings used for these operations, as well as offices and restrooms and approximately 406 acres of "spray fields."

50. The Facility generates wastewater from its container operations, its offices and restrooms, its boiler house and refrigeration units, its vegetable washing and preparation operations, its food blending operations, its can-filling operations, and its cookers and sterilizers.

51. Wastewater generated at the Facility receives some treatment to remove pollutants before it is discharged into the Maumee River or its tributaries through discharge points designated in the Permit as Outfalls 001, 006, 007, 008, 009, and 099.

52. Wastewater generated by container operations and wastewater generated by offices and restrooms is sent to the Facility's wastewater treatment plant.

53. Wastewater generated in boiler house/refrigeration, vegetable washing/prep, blending, filling, and cooking/sterilizing is treated by screening. After screening, this wastewater is either sent to the wastewater treatment plant or it is sent to spray field overland flow treatment systems.

54. When operating as designed, the wastewater treatment plant treats process wastewater by grit removal, grinding, screening, trickling filtration, flotation, anaerobic digestion, sedimentation, disinfection, and dichlorination, before it is discharged from Outfall 001.

55. Outfall 001 is a “point source” as defined in 33 U.S.C. § 1362(14).

56. Process wastewater is treated at the spray field overland flow treatment system by screening, microstraining, and spray irrigation.

57. Spray irrigation is performed by spraying wastewater via ground-mounted nozzles onto four spray fields. There are 673 nozzles altogether, each of which is designed to spray 20 gallons per minute.

58. Outfalls 006, 007, 008, and 009 discharge overland flow from spray fields into four unnamed tributaries of the Maumee River, with each outfall discharging to a separate such unnamed tributary.

59. Outfalls 006, 007, 008, and 009 are each “point sources” as defined in 33 U.S.C. § 1362(14).

60. The Permit also designates an internal monitoring point as Outfall 099 for the purpose of measuring compliance with the federal limits imposed by USEPA on the wastewater created by the can-making process.

61. The wastewater discharged into the Maumee River and its unnamed tributaries is also known as the Facility’s “effluent.”

The Facility’s NPDES Permit Limits

62. Once issued, NPDES permits are effective for five years. They may be modified during the five-year term and must be re-issued upon expiration.

63. On November 10, 2016, Ohio EPA issued a modification of the Facility's existing Permit. The modified permit, No. 2IH00021*JD ("the 2017 Permit"), became effective on July 1, 2017.

64. Ohio EPA re-issued the Facility's Permit, No. 2IH00021*KD ("the March 2022 Permit"), on February 15, 2022. The March 2022 Permit became effective on March 1, 2022.

65. Ohio EPA issued a modification of the March 2022 Permit on September 22, 2022. The modified permit, No. 2IH00021*LD ("the October 2022 Permit") became effective on October 1, 2022.

66. The October 2022 Permit expires on February 28, 2027.

67. The 2017 Permit, the March 2022 Permit, and the October 2022 Permit establish effluent limitations and monitoring and reporting requirements for, among other things, discharge parameters at Outfalls 001, 006, 007, 008, 009, and 099. Violations of these limits and requirements are violations of both the permit and of the CWA.

68. The 2017 Permit, the March 2022 Permit, and the October 2022 Permit each state in Part III.15, "The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99."

DEFENDANT'S VIOLATIONS OF THE CLEAN WATER ACT

69. Defendant's violations of the Permit's limits for CBOD, E. coli, phosphorus, nitrogen, TSS, and oil and grease, and Defendant's violations of the Permit's requirement to maintain dissolved oxygen above specified levels, are set forth in detail in the Notice Letter attached as Exhibit 1 and in Counts I through VIII below. This information is based on publicly available data

for January 2018 through February 2024. The numeric limits and specified DO levels are taken from Part 1, A. of the Permit. For each violation of these permit parameters, the following information is provided: (a) the applicable limit or DO requirement; (b) the wastewater measurement in violation of that limit or DO requirement; (c) the location and date on which the violation occurred; and (d) the number of days of violation that resulted. A violation of a daily maximum or minimum limit constitutes one day of violation; a violation of a monthly average limit constitutes 28 to 31 days of violation (depending on the month); and a violation of a weekly average limit constitutes seven days of violation. The Notice Letter also lists the source of the information provided, whether from Defendant's DMR data, from the data posted on USEPA's ECHO website, or from a Noncompliance Notification submitted by Defendant to Ohio EPA. With its existing wastewater treatment system, Campbell Soup will not attain sustained compliance with the permit requirements set forth below. Unless and until the company either suspends production at the site or implements a new or significantly modified wastewater treatment system, its violations will continue.

COUNT I:
Violations of Numeric CBOD Limits at Outfall 001

70. As set forth in Table 1 of the Notice Letter, Campbell Soup violated its monthly average CBOD limit at Outfall 001 for 43 months during the period between February 28, 2018, and April 30, 2023, and violated its daily maximum CBOD limit at Outfall 001 on 101 days during this period, for a total of 1,404 days of violation.

71. Monitoring information that has become available since the service of the Notice Letter reveals the following additional CBOD violations at Outfall 001:

<u>Date</u>	<u>Limit Type</u>	<u>Permitted Limit</u>	<u>Reported Discharge</u>	<u>Units</u>	<u>Days of Violation</u>
5/4/23	Daily Max.	40	44	mg/L	1
5/31/23	Monthly Av.	25	26	mg/L	31
7/20/23	Daily Max.	40	42	mg/L	1
8/10/23	Daily Max.	40	110	mg/L	1
8/15/23	Daily Max.	40	58	mg/L	1
8/17/23	Daily Max.	40	42	mg/L	1
8/24/23	Daily Max.	40	43	mg/L	1
8/31/23	Daily Max.	1520	2590	kg/d	1
8/31/23	Monthly Av.	25	34.9	mg/L	31
1/4/24	Daily Max.	40	53	mg/L	1
1/18/24	Daily Max.	40	41	mg/L	1
1/25/24	Daily Max.	40	53	mg/L	1
1/31/24	Monthly Av.	25	32.6	mg/L	31
2/8/24	Daily Max.	40	56	mg/L	1
2/29/24	Monthly Av.	25	32.5	mg/L	29

72. These violations are ongoing. Because Campbell Soup has not adequately addressed the cause(s) of these CBOD violations, these violations will continue after the filing of this Complaint. This action addresses all such violations occurring after those listed in the Notice Letter.

COUNT II:
Violations of Numeric Dissolved Oxygen Requirements at Outfalls 001 and 006-009

73. The Permit requires Campbell Soup to maintain a dissolved oxygen level of at least 5 milligrams per liter in the effluent discharged from Outfall 001 and the effluent discharged from Outfalls 006-009. A dissolved oxygen violation that continues across multiple calendar days results in multiple days of violation.

74. As set forth in Table 2 of the Notice Letter, Campbell Soup violated this requirement at Outfall 001 on 33 occasions, for 43 total days of violation, from August 31, 2021, through April 22, 2023, and violated this requirement at Outfalls 006-009 on 52 occasions, for 85 total days of violation, from July 31, 2018, through August 31, 2022. This constitutes a total of 128 days of violation.

75. Monitoring information that has become available since the service of the Notice Letter reveals the following additional DO violations at Outfalls 001, 007, 008, and 009:

<u>Date</u>	<u>Outfall</u>	<u>Required Minimum</u>	<u>Reported Discharge</u>	<u>Units</u>	<u>Days of Violation</u>
5/10/23	001	5	4.2	mg/L	1
6/12/23	001	5	0.8	mg/L	1
7/4/23	007	5	4.85	mg/L	1
7/6/23	007	5	3.9	mg/L	1
8/10/23	001	5	3.6	mg/L	1
8/11/23	001	5	3.8	mg/L	1
8/12/23	001	5	4.4	mg/L	1

8/21/23	007	5	4.6	mg/L	1
8/24/23	001	5	1.8	mg/L	1
8/25/23	009	5	4.7	mg/L	1
8/30/23	001	5	4	mg/L	1
8/31/23	008	5	4.3	mg/L	1
10/4/23	001	5	2.6	mg/L	1
10/4/23	009	5	4	mg/L	1
12/6/23	001	5	3.3	mg/L	1
12/8/23	001	5	2.9	mg/L	1

76. These violations are ongoing. Because Campbell Soup has not adequately addressed the cause(s) of these DO violations, they will continue after the filing of this Complaint. This action addresses all such violations occurring after those listed in the Notice Letter.

COUNT III:
Violations of Numeric E. coli Limits at Outfall 001

77. The E. coli limits at Outfall 001 are applicable during the six-month period from May through October. As set forth in Table 3 of the Notice Letter, Campbell Soup violated its monthly average E. coli limit at Outfall 001 for ten months during the period between June 7, 2018, and September 30, 2022, and violated its weekly average E. coli limit at Outfall 001 for 35 weeks during this period, for a total of 551 days of violation.

78. Monitoring information that has become available since the service of the Notice Letter reveals the following additional E. coli violations at Outfall 001:

<u>Date</u>	<u>Limit Type</u>	<u>Permitted Limit</u>	<u>Reported Discharge</u>	<u>Units</u>	<u>Days of Violation</u>
5/31/23	Weekly Mean	284	1733	MPN/100 ml	7
8/14/23	Weekly Mean	284	1414	MPN/100 ml	7
9/30/23	Weekly Mean	284	370	MPN/100 ml	7
10/31/23	Weekly Mean	284	2420	MPN/100 ml	7

79. These violations are ongoing. Because Campbell Soup has not adequately addressed the cause(s) of these E. coli violations, these violations will continue after the filing of this Complaint. This action addresses all such violations occurring after those listed in the Notice Letter.

COUNT IV:
Violations of Numeric Phosphorus Limits at Outfalls 001 and 006-009

80. As set forth in Table 4 of the Notice Letter, Campbell Soup violated its monthly average phosphorus limit at Outfall 001 for 21 months and its daily maximum phosphorus limit at Outfall 001 on 33 days, during the period between September 30, 2018, and April 30, 2023, and violated its monthly average phosphorus limit at Outfalls 006-009 for 10 months and its daily maximum phosphorus limit at Outfalls 006-009 on 10 days, from August 31, 2019, through September 30, 2022. This constitutes a total of 988 days of violation.

81. Monitoring information that has become available since the service of the Notice Letter reveals the following additional phosphorus violations at Outfall 001 and 009:

<u>Date</u>	<u>Outfall</u>	<u>Limit Type</u>	<u>Permitted Limit</u>	<u>Reported Discharge</u>	<u>Units</u>	<u>Days of Violation</u>
5/9/23	001	Daily Max.	1.5	1.58	mg/L	1
5/23/23	001	Daily Max.	1.5	1.71	mg/L	1
5/31/23	001	Monthly Av.	1.0	1.15	mg/L	31
6/27/23	001	Daily Max.	1.5	1.77	mg/L	1
6/30/23	001	Monthly Av.	1.0	1.19	mg/L	30
7/11/23	001	Daily Max.	1.5	3.63	mg/L	1
7/13/23	001	Daily Max.	1.5	1.61	mg/L	1
7/31/23	001	Monthly Av.	1.0	1.31	mg/L	31
8/24/23	001	Daily Max.	1.5	1.76	mg/L	1
8/31/23	001	Monthly Av.	1.0	1.01	mg/L	31
9/7/23	001	Daily Max.	1.5	1.54	mg/L	1
9/14/23	001	Daily Max.	1.5	1.54	mg/L	1
9/30/23	001	Monthly Av.	1.0	1.17	mg/L	30
10/5/23	001	Daily Max	1.5	1.78	mg/L	1
10/5/23	009	Daily Max	1.5	1.98	Mg/L	1
10/6/23	001	Daily Max	1.5	1.6	mg/L	1
10/31/23	001	Monthly Av.	1.0	1.27	mg/L	31

82. These violations are ongoing. Because Campbell Soup has not adequately addressed the cause(s) of these phosphorus violations, these violations will continue after the filing of this Complaint. This action addresses all such violations occurring after those listed in the Notice Letter.

