

National Pollutant Discharge Elimination System

NPDES General Permit for Domestic Wastewater Treatment Plant Dischargers

(Design flows less than 500,000 gallons per day)

This permit authorizes domestic wastewater treatment plant dischargers (or other covered activities) to waters of the State of South Carolina in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I thru Part X. This permit is issued in accordance with the provisions of the Pollution Control Act of South Carolina (S.C. Code Sections 48-1-10 et seq., 1976), Regulation 61-9 and with the provisions of the Federal Clean Water Act (PL 92-500), as amended, 33 U.S.C. 1251 et seq., the "Act."



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Issued: December 11, 2013

Expires: December 31, 2018

Effective: January 1, 2014

Permit No.: SCG570000

This general permit will continue to be in effect beyond the expiration date if a complete timely re-application or Notice of Intent (NOI) is received pursuant to Regulation 61-9.122.6 and signed per Regulation 61-9.122.22.



South Carolina Department of Health
and Environmental Control

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Part I. DEFINITIONS

Any term not defined in this Part has the definition stated in the South Carolina Pollution Control Act (PCA) or in “Water Pollution Control Permits”, R.61-9 or its normal meaning.

- A. The “Act”, or CWA shall refer to the Clean Water Act (Formerly referred to as the Federal Water Pollution Control Act) Public Law 92-500, as amended means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended by Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, and Pub. L. 97-117, 33 U.S.C. 1251 et seq. Specific references to sections within the CWA will be according to Pub. L. 92-500 notation.
- B. “Arithmetic Mean” for any set of values means the summation of the individual values divided by the number of individual values.
- C. “Best Management Practices” (“BMPs”) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- D. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility.
- E. “Composite sample” shall be defined as one of the following four types:
 - 1. An influent or effluent portion collected continuously over a specified period of time at a rate proportional to the flow.
 - 2. A combination of not less than 8 influent or effluent grab samples collected at regular (equal) intervals over a specified period of time and composited by increasing the volume of each aliquot in proportion to flow. If continuous flow measurement is not used to composite in proportion to flow, the following method will be used: An instantaneous flow measurement should be taken each time a grab sample is collected. At the end of the sampling period, the instantaneous flow measurements should be summed to obtain a total flow. The instantaneous flow measurement can then be divided by the total flow to determine the percentage of each grab sample to be combined. These combined samples form the composite sample.
 - 3. A combination of not less than 8 influent or effluent grab samples of equal volume but at variable time intervals that are inversely proportional to the volume of the flow. In other words, the time interval between aliquots is reduced as the volume of flow increases.
 - 4. If the effluent varies by less than 15 percent, a combination of not less than 8 influent or effluent grab sample of constant (equal) volume collected at regular (equal) time intervals over a specified period of time.

5. All samples shall be properly preserved in accordance with Part IV.B.4. Continuous flow or the sum of instantaneous flows measured and averaged for the specified compositing time period shall be used with composite results to calculate mass.
- F. “CWA” means Clean Water Act. See A. above.
- G. “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.
- H. “Daily maximum” other than for bacterial indicators (i.e. fecal coliform, E. coli and enterococci) is the highest average value recorded of samples collected on any single day during the calendar month. Daily average for bacterial indicators means the highest arithmetic average of bacterial samples collected for each bacterial indicator species (i.e. fecal coliform, E. coli and/or enterococci) in any 24 hour period during a calendar month.
- I. “Daily minimum” is the lowest average value recorded of samples collected on any single day during the calendar month.
- J. “Department” or “DHEC” means the South Carolina Department of Health and Environmental Control or an authorized representative.
- K. “Director” means the EPA Regional Administrator or an authorized representative.
- L. “DMR” means a Discharge Monitoring Report.
- M. “EPA” means the Environmental Protection Agency.
- N. “Freshwater” means any freshwater as defined by Regulation 61-68 and classified by Regulation 61-69.
- O. “Geometric mean” of any set of values is the Nth root of the product of the individual values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered to be one (1).
- P. “Grab sample” is an individual, discrete or single influent or effluent portion of at least 100 milliliters collected at a time representative of the discharge and over a period not exceeding 15 minutes and retained separately for analysis. Instantaneous flow measured at the time of grab sample collection shall be used to calculate quantity, unless a totalizer is used.
- Q. “Instantaneous maximum or minimum” means the highest or lowest value recorded of all samples collected during the calendar month.

- R. "MGD" means million gallons per day.
- S. "Monthly Average", other than for fecal coliform, E. coli and enterococci, is the arithmetic mean of all samples collected in a calendar month period. Monthly average (for bacterial indicators only) means the calendar month (i.e., 28 days, 29 days, 30 days, or 31 days) geometric mean of all bacterial samples collected [for each of the bacterial indicator species (i.e., E. coli, enterococci, and/or fecal coliform)] during that calendar month. The monthly average loading is the arithmetic average of all daily discharges made during the month.
- T. "NOI" means notice of intent to be covered by this permit.
- U. "NOT" means notice of termination.
- V. "Outfall" or "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agricultural or agricultural storm water runoff.
- W. "Permittee" means any individual, facility or company to whom this permit has been issued.
- X. "POTW" means a treatment works as defined by section 212 of the CWA, which is owned by a state or municipality (as defined by section 502[4] of the CWA). 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 or a regional entity composed of two (2) or more municipalities or parts thereof. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality, as defined in section 502[4] of the CWA, which has jurisdiction over the Indirect Dischargers to and the discharge from such a treatment works.
- Y. "Practical Quantitation Limit" is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. It is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specific sample weights, volumes, and processing steps have been followed. It is also referred to as the reporting limit.
- Z. "Privately owned treatment works" means any device or system which both is used to treat wastes from any facility whose operator is not the operator of the treatment works and is not a POTW.
- AA "Quarter" is defined as the first three calendar months beginning with the month that this permit becomes effective and each group of three calendar months thereafter.
- BB. "Quarterly average" is the arithmetic mean of all samples collected in a quarter.

- CC. “Regional Administrator” means the Regional Administrator of Region IV of the Environmental Protection Agency or the authorized representative of the Regional Administrator.
- DD. “Saltwater” means any tidal saltwater defined as Class SA, SB or Shellfish Harvesting (SFH) by Regulation 61-68 and classified by Regulation 61-69.
- EE. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- FF. “Significant spills” includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).
- GG. “sp” an “sp” by the water class means the Department has established site-specific standards for certain parameters for that waterbody. The site-specific standards are listed in parentheses after the waterbody description in Regulation 61-69.
- HH. “Storm Water” means storm water runoff, snowmelt runoff, and surface runoff and drainage.
- II. “TRC” means Total Residual Chlorine.
- JJ. “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.
- KK. “Waters of South Carolina” means all waters of the United States within the political boundaries of the State of South Carolina.
- LL. “Waters of the United States” means:
1. All waters, which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;
 2. All interstate waters, including interstate “wetlands”;
 3. All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sand flats, wetlands, sloughs, wet meadows, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
 - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce;or

- c. Which are used or could be used for industrial purposes by industries in interstate commerce;
- 4. All impoundments of waters otherwise defined as waters of South Carolina under this definition.
- 5. Tributaries of waters identified in paragraphs 1 through 4 of this definition;
- 6. The territorial sea; and
- 7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs 1 through 6 of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of South Carolina. This exclusion applies only to manmade bodies of water, which neither were originally created in waters of South Carolina (such as disposal areas in wetlands) nor resulted from the impoundment of waters of South Carolina.

- MM. “Weekly average” is the arithmetic mean of all the samples collected during a one-week period. For self-monitoring purposes, weekly periods in a calendar month are defined as three (3) consecutive seven-day intervals starting with the first day of the calendar month and a fourth interval containing seven (7) days plus those days beyond the 28th day in a calendar month. The value to be reported is the single highest of the four (4) weekly averages computed during a calendar month. The weekly average loading is the arithmetic average of all daily discharges made during the week.
- NN. “Ultimate Oxygen Demand” (UOD) is the oxygen consumed by aquatic microbes in metabolizing the remaining organic and nitrogenous matter in the effluent from the permittee's wastewater treatment plant. This demand is expressed in pounds per day and is calculated by multiplying the effluent biochemical oxygen demand (BOD₅) or the effluent carbonaceous biochemical oxygen demand (CBOD₅) concentration by the F-ratio and adding that to 4.57 times the effluent ammonia (NH₃-N) concentration and multiplying the sum by the flow and the constant 8.34. The UOD loading is the arithmetic average of all individual loading determinations made during the sampling period.