COUNT V:
Violations of Numeric Nitrogen (Ammonia) Limits at Outfall 001

83. The nitrogen limits at Outfall 001 are applicable during the six-month period from May through October. As set forth in Table 5 of the Notice Letter, Campbell Soup violated its monthly average nitrogen limit at Outfall 001 for five months during the period between September 4, 2018, and July 5, 2022, and violated its daily maximum nitrogen limit at Outfall 001 on 15 days during this period, for a total of 199 days of violation.

84. Monitoring information that has become available since the service of the Notice Letter reveals the following additional nitrogen violations at Outfall 001:

<u>Date</u>	<u>Limit Type</u>	<u>Permitted Limit</u>	<u>Reported Discharge</u>	<u>Units</u>	<u>Days of Violation</u>
7/11/23	Daily Max.	3.5	8.1	mg/L	1
7/31/23	Monthly Av.	1.6	1.98	mg/L	31
7/31/23	Daily Max.	90.9	110	kg/day	1
9/5/23	Daily Max.	3.5	5.7	mg/L	1
9/30/23	Daily Max.	90.9	120	kg/day	1
10/17/23	Daily Max.	3.5	4.2	mg/L	1

85. These violations are ongoing. In addition, Campbell Soup's nitrogen discharges from Outfall 001 exceeded the monthly average Summer limits in April and December 2023, and

exceeded the daily maximum Summer limits in November and December 2023 and in January 2024. Although these are not permit violations (because they did not occur in the period from May through October), and although the company reports that it is more difficult to meet the nitrogen limits in the colder weather of the winter months, these exceedances are nonetheless indicative of an inability to consistently meet the nitrogen limits. Because Campbell Soup has not adequately addressed the cause(s) of its nitrogen violations, they will continue after the filing of this Complaint. This action addresses all such violations occurring after those listed in the Notice Letter.

COUNT VI:
Violations of Numeric TSS Limits at Outfalls 001, 009 and 099

86. As set forth in Table 6 of the Notice Letter, Campbell Soup violated its monthly average TSS limits at Outfalls 001, 009, and 099 for 52 months, and violated its daily maximum TSS limits at Outfalls 001, 009, and 099 on 102 days, during the period from August 16, 2018, to April 30, 2023, for a total of 1,672 days of violation.

87. Monitoring information that has become available since the service of the Notice Letter reveals the following additional TSS violations at Outfall 001 and 099:

<u>Date</u>	<u>Outfall</u>	<u>Limit Type</u>	<u>Permitted Limit</u>	<u>Reported Discharge</u>	<u>Units</u>	<u>Days of Violation</u>
5/4/23	001	Daily Max.	45	50	mg/L	1
5/9/23	001	Daily Max.	45	56	mg/L	1
5/31/23	001	Monthly Av.	30	34	mg/L	31
8/10/23	001	Daily Max.	45	49	mg/L	1
11/7/23	001	Daily Max.	45	57	mg/L	1

12/31/23	099	Daily Max.	10.51	16.77	kg/d	1
12/31/23	099	Monthly Av.	5	12.17	kg/d	31
1/31/24	001	Daily Max.	45	48	mg/L	1
1/31/24	099	Monthly Av.	5	6.862	kg/d	31

88. These violations are ongoing. Because Campbell Soup has not adequately addressed the cause(s) of these TSS violations, these violations will continue after the filing of this Complaint. This action addresses all such violations occurring after those listed in the Notice Letter.

COUNT VII:
Violations of Numeric Oil and Grease Limits at Outfall 099

89. As set forth in Table 7 of the Notice Letter, Campbell Soup violated its monthly average oil and grease limits at Outfall 099 for eleven months and violated its daily maximum oil and grease limits at Outfall 099 on 12 days, during the period from June 30, 2018, through January 31, 2023, for a total of 347 days of violation.

90. Monitoring information that has become available since the service of the Notice Letter reveals the following additional oil and grease violations at Outfall 099:

<u>Date</u>	<u>Limit Type</u>	<u>Permitted Limit</u>	<u>Reported Discharge</u>	<u>Units</u>	<u>Days of Violation</u>
6/30/23	Daily Max.	5.13	9.23	kg/day	1
6/30/23	Monthly Av.	3.08	4.78	kg/day	30

91. These violations are ongoing. Because Campbell Soup has not adequately addressed the cause(s) of these oil and grease violations, these violations will continue after the filing

of this Complaint. This action addresses all such violations occurring after those listed in the Notice Letter.

COUNT VIII:
Violations of Narrative Standard Against Contributing to Algal Blooms

92. Section III(2)(E) of the Permit prohibits the discharge of substances “in amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion.”

93. The National Oceanic and Atmospheric Administration and the National Center for Water Quality Research have determined, for each of the past several years, that a “harmful algal bloom” has formed in western Lake Erie in the summers, and often extending into the fall. These blooms are “inimical to more desirable forms of aquatic life,” “are unsightly,” and “constitute a nuisance.”

94. The presence of phosphorus is the critical variable causing the formation and duration of these harmful algal blooms in western Lake Erie.

95. The Maumee River is the chief source of the phosphorus in western Lake Erie.

96. Campbell Soup is one of the largest NPDES-permitted sources of phosphorus in the Maumee River.

97. Campbell Soup’s discharge of phosphorus to the Maumee River thus is “conducive to the growth” of the harmful algal blooms.

98. As set forth in the Notice Letter, Campbell Soup violated the narrative prohibition against discharges of substances in amounts conducive to the formation of harmful algal blooms by contributing to algal blooms occurring over the course of the following time periods:

2018: the last week of June through the first week of October;
2019: mid-July through the first week of October;

2020: the last week of July through the first week of September;
2021: the last week of July through the last week of October;
2022: the second week of July through the second week of September.

This constitutes a total of 428 days of violation.

99. These violations are ongoing. Because Campbell Soup has not adequately addressed the cause(s) of these violations of this narrative standard, these violations will continue after the filing of this Complaint. Since the service of the Notice Letter, another large algal bloom formed in western Lake Erie in 2023. It began in early July, was fully developed by mid-July, reached its peak from mid-August through early September, and continued until mid-October. This constitutes 92 days of violation. This action addresses all such violations occurring after those listed in the Notice Letter.

THE POLLUTANTS DISCHARGED BY CAMPBELL SOUP ARE HARMFUL

100. The segment of the Maumee River directly downstream from the Campbell Soup Facility's discharges has been classified by the State of Ohio as an impaired waterway pursuant to section 304(l) of the Clean Water Act, 33 U.S.C. § 1314(l). The Ohio EPA's 2022 Integrated Report finds that this segment of the Maumee is not meeting water quality criteria for E. coli, nitrates, nutrient/eutrophication, algae, and PCBs.¹ Any discharge of excess pollution to an impaired waterway is a matter of concern, and Campbell Soup's violations are of a type that contributes to the water quality degradation in the Maumee.

101. Carbonaceous biochemical oxygen demand is a measure of the extent to which wastewater removes dissolved oxygen from the receiving waters. Excessive CBOD discharges can contribute to anoxic conditions, and can also contribute to eutrophication, exacerbate the effects of algal formation, and contribute to the toxicity of the algae.

¹ <https://epa.ohio.gov/divisions-and-offices/surface-water/reports-data/ohio-integrated-water-quality-monitoring-and-assessment-report>

102. The maintenance of adequate dissolved oxygen levels is critical to the health and survival of a wide variety of aquatic organisms. Discharges of wastewater with low DO levels, like discharges of high CBOD wastewater, can cause reduced oxygen levels in the receiving waters, and can contribute to anoxic conditions.²

103. E. coli bacteria can be harmful to human health and to the health of aquatic organisms and pose a danger to those who swim or otherwise recreate in a waterway with high E. coli levels.³ Campbell Soup's E. coli violations contribute to the conditions that have caused this segment of the Maumee to be designated as impaired by the presence of bacteria.

104. Phosphorus and nitrogen are nutrients that can contribute to harmful algae growth, eutrophication, and unsightly and toxic conditions that pose a threat to human health and aquatic life.⁴ In the Maumee River and western Lake Erie, eutrophication and seasonal harmful algal blooms are commonplace, and it is generally agreed by scientists that, for these waterways, the incidence and severity of these conditions depends primarily on the levels of phosphorus entering them. Campbell Soup's phosphorus and nitrogen violations contribute to the conditions that have caused this segment of the Maumee to be impaired from eutrophication. Campbell Soup's phosphorus violations contribute to the formation of harmful algal blooms in western Lake Erie.

105. The discharge of suspended solids can contribute to the turbidity of the receiving waters, can block the infiltration of sunlight, can contribute to anoxic conditions, and can affect the temperature of the receiving waters. Turbidity is an issue in the Maumee River, as evidenced by the fact that the river has long been nicknamed "the Muddy Maumee."

² <https://archive.epa.gov/water/archive/web/html/vms52.html>

³ https://www.epa.gov/system/files/documents/2021-07/parameter-factsheet_e.-coli.pdf

⁴ <https://www.epa.gov/nutrientpollution/effects-dead-zones-and-harmful-algal-blooms#:~:text=Excess%20nitrogen%20and%20phosphorus%20cause,in%20the%20water%20is%20consumed>

106. High levels of oil and grease can contribute to film on the surface and along the shores of receiving waters, can harm aquatic life by coating or otherwise impairing the functioning of membranes or tissue, and can harm human health if ingested.⁵

PLAINTIFFS' MEMBERS ARE HARMED BY CAMPBELL SOUP'S VIOLATIONS

107. The Facility abuts the Maumee River mainstem segment between Tiffin River and Beaver Creek, approximately 43 miles upstream of Lake Erie. Numerous campgrounds, water access points, and nature preserves are located along the Maumee River within several miles downstream of the Facility. This includes the Rotary River Nature Preserve approximately four miles downstream of the Facility, and the Laskey Family Nature Preserve approximately 11 miles downstream.

108. Common recreational activities on or near the Maumee River include kayaking, canoeing, motorboating, swimming, fishing, camping, and hiking. The approximately 13-mile segment of the Maumee River stretching from the Facility downstream to the Providence Dam at Mary Jane Thurston State Park experiences particularly heavy recreational use. In summer months, members of the public frequently water ski and go wakeboarding and tubing throughout this stretch of river, and they anchor boats together at sandbars to allow for group swimming and sunbathing.

109. Plaintiffs Environment Ohio and Lake Erie Waterkeeper have members who live, own homes, or recreate in, on, or near the Maumee River downstream of the Facility, as well as in, on, or near the shores of western Lake Erie.

110. Plaintiffs' members consider the Maumee River and Lake Erie to be important resources and aesthetically significant fixtures of the area in which they live, and they want them to be as clean, healthy, and vibrant as possible.

⁵ <https://u.osu.edu/lewandowski.52/2016/06/27/1072/>

111. Plaintiffs' members want the Maumee River and western Lake Erie to be subjected to as little pollution as possible, and their enjoyment of these waterways is diminished by their knowledge of the pollution of these water resources.

112. Plaintiffs have members who devote personal and professional time to improving the water quality of the Maumee River and Lake Erie, and these efforts are adversely affected by Campbell Soup's violations of its NPDES permit.

113. Tony Sziglaye is a resident of Rothsford, Ohio. He is a member of both Environment Ohio and Lake Erie Waterkeeper and is a member of the board of directors of Lake Erie Waterkeeper. Mr. Sziglaye lives less than a mile from the Maumee River and regularly hikes and bikes along the river's shores upstream and downstream of his home. Mr. Sziglaye kayaks in the heavily used recreational segment of the Maumee River immediately downstream of the Facility near Providence Dam. He frequently picnics along the Maumee River and relies on it as a source of relaxation and calm. The pollution of the river makes these activities less enjoyable than they otherwise would be. Mr. Sziglaye also has an aesthetic and recreational interest in western Lake Erie and is bothered by the excess algae growths that occur there.

114. Sandy Bihn is a resident of Oregon, Ohio. She is a member of both Environment Ohio and Lake Erie Waterkeeper and serves as the executive director for Lake Erie Waterkeeper. Ms. Bihn seeks to have fishable, swimmable, drinkable water for the entire Lake Erie watershed, and has worked in her personal and professional capacity to establish a healthy sturgeon population in the Maumee River. The pollution of the river, including excess nutrient pollution, threatens the accomplishment of these goals and adversely affects her aesthetic and recreational enjoyment of the river and the surrounding watershed. Ms. Bihn also has a longstanding aesthetic and recreational interest in western Lake Erie. In her position at Lake Erie Waterkeeper, she has worked for years to restore and preserve the health and beauty of that waterbody. The excess algae

growths that occur there adversely affect her enjoyment of Lake Erie and her efforts to restore and preserve Lake Erie for both aquatic organisms and people who want to use the lake.

115. The frequency with which these and other members of the Plaintiffs participate in recreational activities in and around the Maumee River and Lake Erie, and their enjoyment of those activities, are both reduced by their knowledge of the Facility's pollutant discharge violations and by the effects that the Facility's discharges have on the river and lake.

116. Plaintiffs' members are concerned that Campbell Soup's Clean Water Act violations pose a threat to public health and to aquatic life and wildlife in and around the Maumee River. In particular, Plaintiffs have members who avoid the water in the Maumee River and Lake Erie due to concerns of health-related impacts associated with bacteria and algal blooms.

117. Plaintiffs' members want to preserve the aquatic life and wildlife in, on, and near the Maumee River and in Lake Erie to the greatest extent possible, and for this reason want as little pollution in the river and lake as possible.

118. The ongoing actual and threatened harm to Plaintiffs' members would be redressed by an injunction, civil penalty, or other relief that prevents or deters further violations of the Facility's Permit and/or that remediates the harm caused to the Maumee River, Lake Erie, or their watersheds by Campbell Soup's violations.

RELIEF REQUESTED

Plaintiffs request that this Court:

- a. Declare Defendant Campbell Soup to have violated and to be in continuing violation of the Clean Water Act and the Facility's NPDES permit by committing (i) each of the violations described above in Counts I through VIII, (ii) any additional violations of the same type that occurred before the filing of this Complaint, and (iii) all additional violations of the same type that occur after the filing of this Complaint;
- b. Determine the number of days of violation committed by Defendant under each Count;
- c. Order Defendant to comply with the requirements of the Clean Water Act and the Facility's NPDES Permit that it has been violating, and to refrain from further violations of the effluent standards and limitations at issue in this action;
- d. Order Defendant to implement measures to remedy, mitigate, or offset the harm to the environment caused by the violations alleged above;
- e. Assess an appropriate civil penalty against Defendant for each day of violation of the Clean Water Act and the Facility's NPDES Permit, as provided by 33 U.S.C. §§ 1319(d) & 1365(a) and 40 C.F.R. § 19.4, which impose a penalty of up to a maximum of \$64,618 per day;
- f. Award Plaintiffs their costs of litigation (including reasonable attorney and expert witness fees), as provided by 33 U.S.C. § 1365(d); and
- g. Order such other relief as the Court deems appropriate.

Dated: March 20, 2024

ATTORNEYS FOR PLAINTIFF:

/s/ Christos N. Georgalis

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Exhibit 1



Charles C. Caldart
Senior Attorney
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ccaldart@nelc.org

July 13, 2023

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Facility Manager, Napoleon Plant
Campbell Soup Supply Company L.L.C.
12-773 State Route 110
Napoleon, OH 43545
Certified Mail # 9589 0710 5270 0506 2929 99

RE: **Notice of Clean Water Act Violations**

Dear Facility Manager:

I write on behalf of Environment America, d/b/a Environment Ohio, and Lake Erie Waterkeeper (collectively, “the Citizen Groups”) as well as their respective members. We respectfully request the opportunity to meet with you within 45 days to discuss resolution of the matters raised in this letter.

Publicly available information shows that Campbell Soup Supply Company L.L.C. (“Campbell Soup”) discharges a variety of pollutants into the Maumee River and into unnamed tributaries of the Maumee River from its heat process canned food facility and related operations (“Campbell Facility”) located at 12-773 State Route 110 in Napoleon, Ohio, and that these discharges are primarily from the Campbell Facility’s wastewater treatment plant and from the Campbell Facility’s spray field overland flow treatment system. Based on this and other publicly available information, the Citizen Groups believe that Campbell Soup’s operation of this Facility has violated, and will continue to violate, the federal Clean Water Act and the company’s state-issued wastewater discharge permit in the manner described in this notice. The Citizen Groups further believe that these ongoing violations contribute to adverse effects in the Maumee River and Lake Erie.

Dischargers of industrial wastewater must comply with permits issued under the National Pollutant Discharge Elimination System (“NPDES”) of the Clean Water Act. In Ohio, NPDES is administered by the Ohio Environmental Protection Agency (“Ohio EPA”). A NPDES wastewater discharge permit limits specific characteristics of the effluent discharged from a facility, and also imposes effluent monitoring requirements. The discharge of pollutants in violation of a NPDES permit limitation is prohibited under Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). The NPDES permit governing the Campbell Facility is Ohio EPA Permit No. 2IH00021*KD (“Campbell Permit”).

According to the Ohio EPA Fact Sheet for the Campbell Permit, the Campbell Facility discharges an average of 5.12 million gallons of wastewater per day into the Maumee River from its wastewater treatment plant, through a discharge point known as Outfall 001. The Campbell Facility also discharges wastewater from its spray field overland flow treatment system to unnamed tributaries of the Maumee River through Outfalls 006, 007, 008, and 009, at a combined average flow rate of 1.53 million gallons per day.

According to publicly available information, including Campbell Soup's discharge monitoring reports and noncompliance notifications and the U.S. EPA ECHO website, the Campbell Facility has repeatedly violated its NPDES permit limitations governing discharges from Outfalls 001, 006, 007, 008, and 009, and has also repeatedly violated its NPDES permit limits at the internal monitoring point designated as Outfall 099, which measures compliance with federal effluent limitation guidelines for can-making wastewater. All of these violations of the Campbell Permit are also violations of 33 U.S.C. § 1311(a). Publicly available information indicates that Campbell Soup will continue to violate these permit conditions.

The Campbell Facility's violations of numeric limits are listed in the attached tables, each of which contains information regarding violations occurring during the period from January 2018 through April 2023, the latest month for which discharge information is publicly available. Tables 1 through 6 list the dates during this period on which Campbell Soup violated its numeric permit effluent limits at Outfall 001 for biochemical oxygen demand ("CBOD"), dissolved oxygen ("DO"), E. coli bacteria, phosphorus, nitrogen (as ammonia, NH₃), and total suspended solids ("TSS"), respectively. Tables 2 and 4 also list the dates during this period on which Campbell Soup violated its numeric permit effluent limits for DO and phosphorus, respectively, at Outfalls 006, 007, 008, and 009. Table 6 also lists the dates during this period on which Campbell Soup violated its numeric permit effluent limits for TSS at Outfalls 009 and 099. Table 7 lists the dates during this period on which Campbell Soup violated its numeric permit limits for oil and grease at Outfall 099. Each table provides a description of the applicable effluent limits and the nature and date(s) of each violation.

In addition, the Campbell Facility's discharges of phosphorus from Outfall 001 and Outfalls 006-009 during the years 2018 through 2022 have contributed to algal blooms in the Maumee River and Lake Erie during each of those years and have thus violated Section III(2)(E) of the Campbell Permit, which prohibits the discharge of substances "in amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion."

The dates of the Campbell Facility's phosphorus discharges can be found in the company's records. Based on reports issued by the National Oceanic and Atmospheric Administration and the National Center for Water Quality Research, the approximate dates of the harmful algal blooms in western Lake Erie during those years – and thus, the dates on which Section III(2)(E) was violated – were as follows:

2018: the last week of June through the first week of October;

2019: mid-July through the first week of October;

- 2020:** the last week of July through the first week of September;
- 2021:** the last week of July through the last week of October;
- 2022:** the second week of July through the second week of September.

It is likely that phosphorus discharges from the Campbell Facility will continue to contribute to harmful algal blooms in the Maumee River and Lake Erie in 2023 and future years.

This notice covers all violations of these permit limitations occurring within the five years immediately preceding the date of this notice, and all violations of these permit limitations occurring thereafter.

The Citizen Groups seek to improve the water quality of the Maumee River and Lake Erie by securing Campbell Soup's long-term compliance with applicable law, and would welcome the opportunity to discuss this letter and the violations described herein. If you are interested in discussing this matter, and/or if you believe any of the information in this letter or in the attached tables is incorrect, please contact me by email at ccaldart@nelc.org, by phone at 206-854-5481 (cell), or by letter at the address listed below.

Sincerely,



Charles C. Caldart
Senior Attorney
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Addresses and telephone numbers of the Citizen Groups

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Table 1
Campbell NPDES Permit Violations (Outfall 001) - CBOD
January 2018 - April 2023