$$\text{U.O.D. (lbs/day)} = [\{ \text{BOD}_5(\text{mg/l}) * \text{F-ratio} \} + \{ \text{NH}_3\text{-N}(\text{mg/l}) * 4.57 \}] * \text{Flow(MGD)} * 8.34$$

F-ratio = 1.50

OR

$$\text{U.O.D. (lbs/day)} = [\{ \text{CBOD}_5(\text{mg/l}) * \text{F-ratio} \} + \{ \text{NH}_3\text{-N}(\text{mg/l}) * 4.57 \}] * \text{Flow(MGD)} * 8.34$$

F-ratio = 1.50

Legend (See Effluent Limitations and Monitoring Requirements)

Abbreviation	Meaning/Definition
BOD ₅	5-Day Biochemical Oxygen Demand
TSS	Total Suspended Solids
DO	Dissolved Oxygen
TRC	Total Residual Chlorine
NH ₃ -N	Ammonia Nitrogen
24 Hr C	24 Hour Composite
Cont.	Continuous
Cal	Calculated
Eff.	Effluent
Inst	Instantaneous

Part II. COVERAGE UNDER THIS PERMIT

A. Permit Area

The permit covers all areas of South Carolina, where the discharge is into FRESHWATER (Class FW or FW sp) or SALTWATER (Class SA, SA sp, SB, or SB sp) as classified by S.C. Regulation 61-68, Water Classifications and Standards, and Regulation 61-69, Classified Waters. The permit also covers all areas of South Carolina, where the discharge is into SALTWATER (Class SFH) as classified by S.C. Regulation 61-68, Water Classifications and Standards, and Regulation 61-69, Classified Waters for existing dischargers only (as of the date of the issue date for the general permit) and does not include either new or expanding dischargers into SFH waters.

B. Eligibility

1. This permit may cover all new, expanding or existing point source discharges from domestic wastewater treatment plants (or other covered activities) with a design flow of less than 500,000 gallons per day into waters of the state of South Carolina but does not include either new or expanding dischargers into SFH waters. This permit may cover all new, expanding or existing point source discharges from industrial facilities with domestic wastewater only (no process wastewater) and with a design flow of less than 500,000 gallons per day into waters of the state of South Carolina.
2. The effluent limits will be based on the 7Q10 of the receiving stream and calculated using the formulas from the general permit rationale and related tables or information from the general permit.
3. This permit does not authorize discharges that have a design flow greater than or equal to 500,000 gallons per day, or includes a pretreatment program under R.61-9.403, or receives wastewater from categorical sources per R.61-9.403 or stormwater subject to separate stormwater regulations. This permit also does not include new (as of the date of the issue date for the general permit) or expanding dischargers into Class SFH waters.
4. Types of Coverage: This permit authorizes discharge of the following types of wastewater as further specified in this permit:
 - a. Wastewater treatment facilities **with no** compliance schedules and with a design flow less than or equal to 50,000 gallons per day and:
 - (1) A POTW with a discharge to Class Freshwaters (FW or FW sp).
 - (2) A POTW with a discharge to Class Saltwaters (SA or SA sp).
 - (3) A POTW with a discharge to Class Saltwaters (SB or SB sp).
 - (4) A POTW with a discharge to Class Saltwaters (SFH, existing facilities only).
 - (5) A privately owned treatment works with a discharge to Class Freshwaters (FW or FW sp).
 - (6) A privately owned treatment works with a discharge to Class Saltwaters (SA or SA sp).
 - (7) A privately owned treatment works with a discharge to Class Saltwaters (SB or SB sp).