Date	Limit Type	Permitted Limit	Reported Discharge	Units	Days of Violation	Percentage of Permit Limit	Source
2/28/2018	Monthly Average	25	29	mg/L	28	116.00%	ECHO
3/7/2018	Daily Maximum	40	47	mg/L	1	117.50%	DMR
3/31/2018	Monthly Average	25	26	mg/L	31	104.00%	ECHO
8/16/2018	Daily Maximum	40	57	mg/L	1	142.50%	DMR
8/31/2018	Daily Maximum	1520	1900	kg/d	1	125.00%	ECHO
7/23/2019	Daily Maximum	40	60	mg/L	1	150.00%	DMR
7/31/2019	Monthly Average	25	34	mg/L	31	136.00%	ECHO
7/31/2019	Daily Maximum	1520	1700	kg/d	1	111.84%	ECHO
8/1/2019	Daily Maximum	40	61	mg/L	1	152.50%	DMR
8/31/2019	Monthly Average	25	28	mg/L	31	112.00%	ECHO
10/17/2019	Daily Maximum	40	58	mg/L	1	145.00%	DMR
6/9/2020	Daily Maximum	40	63	mg/L	1	157.50%	DMR
6/11/2020	Daily Maximum	40	62	mg/L	1	155.00%	DMR
6/30/2020	Monthly Average	25	35	mg/L	30	140.00%	ECHO
6/30/2020	Daily Maximum	1520	2000	kg/d	1	131.58%	ECHO
6/30/2020	Monthly Average	947	1100	kg/d	30	116.16%	ECHO
9/15/2020	Daily Maximum	40	57	mg/L	1	142.50%	DMR
9/30/2020	Monthly Average	25	26	mg/L	30	104.00%	ECHO
10/1/2020	Daily Maximum	40	47	mg/L	1	117.50%	DMR
10/8/2020	Daily Maximum	40	46	mg/L	1	115.00%	DMR
10/31/2020	Monthly Average	25	31	mg/L	31	124.00%	ECHO
12/21/2020	Daily Maximum	40	53	mg/L	1	132.50%	DMR
12/23/2020	Daily Maximum	40	81	mg/L	1	202.50%	DMR
12/31/2020	Monthly Average	25	36	mg/L	31	144.00%	ECHO
12/31/2020	Daily Maximum	1520	1600	kg/d	1	105.26%	ECHO
1/31/2021	Daily Maximum	40	71	mg/L	1	177.50%	ECHO
1/31/2021	Monthly Average	25	35	mg/L	31	140.00%	ECHO
1/31/2021	Daily Maximum	1520	1900	kg/d	1	125.00%	ECHO
2/2/2021	Daily Maximum	40	100	mg/L	1	250.00%	DMR
2/4/2021	Daily Maximum	40	110	mg/L	1	275.00%	DMR
2/9/2021	Daily Maximum	40	110	mg/L	1	275.00%	DMR
2/11/2021	Daily Maximum	40	64	mg/L	1	160.00%	DMR
2/17/2021	Daily Maximum	40	78	mg/L	1	195.00%	DMR
2/18/2021	Daily Maximum	40	100	mg/L	1	250.00%	DMR
2/25/2021	Daily Maximum	40	120	mg/L	1	300.00%	DMR
2/28/2021	Monthly Average	25	90	mg/L	28	360.00%	ECHO
2/28/2021	Monthly Average	947	2240	kg/d	28	236.54%	ECHO
2/28/2021	Daily Maximum	1520	3040	kg/d	1	200.00%	ECHO
3/4/2021	Daily Maximum	40	97	mg/L	1	242.50%	DMR
3/9/2021	Daily Maximum	40	84	mg/L	1	210.00%	DMR
3/11/2021	Daily Maximum	40	99	mg/L	1	247.50%	DMR
3/23/2021	Daily Maximum	40	60	mg/L	1	150.00%	DMR
3/31/2021	Monthly Average	25	58	mg/L	31	232.00%	ECHO
3/31/2021	Monthly Average	947	1500	kg/d	31	158.39%	ECHO
3/31/2021	Daily Maximum	1520	2600	kg/d	1	171.05%	ECHO
4/15/2021	Daily Maximum	40	47	mg/L	1	117.50%	DMR
4/30/2021	Monthly Average	25	27	mg/L	30	108.00%	ECHO

5/27/2021	Daily Maximum	40	52	mg/L	1	130.00%	DMR
5/31/2021	Daily Maximum	1520	1700	kg/d	1	111.84%	ECHO
6/10/2021	Daily Maximum	40	69	mg/L	1	172.50%	DMR
6/17/2021	Daily Maximum	40	81	mg/L	1	202.50%	DMR
6/30/2021	Monthly Average	25	36.9	mg/L	30	147.60%	ECHO
6/30/2021	Daily Maximum	1520	2390	kg/d	1	157.24%	ECHO
6/30/2021	Monthly Average	947	1130	kg/d	30	119.32%	ECHO
12/23/2021	Daily Maximum	40	48	mg/L	1	120.00%	DMR
12/31/2021	Monthly Average	25	30	mg/L	31	120.00%	ECHO
1/11/2022	Daily Maximum	40	53	mg/L	1	132.50%	DMR
1/13/2022	Daily Maximum	40	58	mg/L	1	145.00%	DMR
1/18/2022	Daily Maximum	40	68	mg/L	1	170.00%	DMR
1/20/2022	Daily Maximum	40	110	mg/L	1	275.00%	DMR
1/25/2022	Daily Maximum	40	65	mg/L	1	162.50%	DMR
1/27/2022	Daily Maximum	40	110	mg/L	1	275.00%	DMR
1/31/2022	Monthly Average	25	64	mg/L	31	256.00%	ECHO
1/31/2022	Daily Maximum	1520	3150	kg/d	1	207.24%	ECHO
1/31/2022	Monthly Average	947	1760	kg/d	31	185.85%	ECHO
2/1/2022	Daily Maximum	40	64	mg/L	1	160.00%	DMR
2/7/2022	Daily Maximum	40	44	mg/L	1	110.00%	Non-Compliance Notification
2/8/2022	Daily Maximum	40	44	mg/L	1	110.00%	Non-Compliance Notification
2/15/2022	Daily Maximum	40	41	mg/L	1	102.50%	Non-Compliance Notification
2/17/2022	Daily Maximum	40	60	mg/L	1	150.00%	DMR
2/22/2022	Daily Maximum	40	47	mg/L	1	117.50%	Non-Compliance Notification
2/28/2022	Monthly Average	25	38	mg/L	28	152.00%	ECHO
2/28/2022	Monthly Average	947	1100	kg/d	28	116.16%	ECHO
2/28/2022	Daily Maximum	1520	2000	kg/d	1	131.58%	ECHO
3/3/2022	Daily Maximum	40	72	mg/L	1	180.00%	DMR
3/17/2022	Daily Maximum	40	60	mg/L	1	150.00%	DMR
3/31/2022	Monthly Average	25	33	mg/L	31	132.00%	ECHO
3/31/2022	Daily Maximum	1520	2100	kg/d	1	138.16%	ECHO
4/7/2022	Daily Maximum	40	56	mg/L	1	140.00%	DMR
4/21/2022	Daily Maximum	40	44	mg/L	1	110.00%	Non-Compliance Notification
5/12/2022	Daily Maximum	40	43	mg/L	1	107.50%	Non-Compliance Notification
5/26/2022	Daily Maximum	40	42	mg/L	1	105.00%	Non-Compliance Notification
5/31/2022	Monthly Average	25	28	mg/L	31	112.00%	ECHO
6/9/2022	Daily Maximum	40	48	mg/L	1	120.00%	Non-Compliance Notification
6/28/2022	Daily Maximum	40	68	mg/L	1	170.00%	Non-Compliance Notification
6/30/2022	Monthly Average	25	41	mg/L	30	164.00%	ECHO
6/30/2022	Daily Maximum	1520	2000	kg/d	30	131.58%	ECHO
6/30/2022	Monthly Average	947	1100	kg/d	1	116.16%	ECHO
7/14/2022	Daily Maximum	40	72	mg/L	1	180.00%	Non-Compliance Notification
7/21/2022	Daily Maximum	40	76	mg/L	1	190.00%	Non-Compliance Notification
7/26/2022	Daily Maximum	40	76	mg/L	1	190.00%	Non-Compliance Notification
7/28/2022	Daily Maximum	40	80	mg/L	1	200.00%	Non-Compliance Notification
7/31/2022	Monthly Average	25	48	mg/L	31	192.00%	ECHO
7/31/2022	Monthly Average	947	1200	kg/d	31	126.72%	ECHO
7/31/2022	daily Maximum	1520	2000	kg/d	1	131.58%	ECHO
8/2/2022	Daily Maximum	40	59	mg/L	1	147.50%	Non-Compliance Notification
8/4/2022	Daily Maximum	40	110	mg/L	1	275.00%	Non-Compliance Notification

8/9/2022	Daily Maximum	40	69 mg/L	1	172.50%	Non-Compliance Notification
8/11/2022	Daily Maximum	40	67 mg/L	1	167.50%	Non-Compliance Notification
8/16/2022	Daily Maximum	40	53 mg/L	1	132.50%	Non-Compliance Notification
8/31/2022	Monthly Average	25	64.4 mg/L	31	257.60%	ECHO
8/31/2022	Monthly Average	947	1400 kg/d	31	147.84%	ECHO
8/31/2022	Daily Maximum	1520	2960 kg/d	1	194.74%	ECHO
9/8/2022	Daily Maximum	40	57 mg/L	1	142.50%	Non-Compliance Notification
9/13/2022	Daily Maximum	40	61 mg/L	1	152.50%	Non-Compliance Notification
9/13/2022	Daily Maximum	40	57 mg/L	1	142.50%	Non-Compliance Notification
9/15/2022	Daily Maximum	40	61 mg/L	1	152.50%	Non-Compliance Notification
9/30/2022	Monthly Average	25	34 mg/L	30	136.00%	ECHO
10/31/2022	Daily Maximum	40	44 mg/L	1	110.00%	ECHO
11/3/2022	Daily Maximum	40	48 mg/L	5	120.00%	Non-Compliance Notification
11/10/2022	Daily Maximum	40	45 mg/L	1	112.50%	Non-Compliance Notification
11/30/2022	Daily Maximum	40	64 mg/L	1	160.00%	ECHO
11/30/2022	Monthly Average	25	39 mg/L	30	156.00%	ECHO
11/30/2022	Monthly Average	947	1100 kg/d	30	116.16%	ECHO
11/30/2022	Daily Maximum	1520	2000 kg/d	1	131.58%	ECHO
12/6/2022	Daily Maximum	40	44 mg/L	1	110.00%	Non-Compliance Notification
12/31/2022	Daily Maximum	40	77 mg/L	1	192.50%	ECHO
12/31/2022	Monthly Average	25	50 mg/L	31	200.00%	ECHO
12/31/2022	Monthly Average	947	1500 kg/d	31	158.39%	ECHO
12/31/2022	Daily Maximum	1520	2300 kg/d	1	151.32%	ECHO
1/12/2023	Daily Maximum	40	53 mg/L	1	132.50%	DMR
1/20/2023	Daily Maximum	40	110.5 mg/L	1	276.25%	DMR
1/31/2023	Monthly Average	25	41.56 mg/L	31	166.24%	ECHO
1/31/2023	Monthly Average	947	1368 kg/d	31	144.46%	ECHO
1/31/2023	Daily Maximum	1520	3826 kg/d	1	251.71%	ECHO
2/2/2023	Daily Maximum	40	56 mg/L	1	140.00%	DMR
2/7/2023	Daily Maximum	40	52 mg/L	1	130.00%	DMR
2/21/2023	Daily Maximum	40	60 mg/L	1	150.00%	DMR
2/23/2023	Daily Maximum	40	52 mg/L	1	130.00%	DMR
2/28/2023	Monthly Average	25	39 mg/L	28	156.00%	ECHO
2/28/2023	Daily Maximum	1520	1800 kg/d	1	118.42%	ECHO
2/28/2023	Monthly Average	947	1200 kg/d	28	126.72%	ECHO
3/2/2023	Daily Maximum	40	72 mg/L	1	180.00%	DMR
3/23/2023	Daily Maximum	40	46 mg/L	1	115.00%	DMR
3/31/2023	Monthly Average	25	31 mg/L	31	124.00%	ECHO
3/31/2023	Monthly Average	947	960 kg/d	31	101.37%	ECHO
3/31/2023	Daily Maximum	1520	2400 kg/d	1	157.89%	ECHO
4/13/2023	Daily Maximum	40	44 mg/L	1	110.00%	DMR
4/20/2023	Daily Maximum	40	69 mg/L	1	172.50%	DMR
4/27/2023	Daily Maximum	40	80 mg/L	1	200.00%	DMR
4/30/2023	Daily Maximum	40	88 mg/L	1	220.00%	ECHO
4/30/2023	Monthly Average	25	42 mg/L	30	168.00%	ECHO
4/30/2023	Daily Maximum	1520	2600 kg/d	1	171.05%	ECHO
4/30/2023	Monthly Average	947	1100 kg/d	30	116.16%	ECHO

Table 2 Campbell NPDES Permit Violations - Dissolved Oxygen January 2018 - April 2023								
Date	Outfall	Limit Type	Permitted Limit	Reported Discharge	Units	Days of Violation	Percentage Below Minimum	Source
Outfall 001								
8/31/2021	001	Daily Minimum	5	3	mg/L	1	40.00%	ECHO
11/11/2021	001	Daily Minimum	5	4.1	mg/L	1	18.00%	DMR
11/30/2021	001	Daily Minimum	5	0.2	mg/L	1	96.00%	ECHO
12/31/2021	001	Daily Minimum	5	2.4	mg/L	1	52.00%	ECHO
1/23/2022	001	Daily Minimum	5	4.7	mg/L	1	6.00%	DMR
2/20/2022	001	Daily Minimum	5	4.3	mg/L	1	14.00%	DMR
2/28/2022	001	Daily Minimum	5	2.2	mg/L	1	56.00%	ECHO
3/23/2022	001	Daily Minimum	5	3	mg/L	1	40.00%	Non-Compliance Notification
5/27/2022	001	Daily Minimum	5	3.5	mg/L	1	30.00%	Non-Compliance Notification
5/28/2022	001	Daily Minimum	5	0.3	mg/L	1	94.00%	Non-Compliance Notification
6/2/2022	001	Daily Minimum	5	2	mg/L	1	60.00%	Non-Compliance Notification
6/30/2022	001	Daily Minimum	5	2.7	mg/L	1	46.00%	ECHO
7/1/2022	001	Daily Minimum	5	4	mg/L	1	20.00%	Non-Compliance Notification
7/2/2022	001	Daily Minimum	5	4.6	mg/L	1	8.00%	Non-Compliance Notification
7/4/2022	001	Daily Minimum	5	3.9	mg/L	1	22.00%	Non-Compliance Notification
7/7/2022	001	Daily Minimum	5	3.7	mg/L	1	26.00%	Non-Compliance Notification
7/9/2022	001	Daily Minimum	5	4.2	mg/L	1	16.00%	Non-Compliance Notification
7/18/2022	001	Daily Minimum	5	3.9	mg/L	1	22.00%	Non-Compliance Notification
7/20/2022	001	Daily Minimum	5	3.6	mg/L	6	28.00%	Non-Compliance Notification
7/28/2022	001	Daily Minimum	5	3.6	mg/L	2	28.00%	Non-Compliance Notification
8/5/2022	001	Daily Minimum	5	0.4	mg/L	2	92.00%	Non-Compliance Notification
8/10/2022	001	Daily Minimum	5	0.3	mg/L	1	94.00%	Non-Compliance Notification
8/23/2022	001	Daily Minimum	5	3.5	mg/L	1	30.00%	Non-Compliance Notification
8/25/2022	001	Daily Minimum	5	3.4	mg/L	2	32.00%	Non-Compliance Notification
9/9/2022	001	Daily Minimum	5	4.1	mg/L	1	18.00%	Non-Compliance Notification
9/11/2022	001	Daily Minimum	5	3.2	mg/L	1	36.00%	Non-Compliance Notification
9/13/2022	001	Daily Minimum	5	1.4	mg/L	1	72.00%	Non-Compliance Notification
9/15/2022	001	Daily Minimum	5	2.1	mg/L	1	58.00%	Non-Compliance Notification
9/24/2022	001	Daily Minimum	5	0.3	mg/L	1	94.00%	Non-Compliance Notification
11/1/2022	001	Daily Minimum	5	1.2	mg/L	3	76.00%	Non-Compliance Notification
11/6/2022	001	Daily Minimum	5	2.2	mg/L	1	56.00%	Non-Compliance Notification
2/28/2023	001	Daily Minimum	5	3.7	mg/L	1	26.00%	DMR
4/22/2023	001	Daily Minimum	5	3.7	mg/L	1	26.00%	DMR
Outfalls 006 - 009								
7/31/2018	006	Daily Minimum	5	2.6	mg/L	1	48.00%	ECHO
8/8/2018	008	Daily Minimum	5	4.3	mg/L	1	14.00%	DMR
8/14/2018	008	Daily Minimum	5	3.9	mg/L	1	22.00%	DMR
8/17/2018	008	Daily Minimum	5	3.8	mg/L	1	24.00%	DMR
8/23/2018	009	Daily Minimum	5	4.7	mg/L	1	6.00%	DMR
8/28/2018	008	Daily Minimum	5	4.9	mg/L	1	2.00%	DMR
8/29/2018	008	Daily Minimum	5	4.8	mg/L	1	4.00%	DMR
8/31/2018	008	Daily Minimum	5	2.7	mg/L	1	46.00%	ECHO
9/18/2018	009	Daily Minimum	5	4.7	mg/L	1	6.00%	DMR
9/19/2018	009	Daily Minimum	5	4.3	mg/L	1	14.00%	DMR
8/27/2019	008	Daily Minimum	5	4.1	mg/L	1	18.00%	DMR
8/28/2019	008	Daily Minimum	5	4.3	mg/L	1	14.00%	DMR
8/30/2019	008	Daily Minimum	5	4.1	mg/L	1	18.00%	DMR

9/30/2019	006	Daily Minimum	5	3.5	mg/L	1	30.00%	ECHO
10/1/2019	006	Daily Minimum	5	4.8	mg/L	1	4.00%	DMR
6/25/2021	006	Daily Minimum	5	4.59	mg/L	1	8.20%	DMR
6/26/2021	006	Daily Minimum	5	3.23	mg/L	1	35.40%	DMR
6/30/2021	006	Daily Minimum	5	4.49	mg/L	1	10.20%	DMR
7/10/2021	006	Daily Minimum	5	4.89	mg/L	1	2.20%	DMR
7/17/2021	006	Daily Minimum	5	4.54	mg/L	1	9.20%	DMR
7/19/2021	006	Daily Minimum	5	4.16	mg/L	1	16.80%	DMR
7/21/2021	006	Daily Minimum	5	2.62	mg/L	1	47.60%	DMR
8/30/2021	006	Daily Minimum	5	4.77	mg/L	1	4.60%	DMR
9/3/2021	008	Daily Minimum	5	4.39	mg/L	1	12.20%	DMR
9/8/2021	006	Daily Minimum	5	4.9	mg/L	1	2.00%	DMR
9/8/2021	008	Daily Minimum	5	3.89	mg/L	1	22.20%	DMR
9/10/2021	006	Daily Minimum	5	4.7	mg/L	1	6.00%	DMR
9/21/2021	006	Daily Minimum	5	4.3	mg/L	1	14.00%	DMR
9/30/2021	006	Daily Minimum	5	3.1	mg/L	1	38.00%	ECHO
10/11/2021	008	Daily Minimum	5	4.9	mg/L	1	2.00%	DMR
10/12/2021	008	Daily Minimum	5	4.8	mg/L	1	4.00%	DMR
10/14/2021	008	Daily Minimum	5	3.8	mg/L	1	24.00%	DMR
10/15/2021	008	Daily Minimum	5	4.1	mg/L	1	18.00%	DMR
10/16/2021	008	Daily Minimum	5	4.6	mg/L	1	8.00%	DMR
10/17/2021	008	Daily Minimum	5	3.9	mg/L	1	22.00%	DMR
10/19/2021	008	Daily Minimum	5	3.8	mg/L	1	24.00%	DMR
10/20/2021	006	Daily Minimum	5	4.6	mg/L	1	8.00%	DMR
10/21/2021	008	Daily Minimum	5	3.4	mg/L	1	32.00%	DMR
10/22/2021	008	Daily Minimum	5	4.7	mg/L	1	6.00%	DMR
10/31/2021	008	Daily Minimum	5	4.8	mg/L	1	4.00%	DMR
5/31/2022	008	Daily Minimum	5	4.67	mg/L	1	6.60%	ECHO
6/30/2022	008	Daily Minimum	5	4.03	mg/L	1	19.40%	ECHO
7/5/2022	006	Daily Minimum	5	4.4	mg/L	1	12.00%	Non-Compliance Notification
7/8/2022	008	Daily Minimum	5	2.8	mg/L	21	44.00%	Non-Compliance Notification
7/12/2022	006	Daily Minimum	5	4.3	mg/L	1	14.00%	Non-Compliance Notification
7/31/2022	009	Daily Minimum	5	4.7	mg/L	1	6.00%	ECHO
8/1/2022	008	Daily Minimum	5	3	mg/L	14	40.00%	Non-Compliance Notification
8/3/2022	009	Daily Minimum	5	4.2	mg/L	1	16.00%	Non-Compliance Notification
8/16/2022	008	Daily Minimum	5	4.9	mg/L	1	2.00%	Non-Compliance Notification
8/18/2022	008	Daily Minimum	5	3.4	mg/L	1	32.00%	Non-Compliance Notification
8/20/2022	007	Daily Minimum	5	4.6	mg/L	1	8.00%	Non-Compliance Notification
8/31/2022	008	Daily Minimum	5	3.02	mg/L	1	39.60%	ECHO

Table 3
Campbell NPDES Permit Violations (Outfall 001) - E. Coli
January 2018 - April 2023

Date	Limit Type	Permitted Limit	Reported Discharge	Units	Days of Violation	Percentage of Permit Limit	Source
6/7/2018	Weekly Geomn	284	383	#/100 ml	7	134.86%	DMR
6/19/2018	Weekly Geomn	284	910	#/100 ml	7	320.42%	DMR
7/12/2018	Weekly Geomn	284	5470	#/100 ml	7	1926.06%	DMR
9/18/2018	Weekly Geomn	284	285	#/100 ml	7	100.35%	DMR
7/23/2019	Weekly Geomn	284	650	#/100 ml	7	228.87%	DMR
8/18/2019	Weekly Geomn	284	537	#/100 ml	7	189.08%	DMR
7/9/2020	Weekly Geomn	284	960	#/100 ml	7	338.03%	DMR
8/4/2020	Weekly Geomn	284	2720	#/100 ml	7	957.75%	DMR
10/8/2020	Weekly Geomn	284	8160	#/100 ml	7	2873.24%	DMR
5/13/2021	Weekly Geomn	284	1150	#/100 ml	7	404.93%	DMR
5/20/2021	Weekly Geomn	284	3440	#/100 ml	7	1211.27%	DMR
5/27/2021	Weekly Geomn	284	7700	#/100 ml	7	2711.27%	DMR
5/31/2021	Monthly Geomn	126	1405	#/100 ml	31	1115.08%	ECHO
6/3/2021	Weekly Geomn	284	5790	#/100 ml	7	2038.73%	DMR
6/10/2021	Weekly Geomn	284	15500	#/100 ml	7	5457.75%	DMR
6/17/2021	Weekly Geomn	284	19200	#/100 ml	7	6760.56%	DMR
6/24/2021	Weekly Geomn	284	2990	#/100 ml	7	1052.82%	DMR
6/30/2021	Monthly Geomn	126	1426.9	#/100 ml	30	1132.46%	ECHO
7/20/2021	Weekly Geomn	284	12000	#/100 ml	7	4225.35%	DMR
7/22/2021	Weekly Geomn	284	9800	#/100 ml	7	3450.70%	DMR
7/27/2021	Weekly Geomn	284	3440	#/100 ml	7	1211.27%	DMR
7/31/2021	Monthly Geomn	126	1331.3	#/100 ml	31	1056.59%	ECHO
8/3/2021	Weekly Geomn	284	420	#/100 ml	7	147.89%	DMR
8/12/2021	Weekly Geomn	284	5480	#/100 ml	7	1929.58%	DMR
8/31/2021	Weekly Geomn	284	641.1	#/100 ml	7	225.74%	ECHO
8/31/2021	Monthly Geomn	126	205.6	#/100 ml	31	163.17%	ECHO
9/1/2021	Weekly Geomn	284	489	#/100 ml	7	172.18%	DMR
9/9/2021	Weekly Geomn	284	388	#/100 ml	7	136.62%	DMR
9/30/2021	Monthly Geomn	126	206	#/100 ml	30	163.49%	ECHO
5/24/2022	Weekly Geomn	284	876	#/100 ml	7	308.45%	Non-Compliance Notification
5/31/2022	Weekly Geomn	284	2420	#/100 ml	7	852.11%	ECHO
5/31/2022	Monthly Geomn	126	1261	#/100 ml	31	1000.79%	ECHO
6/30/2022	Weekly Geomn	284	3537	#/100 ml	7	1245.42%	ECHO
6/30/2022	Monthly Geomn	126	1830	#/100 ml	30	1452.38%	ECHO
7/7/2022	Weekly Geomn	284	2420	#/100 ml	7	852.11%	Non-Compliance Notification
7/19/2022	Weekly Geomn	284	2420	#/100 ml	7	852.11%	Non-Compliance Notification
7/31/2022	Monthly Geomn	126	1259	#/100 ml	31	999.21%	ECHO
8/3/2022	Weekly Geomn	284	2420	#/100 ml	7	852.11%	Non-Compliance Notification
8/4/2022	Weekly Geomn	284	24200	#/100 ml	7	8521.13%	Non-Compliance Notification
8/16/2022	Weekly Geomn	284	6130	#/100 ml	7	2158.45%	Non-Compliance Notification
8/31/2022	Weekly Geomn	284	7653	#/100 ml	7	2694.72%	ECHO
8/31/2022	Monthly Geomn	126	218	#/100 ml	31	173.02%	ECHO
9/6/2022	Weekly Geomn	284	2420	#/100 ml	7	852.11%	Non-Compliance Notification
9/27/2022	Weekly Geomn	284	1557	#/100 ml	7	548.24%	Non-Compliance Notification
9/30/2022	Monthly Geomn	126	1250	#/100 ml	30	992.06%	ECHO