- (8) A privately owned treatment works with a discharge to Class Saltwaters (SFH, existing facilities only).
 - (9) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Freshwaters (FW or FW sp).
 - (10) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Saltwaters (SA or SA sp).
 - (11) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Saltwaters (SB or SB sp).
 - (12) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Saltwaters (SFH, existing facilities only).
- b. Wastewater treatment facilities **with no** compliance schedules and with a design flow greater than 50,000 gallons per day and less than 500,000 gallons per day and:
- (1) A POTW with a discharge to Class Freshwaters (FW or FW sp).
 - (2) A POTW with a discharge to Class Saltwaters (SA or SA sp).
 - (3) A POTW with a discharge to Class Saltwaters (SB or SB sp).
 - (4) A POTW with a discharge to Class Saltwaters (SFH, existing facilities only).
 - (5) A privately owned treatment works with a discharge to Class Freshwaters (FW or FW sp).
 - (6) A privately owned treatment works with a discharge to Class Saltwaters (SA or SA sp).
 - (7) A privately owned treatment works with a discharge to Class Saltwaters (SB or SB sp).
 - (8) A privately owned treatment works with a discharge to Class Saltwaters (SFH, existing facilities only).
 - (9) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Freshwaters (FW or FW sp).
 - (10) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Saltwaters (SA or SA sp).
 - (11) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Saltwaters (SB or SB sp).
 - (12) An industrial facility with domestic wastewater only (no process wastewater) with a discharge to Class Saltwaters (SFH, existing facilities only).
- c. All facilities needing Toxicity Limitations in addition to the items above.
- d. All facilities utilizing the bacterial requirements for documenting compliance with the provisions of R.61-68.E.14(c)(12).
5. Limitations on Coverage

The following wastewater treatment plant discharges are not authorized by this permit:

- a. discharges that are:
 - (1) mixed with other wastewater from categorical sources per R.61-9.403 and/or process wastewater unless those discharges are in compliance with a different NPDES permit; or

- (2) discharges of hazardous substances or oils, identified by and in compliance with Part VIII.A;
- b. discharges which are subject to an existing effluent limitation guideline addressing them;
- c. discharges that are subject to an existing NPDES individual or general permit; are located at a facility where an NPDES permit has been terminated or denied; or which are issued a permit in accordance with Part V.N (Requiring an Individual Permit or an Alternative General Permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires or is canceled.
- d. discharges for waters other than those described;
- e. discharges whose receiving waters are not FRESHWATER (Class FW or FW sp) or Saltwater (Class SA, SA sp, SB, or SB sp), or (Class SFH, as qualified in Part II.A. above) as classified by S.C. Reg. 61-68, Water Classifications and Standards and 61-69, Classified Waters. This permit does not authorize discharges to Trout Waters (Class TPGT or TN), Outstanding Resource Waters (Class ORW), or Outstanding National Resource Waters (ONRW) as classified by S.C. Regulation 61-69.
- f. discharges that the Department has determined to be or which may reasonably be expected to be contributing to a violation of a water quality standard; and
- g. discharges that would adversely affect a listed endangered or threatened species or its critical habitat.

C. Authorization

- 1. Wastewater treatment plant dischargers desiring coverage under this general permit at the time of original permit issue must:
 - a. have submitted timely, appropriate reapplication forms for an existing individual permit or
 - b. either;
 - (1) submit for discharges as described in II.B, above, using for:
 - (a) POTW's: NPDES Form 2A, NPDES Form 2S (if applicable), and any required supplemental information (e.g. sludge supplement, Mixing Zone Request Form, Location Supplement and Antidegradation/Alternatives Analysis (for New or Expanding dischargers including new/increased loadings);
 - (b) Private domestic wastewater systems: Short Form D, NPDES Form 2S (if required) and any required supplemental information (e.g. sludge supplement, Mixing Zone Request Form, Location Supplement and Antidegradation/Alternatives Analysis (for New or Expanding dischargers including new/increased loadings);
 - (c) Industrial facility with domestic wastewater only (no process wastewater): Forms 1 and 2C, 1 and 2D, or Form 1 and 2E and any required supplemental

information (e.g. sludge supplement (if required), Mixing Zone Request Form (if required), Location Supplement and Antidegradation/Alternatives Analysis (for New or Expanding dischargers including new/increased loadings).

In accordance with the requirements of Part III of this permit, to be authorized to discharge under this general permit, or,

- (2) submit a NOI form (and all associated required attachments) provided by the Department.
2. Discharges for which individual permit applications have been submitted are authorized to discharge under the terms and conditions of this permit beginning on the date of written notice from the Department of such coverage.
3. Dischargers (either new, expansions (any increase in loading) of existing facilities) requesting coverage after the effective date of this General Permit and not included in the original public notice for the :

a. General Permit can be granted coverage under the following conditions:

The following documents, certifications and or applications must be complete as determined by the Department:

- (1) NPDES application forms, or NOI as required by the General Permit section II.C.1.b(1).
- (2) Sludge or solids disposal forms as required by the General Permit section II.C.1.b(1).
- (3) 208 Water Quality Management Plan consistency of permit including permit reissues, expansions of facilities or new facilities
- (4) Any proposed mixing zone request along with the associated mixing zone application forms
- (5) For private facilities (including industrial facilities with domestic wastewater only), all necessary easements or agreements for the wastewater treatment plant, and all sewer lines, force mains and pump stations to the proposed outfall
- (6) Any other documents, certifications and or applications (identified by the Department) as being necessary for the permit reissue or required per Regulation R.61-9.

b. In addition for wastewater plant expansions (any increase in loading), or new facilities:

- (1) A substantially complete Preliminary Engineering Report for the proposed expansion or new facility has been submitted to the Department
- (2) A complete anti-degradation analysis (per R.61-68) for the proposed project
- (3) A complete wasteload allocation for the proposed expansion or new facility, or alternatively an acceptable water quality model (as determined by the Department) for the proposed discharge per R.61-67.
- (4) For dischargers within the eight Coastal Zone counties covered by DHEC OCRM, an OCRM certification of the project (if determined necessary)
- (5) For dischargers to Navigable Waters as defined by R.61-68, or R.61-67, a completed Navigable Waters review along with any required Construction Permit conditions for the proposed discharge point (if applicable)

- (6) Any other documents, certifications and or applications (identified by the Department) as being necessary for the proposed project or required per Regulations R.61-68, R.61-67 or R.61-9.
 - c. For public notices associated with completed application packages (as identified by item 3(a) or 3(b)) will be placed in the following locations:
 - (1) A newspaper of general circulation in the vicinity of the proposed facility discharge if required in R.61-9.
 - (2) Any other locations, and or individuals as required per R.61-9.
 - d. At the end of the public notice period, and after any comments are addressed per R.61-9, the proposed permit (if determined by the Department to be issued), will become effective as described below:
 - (1) For public notices during the first day of the 2nd following month (e.g. notices between March 1st and March 30th, the permit would be effective May 1st) of the calendar year, the permit would be effective.
 - (2) If due to the expiration date of the issued General Permit, this effective date would be after the expiration date of the general permit, the effective date could be changed to an earlier date however the permit issue must meet the requirements stated in R.61-9.
 - e. Any complete permit application packages (for permits not presently covered under the General Permit) for permit reissues, expansions, or new facilities within nine (9) months of the General Permit expiration date, will be considered meeting the requirements for a complete application package for the subsequent permit renewal. The permittee would only be required to resubmit the signature page(s) for either the NOI or the application forms prior to the permit expiration date to be considered complete. All other permittee's (presently covered under the General Permit) must submit a complete application package as required by R.61-9 and the General permit conditions, in the timeframe required.
4. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

D. Continuation of Expired General Permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with R.61-9.122.6 and remain in force and effect. If you were authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit provided a complete application was provided as required in Part II.E. Coverage under this permit continues in force and effect only if the conditions in Part II.E below are satisfied.

E. Duty to Reapply

1. Except as noted in Part II.C.3.e above, permittees must submit an NOI (or other application forms) in accordance with the requirements of Part III of this permit at least 180 days prior to the

permit expiration date (unless an extension has been granted but in no case beyond the expiration date) to remain covered under the continued permit after expiration. The completed NOI (or other application forms) should be submitted to the Department at the address in Part III.C.

2. Permittees who submit NOIs (or other application forms) in accordance with the requirements of Part III of this permit and obtain coverage prior to the permit expiration date are automatically considered covered under the continued permit after expiration.
3. An NOI (or other application forms) submitted in accordance with E.1 or E.2 above will be used to determine coverage under the new General Permit when this permit is reissued. The Department may, require additional information to be submitted as necessary to determine if permit coverage can be granted.

Part III. NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification

1. Except as provided in Part III.A.2 (Late NOIs), III.F (Transfer of Ownership or Control), or Part II.C applicants or permittees who intend to obtain coverage for a new or existing wastewater treatment plant discharge (or other covered activities) under this permit shall submit a NOI in accordance with the requirements of this part at least one hundred eighty (180) days before coverage is desired;
2. An applicant or permittee of a wastewater treatment facility (or other covered activities) is not precluded from submitting a NOI (or other required application forms) in accordance with the requirements of this part after the effective date of this permit. In such instances, the Department may bring an enforcement action for failure to submit a NOI (or other required application forms) in a timely manner or for any unauthorized discharges of wastewaters that have occurred.