Table 4 Campbell NPDES Permit Violations - Phosphorus January 2018 - April 2023								
Date	Outfall	Limit Type	Permitted Limit	Reported Discharge	Units	Days of Violation	Percentage of Permit Limit	Source
Outfall 001								
9/30/2018	001	Monthly Average	1	1.1	mg/L	30	110.00%	ECHO
10/31/2018	001	Daily Maximum	1.5	1.6	mg/L	1	106.67%	ECHO
10/31/2018	001	Monthly Average	1	1.1	mg/L	31	110.00%	ECHO
6/30/2019	001	Daily Maximum	1.5	1.8	mg/L	1	120.00%	ECHO
6/30/2019	001	Monthly Average	1	1.1	mg/L	30	110.00%	ECHO
7/31/2019	001	Daily Maximum	1.5	1.6	mg/L	1	106.67%	ECHO
7/31/2019	001	Monthly Average	1	1.3	mg/L	31	130.00%	ECHO
9/30/2019	001	Daily Maximum	1.5	1.8	mg/L	1	120.00%	ECHO
9/30/2019	001	Monthly Average	1	1.28	mg/L	30	128.00%	ECHO
10/31/2019	001	Daily Maximum	1.5	1.9	mg/L	1	126.67%	ECHO
10/31/2019	001	Monthly Average	1	1.4	mg/L	31	140.00%	ECHO
5/26/2020	001	Daily Maximum	1.5	3.03	mg/L	1	202.00%	DMR
5/31/2020	001	Monthly Average	1	1.24	mg/L	31	124.00%	ECHO
5/31/2020	001	Daily Maximum	56.8	82.6	kg/d	1	145.42%	ECHO
6/9/2020	001	Daily Maximum	1.5	1.52	mg/L	1	101.33%	DMR
6/11/2020	001	Daily Maximum	1.5	1.88	mg/L	1	125.33%	DMR
6/25/2020	001	Daily Maximum	1.5	1.55	mg/L	1	103.33%	DMR
6/30/2020	001	Monthly Average	1	1.45	mg/L	30	145.00%	ECHO
6/30/2020	001	Monthly Average	37.9	43.9	kg/d	30	115.83%	ECHO
6/30/2020	001	Daily Maximum	56.8	60.5	kg/d	1	106.51%	ECHO
9/15/2020	001	Daily Maximum	1.5	1.85	mg/L	1	123.33%	DMR
9/17/2020	001	Daily Maximum	1.5	1.61	mg/L	1	107.33%	DMR
9/30/2020	001	Monthly Average	1	1.4	mg/L	30	140.00%	ECHO
10/8/2020	001	Daily Maximum	1.5	1.71	mg/L	1	114.00%	DMR
10/13/2020	001	Daily Maximum	1.5	1.61	mg/L	1	107.33%	DMR
10/15/2020	001	Daily Maximum	1.5	1.61	mg/L	1	107.33%	DMR
10/31/2020	001	Monthly Average	1	1.26	mg/L	31	126.00%	ECHO
2/4/2021	001	Daily Maximum	1.5	1.62	mg/L	1	108.00%	DMR
2/9/2021	001	Daily Maximum	1.5	1.85	mg/L	1	123.33%	DMR
2/28/2021	001	Monthly Average	1	1.35	mg/L	28	135.00%	ECHO
3/31/2021	001	Monthly Average	1	1.1	mg/L	31	110.00%	ECHO
6/17/2021	001	Daily Maximum	1.5	1.52	mg/L	1	101.33%	DMR
7/13/2021	001	Daily Maximum	1.5	1.59	mg/L	1	106.00%	DMR
7/31/2021	001	Monthly Average	1	1.05	mg/L	31	105.00%	ECHO
9/14/2021	001	Daily Maximum	1.5	1.75	mg/L	1	116.67%	DMR
9/30/2021	001	Monthly Average	1	1.06	mg/L	30	106.00%	ECHO
5/31/2022	001	Monthly Average	1	1.03	mg/L	31	103.00%	ECHO
6/7/2022	001	Daily Maximum	1.5	2.79	mg/L	1	186.00%	Non-Compliance Notification
6/28/2022	001	Daily Maximum	1.5	1.57	mg/L	1	104.67%	Non-Compliance Notification
6/30/2022	001	Monthly Average	1	1.5	mg/L	30	150.00%	ECHO
7/21/2022	001	Daily Maximum	1.5	1.96	mg/L	1	130.67%	Non-Compliance Notification
7/26/2022	001	Daily Maximum	1.5	1.96	mg/L	1	130.67%	Non-Compliance Notification
7/28/2022	001	Daily Maximum	1.5	2.22	mg/L	1	148.00%	Non-Compliance Notification
7/31/2022	001	Monthly Average	1	1.54	mg/L	31	154.00%	ECHO
8/2/2022	001	Daily Maximum	1.5	1.95	mg/L	1	130.00%	Non-Compliance Notification
8/4/2022	001	Daily Maximum	1.5	1.92	mg/L	1	128.00%	Non-Compliance Notification
8/31/2022	001	Monthly Average	1	1.35	mg/L	31	135.00%	ECHO

9/1/2022	001	Daily Maximum	1.5	1.69	mg/L	1	112.67%	Non-Compliance Notification
9/13/2022	001	Daily Maximum	1.5	1.8	mg/L	1	120.00%	Non-Compliance Notification
9/15/2022	001	Daily Maximum	1.5	1.8	mg/L	1	120.00%	Non-Compliance Notification
9/30/2022	001	Monthly Average	1	1.5	mg/L	30	150.00%	ECHO
12/31/2022	001	Daily Maximum	1.5	1.6	mg/L	1	106.67%	ECHO
4/30/2023	001	Daily Maximum	1.5	1.66	mg/L	1	110.67%	ECHO
4/30/2023	001	Monthly Average	1	1.09	mg/L	30	109.00%	ECHO
Outfalls 006 - 009								
8/31/2019	006	Monthly Average	1	1.1	mg/L	31	110.00%	ECHO
10/31/2019	007	Monthly Average	1	1.2	mg/L	31	120.00%	ECHO
7/31/2020	006	Monthly Average	1	1.17	mg/L	31	117.00%	ECHO
7/31/2020	008	Monthly Average	1	1.02	mg/L	31	102.00%	ECHO
9/30/2020	008	Monthly Average	1	1.06	mg/L	30	106.00%	ECHO
10/31/2020	008	Monthly Average	1	1.47	mg/L	31	147.00%	ECHO
9/30/2021	008	Daily Maximum	3.84	5.17	kg/d	1	134.64%	ECHO
8/18/2022	008	Daily Maximum	1.5	1.84	mg/L	1	122.67%	Non-Compliance Notification
8/23/2022	008	Daily Maximum	1.5	1.84	mg/L	1	122.67%	Non-Compliance Notification
8/23/2022	009	Daily Maximum	1.5	1.76	mg/L	1	117.33%	Non-Compliance Notification
8/25/2022	008	Daily Maximum	1.5	1.84	mg/L	1	122.67%	Non-Compliance Notification
8/31/2022	006	Daily Maximum	1.5	1.53	mg/L	1	102.00%	ECHO
8/31/2022	008	Monthly Average	1	1.25	mg/L	31	125.00%	ECHO
8/31/2022	009	Monthly Average	1	1.03	mg/L	31	103.00%	ECHO
9/1/2022	008	Daily Maximum	1.5	1.92	mg/L	1	128.00%	Non-Compliance Notification
9/15/2022	008	Daily Maximum	1.5	1.6	mg/L	1	106.67%	Non-Compliance Notification
9/22/2022	008	Daily Maximum	1.5	2.2	mg/L	1	146.67%	Non-Compliance Notification
9/30/2022	008	Monthly Average	1	1.6	mg/L	30	160.00%	ECHO
9/30/2022	008	Monthly Average	2.56	3.2	kg/d	30	125.00%	ECHO
9/30/2022	008	Daily Maximum	3.84	4.7	kg/d	1	122.40%	ECHO

Table 5
Campbell NPDES Permit Violations (Outfall 001) - Nitrogen (as ammonia, NH3)
January 2018 - April 2023

Date	Limit Type	Permitted Limit	Reported Discharge	Units	Days of Violation	Percentage of Permit Limit	Source
1/3/2018	Daily Maximum	3.5	5.8	mg/L	1	165.71%	DMR
2/13/2018	Daily Maximum	3.5	9.4	mg/L	1	268.57%	DMR
2/20/2018	Daily Maximum	3.5	5.9	mg/L	1	168.57%	DMR
2/26/2018	Daily Maximum	3.5	3.6	mg/L	1	102.86%	DMR
3/19/2018	Daily Maximum	3.5	3.6	mg/L	1	102.86%	DMR
3/26/2018	Daily Maximum	3.5	7.7	mg/L	1	220.00%	DMR
4/3/2018	Daily Maximum	3.5	4.8	mg/L	1	137.14%	DMR
9/4/2018	Daily Maximum	3.5	12.4	mg/L	1	354.29%	DMR
9/30/2018	Monthly Average	1.6	2.81	mg/L	30	175.63%	ECHO
9/30/2018	Daily Maximum	90.9	343	kg/d	1	377.34%	ECHO
9/30/2018	Monthly Average	60.6	80.1	kg/d	30	132.18%	ECHO
10/31/2018	Daily Maximum	90.9	93	kg/d	1	102.31%	ECHO
10/31/2018	Monthly Average	1.6	1.9	mg/L	31	118.75%	ECHO
11/27/2018	Daily Maximum	3.5	9.3	mg/L	1	265.71%	DMR
1/3/2019	Daily Maximum	3.5	11.9	mg/L	1	340.00%	DMR
2/5/2019	Daily Maximum	3.5	5.1	mg/L	1	145.71%	DMR
2/12/2019	Daily Maximum	3.5	4.6	mg/L	1	131.43%	DMR
5/28/2019	Daily Maximum	3.5	9.6	mg/L	1	274.29%	DMR
5/31/2019	Daily Maximum	90.9	240	kg/d	1	264.03%	ECHO
9/3/2019	Daily Maximum	3.5	4.9	mg/L	1	140.00%	DMR
9/30/2019	Daily Maximum	90.9	130	kg/d	1	143.01%	ECHO
10/10/2019	Daily Maximum	3.5	3.9	mg/L	1	111.43%	DMR
10/31/2019	Monthly Average	1.6	2.2	mg/L	31	137.50%	ECHO
1/2/2020	Daily Maximum	3.5	11.8	mg/L	1	337.14%	DMR
4/14/2020	Daily Maximum	3.5	6.2	mg/L	1	177.14%	DMR
5/21/2020	Daily Maximum	3.5	4.9	mg/L	1	140.00%	DMR
5/26/2020	Daily Maximum	3.5	3.6	mg/L	1	102.86%	DMR
5/31/2020	Daily Maximum	90.9	140	kg/d	31	154.02%	ECHO
5/31/2020	Monthly Average	1.6	2	mg/L	1	125.00%	ECHO
8/17/2020	Daily Maximum	3.5	8.8	mg/L	1	251.43%	DMR
8/31/2020	Daily Maximum	90.9	220	kg/d	1	242.02%	ECHO
8/31/2020	Monthly Average	1.6	1.9	mg/L	31	118.75%	ECHO
1/26/2021	Daily Maximum	3.5	4.2	mg/L	1	120.00%	DMR
4/5/2021	Daily Maximum	3.5	14.5	mg/L	1	414.29%	DMR
4/6/2021	Daily Maximum	3.5	6	mg/L	1	171.43%	DMR
4/27/2021	Daily Maximum	3.5	3.8	mg/L	1	108.57%	DMR
7/13/2021	Daily Maximum	3.5	3.9	mg/L	1	111.43%	DMR
7/31/2021	Daily Maximum	90.9	100	kg/d	1	110.01%	ECHO
12/28/2021	Daily Maximum	3.5	6.1	mg/L	1	174.29%	DMR
1/4/2022	Daily Maximum	3.5	5.6	mg/L	1	160.00%	DMR
2/7/2022	Daily Maximum	3.5	7.3	mg/L	1	208.57%	DMR
3/8/2022	Daily Maximum	3.5	4.3	mg/L	1	122.86%	DMR
3/24/2022	Daily Maximum	3.5	27.5	mg/L	1	785.71%	DMR
4/12/2022	Daily Maximum	3.5	4.5	mg/L	1	128.57%	DMR
4/14/2022	Daily Maximum	3.5	7.6	mg/L	1	217.14%	DMR
7/5/2022	Daily Maximum	3.5	3.6	mg/L	1	102.86%	DMR

Table 6 Campbell NPDES Permit Violations - Total Suspended Solids January 2018 - April 2023								
Date	Outfall	Limit Type	Permitted Limit	Reported Discharge	Units	Days of Violation	Percentage of Permit Limit	Source
Outfall 001								
8/16/2018	001	Daily Maximum	45	50	mg/L	1	111.11%	DMR
4/16/2019	001	Daily Maximum	45	52	mg/L	1	115.56%	DMR
7/3/2019	001	Daily Maximum	45	47	mg/L	1	104.44%	DMR
7/31/2019	001	Monthly Average	30	36	mg/L	31	120.00%	ECHO
10/17/2019	001	Daily Maximum	45	56	mg/L	1	124.44%	DMR
10/31/2019	001	Monthly Average	30	31	mg/L	31	103.33%	ECHO
6/9/2020	001	Daily Maximum	45	63	mg/L	1	140.00%	DMR
6/23/2020	001	Daily Maximum	45	46	mg/L	1	102.22%	DMR
6/30/2020	001	Monthly Average	30	36	mg/L	30	120.00%	ECHO
6/30/2020	001	Daily Maximum	1710	1800	kg/d	1	105.26%	ECHO
12/21/2020	001	Daily Maximum	45	68	mg/L	1	151.11%	DMR
12/23/2020	001	Daily Maximum	45	46	mg/L	1	102.22%	DMR
12/31/2020	001	Monthly Average	30	34	mg/L	31	113.33%	ECHO
1/12/2021	001	Daily Maximum	45	88	mg/L	1	195.56%	DMR
1/19/2021	001	Daily Maximum	45	60	mg/L	1	133.33%	DMR
1/21/2021	001	Daily Maximum	45	68	mg/L	1	151.11%	DMR
1/31/2021	001	Monthly Average	30	46	mg/L	31	153.33%	ECHO
1/31/2021	001	Monthly Average	1140	1200	kg/d	31	105.26%	ECHO
1/31/2021	001	Daily Maximum	1710	2200	kg/d	1	128.65%	ECHO
2/2/2021	001	Daily Maximum	45	76	mg/L	1	168.89%	DMR
2/4/2021	001	Daily Maximum	45	84	mg/L	1	186.67%	DMR
2/9/2021	001	Daily Maximum	45	132	mg/L	1	293.33%	DMR
2/11/2021	001	Daily Maximum	45	64	mg/L	1	142.22%	DMR
2/17/2021	001	Daily Maximum	45	69	mg/L	1	153.33%	DMR
2/18/2021	001	Daily Maximum	45	76	mg/L	1	168.89%	DMR
2/23/2021	001	Daily Maximum	45	88	mg/L	1	195.56%	DMR
2/25/2021	001	Daily Maximum	45	74	mg/L	1	164.44%	DMR
2/28/2021	001	Monthly Average	30	82.9	mg/L	28	276.33%	ECHO
2/28/2021	001	Monthly Average	1140	2050	kg/d	28	179.82%	ECHO
2/28/2021	001	Daily Maximum	1710	2950	kg/d	1	172.51%	ECHO
3/2/2021	001	Daily Maximum	45	72	mg/L	1	160.00%	DMR
3/4/2021	001	Daily Maximum	45	60	mg/L	1	133.33%	DMR
3/9/2021	001	Daily Maximum	45	76	mg/L	1	168.89%	DMR
3/11/2021	001	Daily Maximum	45	84	mg/L	1	186.67%	DMR
3/23/2021	001	Daily Maximum	45	56	mg/L	1	124.44%	DMR
3/25/2021	001	Daily Maximum	45	64	mg/L	1	142.22%	DMR
3/31/2021	001	Monthly Average	30	62	mg/L	31	206.67%	ECHO
3/31/2021	001	Monthly Average	1140	1600	kg/d	31	140.35%	ECHO
3/31/2021	001	Daily Maximum	1710	2200	kg/d	1	128.65%	ECHO
4/5/2021	001	Daily Maximum	45	52	mg/L	1	115.56%	DMR
4/6/2021	001	Daily Maximum	45	52	mg/L	1	115.56%	DMR
4/15/2021	001	Daily Maximum	45	52	mg/L	1	115.56%	DMR
4/30/2021	001	Monthly Average	30	39	mg/L	30	130.00%	ECHO
5/20/2021	001	Daily Maximum	45	64	mg/L	1	142.22%	DMR
5/27/2021	001	Daily Maximum	45	68	mg/L	1	151.11%	DMR
5/31/2021	001	Monthly Average	30	32	mg/L	31	106.67%	ECHO
5/31/2021	001	Daily Maximum	1710	2200	kg/d	1	128.65%	ECHO
6/10/2021	001	Daily Maximum	45	100	mg/L	1	222.22%	DMR
6/17/2021	001	Daily Maximum	45	84	mg/L	1	186.67%	DMR
6/22/2021	001	Daily Maximum	45	48	mg/L	1	106.67%	DMR
6/30/2021	001	Monthly Average	30	48.5	mg/L	30	161.67%	ECHO

6/30/2021	001	Monthly Average	1140	1500	kg/d	30	131.58%	ECHO
6/30/2021	001	Daily Maximum	1710	3410	kg/d	1	199.42%	ECHO
7/22/2021	001	Daily Maximum	45	62	mg/L	1	137.78%	DMR
7/31/2021	001	Monthly Average	30	32	mg/L	31	106.67%	ECHO
7/31/2021	001	Daily Maximum	1710	1800	kg/d	1	105.26%	ECHO
1/20/2022	001	Daily Maximum	45	52	mg/L	1	115.56%	DMR
1/25/2022	001	Daily Maximum	45	51	mg/L	1	113.33%	DMR
1/27/2022	001	Daily Maximum	45	74	mg/L	1	164.44%	DMR
1/31/2022	001	Monthly Average	30	41	mg/L	31	136.67%	ECHO
1/31/2022	001	Daily Maximum	1710	2100	kg/d	1	122.81%	ECHO
2/1/2022	001	Daily Maximum	45	64	mg/L	1	142.22%	DMR
2/10/2022	001	Daily Maximum	45	46	mg/L	1	102.22%	DMR
2/17/2022	001	Daily Maximum	45	52	mg/L	1	115.56%	DMR
2/22/2022	001	Daily Maximum	45	47	mg/L	1	104.44%	DMR
2/28/2022	001	Monthly Average	30	42	mg/L	28	140.00%	ECHO
2/28/2022	001	Daily Maximum	1710	1800	kg/d	1	105.26%	ECHO
2/28/2022	001	Monthly Average	1140	1200	kg/d	28	105.26%	ECHO
3/17/2022	001	Daily Maximum	45	124	mg/L	1	275.56%	DMR
3/17/2022	001	Daily Maximum	45	110	mg/L	1	244.44%	Non-Compliance Notification
3/31/2022	001	Monthly Average	30	32.9	mg/L	31	109.67%	ECHO
3/31/2022	001	Daily Maximum	1710	3580	kg/d	1	209.36%	ECHO
4/21/2022	001	Daily Maximum	45	46	mg/L	1	102.22%	DMR
5/10/2022	001	Daily Maximum	45	56	mg/L	1	124.44%	Non-Compliance Notification
5/31/2022	001	Daily Maximum	45	58	mg/L	1	128.89%	ECHO
5/31/2022	001	Monthly Average	30	31	mg/L	31	103.33%	ECHO
5/31/2022	001	Daily Maximum	1710	1900	kg/d	1	111.11%	ECHO
6/28/2022	001	Daily Maximum	45	48	mg/L	1	106.67%	Non-Compliance Notification
6/30/2022	001	Monthly Average	30	32	mg/L	30	106.67%	ECHO
7/14/2022	001	Daily Maximum	45	58	mg/L	1	128.89%	Non-Compliance Notification
7/28/2022	001	Daily Maximum	45	53	mg/L	1	117.78%	Non-Compliance Notification
07/31/2022	001	Monthly Average	30	40	mg/L	31	133.33%	ECHO
8/2/2022	001	Daily Maximum	45	57	mg/L	1	126.67%	Non-Compliance Notification
8/5/2022	001	Daily Maximum	45	59	mg/L	1	131.11%	Non-Compliance Notification
08/31/2022	001	Daily Maximum	45	62	mg/L	1	137.78%	ECHO
08/31/2022	001	Monthly Average	30	44	mg/L	31	146.67%	ECHO
9/15/2022	001	Daily Maximum	45	53	mg/L	1	117.78%	Non-Compliance Notification
9/30/2022	001	Monthly Average	30	35	mg/L	30	116.67%	ECHO
11/8/2022	001	Daily Maximum	45	54	mg/L	1	120.00%	ECHO
11/30/2022	001	Monthly Average	30	31	mg/L	30	103.33%	ECHO
12/6/2022	001	Daily Maximum	45	52	mg/L	1	115.56%	Non-Compliance Notification
12/31/2022	001	Daily Maximum	45	172	mg/L	1	382.22%	ECHO
12/31/2022	001	Monthly Average	30	53.8	mg/L	31	179.33%	ECHO
12/31/2022	001	Monthly Average	1140	1460	kg/d	31	128.07%	ECHO
12/31/2022	001	Daily Maximum	1710	3920	kg/d	1	229.24%	ECHO
2/2/2023	001	Daily Maximum	45	50	mg/L	1	111.11%	DMR
2/7/2023	001	Daily Maximum	45	47	mg/L	1	104.44%	DMR
2/28/2023	001	Monthly Average	30	38	mg/L	28	126.67%	ECHO
2/28/2023	001	Monthly Average	1140	1200	kg/d	28	105.26%	ECHO
3/2/2023	001	Daily Maximum	45	80	mg/L	1	177.78%	DMR
3/2/2023	001	Daily Maximum	1710	2651	mg/L	1	155.03%	DMR Loading
3/7/2023	001	Daily Maximum	45	51	mg/L	1	113.33%	DMR
3/31/2023	001	Daily Maximum	1710	2700	kg/d	1	157.89%	ECHO
3/31/2023	001	Monthly Average	30	36	mg/L	31	120.00%	ECHO
4/6/2023	001	Daily Maximum	45	49	mg/L	1	108.89%	DMR
4/13/2023	001	Daily Maximum	45	68	mg/L	1	151.11%	DMR
4/13/2023	001	Daily Maximum	1710	1932.7	kg/d	1	113.02%	DMR Loading