B. Contents of Notice of Intent

The Notice of Intent shall be signed in accordance with Part V.I of this permit and shall include the following information:

1. Name, mailing address, location of the facility for which the notification is submitted and location of the outfall(s) stated as latitude and longitude to the nearest 15 seconds.
2. Up to four 4-digit Standard Industrial Classification (SIC) codes that best represent the principal products or activities provided by the facility; or for hazardous waste treatment, storage or disposal facilities, land disposal facilities that receive or have received any industrial waste, steam electric power generating facilities, or treatment works treating domestic sewage, a narrative identification of those activities;
3. The applicant or permittee's name, address, telephone number, and status as Federal, State, private, public or other entity;
4. The permit number of additional NPDES permits for any discharges (including storm water discharges, etc.) from the site that are currently, or have been previously, authorized by an NPDES permit;
5. The name of the receiving water(s);
6. Information related to the quality and quantity of wastewater to be discharged;
7. A statement that easements for the discharge have been obtained by the permittee for any conveyances of the discharge not on property of the permittee and which do not constitute waters of the State;
8. A map indicating facility and discharge locations.

C. Where to Submit

Facilities required to submit an NOI per Part III.B of this permit must use the appropriate NOI form provided by the Department (or photocopy thereof). Forms are also available by calling (803) 898-4300. NOIs must be signed in accordance with Part V.I of this permit. NOIs are to be submitted to the Department at the following address:

S.C. Dept. of Health and Environmental Control
Bureau of Water
2600 Bull Street
Columbia, SC 29201

D. Renotification

Upon issuance of a new general permit, the permittee is required to notify the DHEC/Bureau of Water/Water Facilities Permitting Division of its intent to be covered by the new general permit.

E. Individual Applications

Any applicant eligible for coverage under the general permit who has previously filed an individual application and has not received an NPDES permit can receive coverage under this general permit. To do so, a letter must be sent to the DHEC/Bureau of Water/Water Facilities Permitting Division requesting coverage in lieu of an individual permit.

F. Transfer of Ownership or Control

1. Coverage under a general permit may be transferred to another party under the following conditions:
 - a. The permittee notifies the DHEC/Bureau of Water/Water Facilities Permitting Division of the proposed transfer at least thirty (30) days in advance of the proposed transfer date;
 - b. A written agreement is submitted to the DHEC/Bureau of Water/Water Facilities Permitting Division between the existing and new permittee containing a specific date of permit responsibility, coverage, and liability for violations up to that date and thereafter.
 - c. A NOI (or other application forms) is filed by the new owner.
 - d. The proposed owner complies with Viability Requirements in accordance with SC Regulation R.61-9.600 (if required).

Transfers are not effective until approved by the Department. A permit is non-transferable without prior Department approval.

Part IV. MONITORING AND REPORTING REQUIREMENTS

A. Monitoring Reports

Monitoring results shall be reported at the intervals specified in the permit.

- a. Monitoring results (with the exception of any Annual Reporting requirements under section 503.18, section 503.28, section 503.48 or section 504.18) must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Department for reporting results of monitoring of sludge use or disposal practices.

(1) Effluent Monitoring:

Effluent monitoring results obtained at the required frequency shall be reported on a Discharge Monitoring Report Form (EPA Form 3320-1). The DMR is due postmarked no later than the 28th day of the month following the end of the monitoring period. One original and one copy of the Discharge Monitoring Reports (DMRs) shall be submitted to:

S.C. Department of Health and Environmental Control
Bureau of Water/Water Pollution Control Division
Data and Records Management Section
2600 Bull Street
Columbia, South Carolina 29201

(2) Groundwater Monitoring:

Groundwater monitoring results obtained at the required frequency shall be reported on a Groundwater Monitoring Report Form (DHEC 2110) postmarked no later than the 28th day of the month following the end of the monitoring period. One original and one copy of the Groundwater Monitoring Report Form (DHEC 2110) shall be submitted to:

S.C. Department of Health and Environmental Control
Bureau of Water/Water Pollution Control Division
Data and Records Management Section
2600 Bull Street
Columbia, South Carolina 29201