4/27/2023	001	Daily Maximum	45	80	mg/L	1	177.78%	DMR
4/27/2023	001	Daily Maximum	1710	2379.7	kg/d	1	139.16%	DMR Loading
4/30/2023	001	Daily Maximum	1710	2400	kg/d	1	140.35%	ECHO
4/30/2023	001	Monthly Average	30	47	mg/L	30	156.67%	ECHO
Outfall 009								
11/30/2019	009	Monthly Average	30	43	mg/L	30	143.33%	ECHO
10/21/2021	009	Daily Maximum	45	72	mg/L	1	160.00%	DMR
Outfall 099								
10/10/2019	099	Daily Maximum	10.51	38.78	kg/d	1	368.98%	DMR Loading
10/31/2019	099	Monthly Average	5	39.6	kg/d	31	792.00%	ECHO
10/31/2019	099	Daily Maximum	10.51	40.5	kg/d	1	385.35%	ECHO
2/28/2021	099	Monthly Average	5	5.093	kg/d	28	101.86%	ECHO
8/31/2021	099	Monthly Average	5	5.12	kg/d	31	102.40%	ECHO
10/31/2021	099	Daily Maximum	10.51	22.7	kg/d	1	215.98%	ECHO
10/31/2021	099	Monthly Average	5	16.3	kg/d	31	326.00%	ECHO
11/11/2021	099	Daily Maximum	10.51	11.89	kg.d	1	113.13%	DMR Loading
11/30/2021	099	Monthly Average	5	18.3	kg/d	30	366.00%	ECHO
11/30/2021	099	Daily Maximum	10.51	24.71	kg/d	1	235.11%	ECHO
12/2/2021	099	Daily Maximum	10.51	20.59	kg/d	1	195.91%	DMR Loading
12/31/2021	099	Daily Maximum	10.51	36	kg/d	1	342.53%	ECHO
12/31/2021	099	Monthly Average	5	28.3	kg/d	31	566.00%	ECHO
1/6/2022	099	Daily Maximum	10.51	22.67	kg/d	1	215.70%	DMR Loading
1/31/2022	099	Monthly Average	5	62.8	kg/d	31	1256.00%	ECHO
1/31/2022	099	Daily Maximum	10.51	102.9	kg/d	1	979.07%	ECHO
2/24/2022	099	Daily Maximum	10.51	30.04	kg/d	1	285.82%	DMR Loading
2/28/2022	099	Daily Maximum	10.51	41	kg/d	1	390.10%	ECHO
2/28/2022	099	Monthly Average	5	36	kg/d	28	720.00%	ECHO
3/10/2022	099	Daily Maximum	10.51	29.49	kg/d	1	280.59%	DMR Loading
3/31/2022	099	Daily Maximum	10.51	40.02	kg/d	1	380.78%	ECHO
3/31/2022	099	Monthly Average	5	34.76	kg/d	31	695.20%	ECHO
4/30/2022	099	Monthly Average	5	5.47	kg/d	30	109.40%	ECHO
5/31/2022	099	Monthly Average	5	23.9	kg/d	31	478.00%	ECHO
5/31/2022	099	Daily Maximum	10.51	24.1	kg/d	1	229.31%	ECHO
6/30/2022	099	Monthly Average	5	10.03	kg/d	30	200.60%	ECHO
6/30/2022	099	Daily Maximum	10.51	16.1	kg/d	1	153.19%	ECHO
07/31/2022	099	Monthly Average	5	17	kg/d	31	340.00%	ECHO
07/31/2022	099	Daily Maximum	10.51	26	kg/d	1	247.38%	ECHO
9/30/2022	099	Monthly Average	5	6.08	kg/d	30	121.60%	ECHO
10/6/2022	099	Daily Maximum	10.51	15.06	kg/d	1	143.29%	DMR Loading
10/31/2022	099	Monthly Average	5	22	kg/d	31	440.00%	ECHO
10/31/2022	099	Daily Maximum	10.51	28	kg/d	1	266.41%	ECHO
11/30/2022	099	Monthly Average	5	5.9	kg/d	30	118.00%	ECHO
12/31/2022	099	Daily Maximum	10.51	14.3	kg/d	1	136.06%	ECHO
12/31/2022	099	Monthly Average	5	11.8	kg/d	31	236.00%	ECHO
1/31/2023	099	Daily Maximum	10.51	29.66	kg/d	1	282.21%	ECHO
1/31/2023	099	Monthly Average	5	20.83	kg/d	31	416.60%	ECHO
2/28/2023	099	Monthly Average	5	7.1	kg/d	28	142.00%	ECHO
4/30/2023	099	Monthly Average	5	7.05	kg/d	30	141.00%	ECHO
4/30/2023	099	Daily Maximum	10.51	10.8	kg/d	1	102.76%	ECHO

Table 7
Campbell NPDES Permit Violations (Outfall 099) - Oil and Grease
January 2018 - April 2023

Date	Limit Type	Permitted Limit	Reported Discharge	Units	Days of Violation	Percentage of Permit Limit	Source
6/30/2018	Monthly Average	3.08	3.4	kg/d	30	110.39%	ECHO
10/10/2019	Daily Maximum	5.13	16.72	kg/d	1	325.93%	DMR Loading
10/31/2019	Daily Maximum	5.13	17	kg/d	1	331.38%	ECHO
10/31/2019	Monthly Average	3.08	11	kg/d	31	357.14%	ECHO
4/30/2021	Monthly Average	3.08	3.7	kg/d	30	120.13%	ECHO
11/11/2021	Daily Maximum	5.13	8.74	kg/d	1	170.37%	DMR Loading
11/30/2021	Monthly Average	3.08	5.55	kg/d	30	180.19%	ECHO
12/16/2021	Daily Maximum	5.13	13.27	kg/d	1	258.67%	DMR Loading
12/31/2021	Monthly Average	3.08	7.9	kg/d	31	256.49%	ECHO
2/28/2022	Monthly Average	3.08	4.17	kg/d	28	135.39%	ECHO
2/28/2022	Daily Maximum	5.13	7.9	kg/d	1	154.00%	ECHO
3/10/2022	Daily Maximum	5.13	5.63	kg/d	1	109.75%	DMR Loading
3/31/2022	Monthly Average	3.08	21.1	kg/d	31	685.06%	ECHO
3/31/2022	Daily Maximum	5.13	36.6	kg/d	1	713.45%	ECHO
5/31/2022	Daily Maximum	5.13	102	kg/d	1	1988.30%	ECHO
5/31/2022	Monthly Average	3.08	51.1	kg/d	31	1659.09%	ECHO
7/31/2022	Monthly Average	3.08	5.7	kg/d	31	185.06%	ECHO
7/31/2022	Daily Maximum	5.13	9.8	kg/d	1	191.03%	ECHO
12/31/2022	Monthly Average	3.08	4.96	kg/d	31	161.04%	ECHO
12/31/2022	Daily Maximum	5.13	5.54	kg/d	1	107.99%	ECHO
1/31/2023	Monthly Average	3.08	13	kg/d	31	422.08%	ECHO
1/31/2023	Daily Maximum	5.13	16.3	kg/d	1	317.74%	ECHO

Exhibit 2

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Facility Manager
 Campbell Soup Supply Company LLC
 12-773 State Route 110
 Napoleon, OH 43545

2. Article Number (Transfer from service label)
 9589 0710 5270 0506 2929 99

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent
 Addressee

B. Received by (Printed Name)
 GARDNER TUMBY

C. Date of Delivery
 7/17/23

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No
 PO Box 311

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Signature Confirmation™
 Collect on Delivery Signature Confirmation Restricted Delivery
 Collect on Delivery Restricted Delivery Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Campbell Soup Supply Company LLC
 c/o CT Corporation System
 4400 Easton Commons Way, Ste. 125
 Columbus, OH 43219

2. Article Number (Transfer from service label)
 9589 0710 5270 0506 2929 62

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent
 Addressee

B. Received by (Printed Name)
 Daniel D. Kelley

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Signature Confirmation™
 Collect on Delivery Signature Confirmation Restricted Delivery
 Collect on Delivery Restricted Delivery Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Michael Regan, Admin
 US EPA
 Office of the Admin., 1101A
 1200 Pennsylvania Avenue, NW
 Washington, DC 20460

2. Article Number (Transfer from service label)
 9589 0710 5270 0506 2929 51

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Signature Confirmation™
 Collect on Delivery Signature Confirmation Restricted Delivery
 Collect on Delivery Restricted Delivery Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Debra Shore, Reg. Admin.
 US EPA Region 5 Admin
 77 W. Jackson Blvd.
 Chicago, IL 60604



9590 9402 8145 3030 2497 73

2. Article Number (Transfer from service label)

9589 0710 5270 0506 2929 44

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Debra Shore Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

7/25/23

D. Is delivery address different from item 1?

If YES, enter delivery address below: Yes No

3. Service Type

- | | |
|------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |

9589 0710 5270 0506 2929 37

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 Domestic Mail Only

Post Office: Columbus, OH 43214

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$3.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$3.00
<input checked="" type="checkbox"/> Adult Signature Required	\$3.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$3.00

Postage \$2.00

Total Postage and Fees \$9.97

Sent To **Anne Vogel, Ohio EPA**

Street and Apt. No., P.O. Box No.

City, State, ZIP+4®

Postmark Here
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 87/13/2023
 BOSTON MA 02196