(3) Sludge, Biosolids and/or Soil Monitoring:

Sludge, biosolids and/or soil monitoring results obtained at the required frequency shall be reported in a laboratory format postmarked no later than the 28th day of the month following the end of the monitoring period. Two copies of these results shall be submitted to:

S.C. Department of Health and Environmental Control
Bureau of Water/Water Pollution Control Division

Water Pollution Enforcement Section
2600 Bull Street
Columbia, South Carolina 29201

- (4) All other reports required by this permit shall be submitted at the frequency specified elsewhere in the permit to:

S.C. Department of Health and Environmental Control
Bureau of Water/Water Pollution Control Division
Water Pollution Enforcement Section
2600 Bull Street
Columbia, South Carolina 29201

- b. If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in R.61-9.503, R.61-9.504, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department.
- c. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Department in the permit.

B. Monitoring and Records

1. a. Samples and measurements
- (1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - (2) Samples shall be reasonably distributed in time, while maintaining representative sampling.
 - (3) No analysis, which is otherwise valid, shall be terminated for the purpose of preventing the analysis from showing a permit or water quality violation.

b. Flow Measurements

Where primary flow meters are required, appropriate flow measurement devices and methods consistent with accepted scientific practices shall be present and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of not greater than 10 percent from the true discharge rates throughout the range of expected discharge volumes. The primary flow device, where required, must be accessible to the use of a continuous flow recorder.

- c. The permittee shall maintain all records of inspections at the permitted facility as required by the permit, and the records shall be made available for on-site review during normal working hours.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by R.61-9.503 or R.61-9.504), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.
3. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
4.
 - a. Analyses for required monitoring must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal specified in R.61-9.503, unless other test procedures have been specified in the permit
 - b. Unless addressed elsewhere in this permit, the permittee shall use a sufficiently sensitive analytical method for each sample that achieves a value below the derived permit limit stated in Part X. If more than one method of analysis is approved for use, the Department recommends for reasonable potential determinations that the permittee use the method having the lowest practical quantitation limit (PQL) unless otherwise specified in Part VIII of the permit. For the purposes of reporting analytical data on the Discharge Monitoring Report (DMR):
 - (1) Analytical results below the PQL from methods available in 40 CFR 136 or otherwise specified in the permit shall be reported as zero (0), provided the PQL is below the value specified in Part VIII.E and the result is also below the PQL. Zero (0) shall also be used to average results which are below the PQL. When zero (0) is reported or used to average results, the permittee shall report, in the "Comment Section" or in an attachment to the DMR, the analytical method used, the PQL achieved, and the number of times results below the PQL were reported as zero (0).

- (2) Analytical results above the PQL from methods available in 40 CFR 136 or otherwise specified in the permit shall be reported as the value achieved, even if the PQL is below the value specified in Part VIII.E. When averaging results using a value containing a < the average shall be calculated using the value and reported as < the average of all results collected.
3.
 - (a) Mass value for a pollutant collected using a grab sample shall be calculated using the 24-hour totalized flow for the day the sample was collected (if available) or the instantaneous flow at the time of the sample and either the concentration value actually achieved or the value as determined from the procedures in (1) or (2) above, as appropriate. Grab samples should be collected at a time representative of the discharge.
 - (b) Mass value for a pollutant collected using a composite sample shall be calculated using the 24-hour totalized flow measured for the day the sample was collected and either the concentration value actually achieved or the value as determined from the procedures in (1) or (2) above, as appropriate.
5. The PCA 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 or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment provided by the Clean Water Act is also by imprisonment of not more than 4 years.

Part V. STANDARD PERMIT CONDITIONS

A. Duty to Comply

The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. The Department's approval of wastewater facility Plans and Specifications does not relieve the permittee of responsibility to meet permit limits.

1. a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
- b. It is the responsibility of the permittee to have a treatment facility that will meet the final effluent limitations of this permit. The approval of plans and specifications by the Department does not relieve the permittee of responsibility for compliance.
2. Failure to comply with permit conditions or the provisions of this permit may subject the permittee to civil penalties under S.C. Code Section 48-1-330 or criminal sanctions under S.C. Code Section 48-1-320. Sanctions for violations of the Federal Clean Water Act may be imposed in accordance with the provisions of 40 CFR Part 122.41(a)(2) and (3).
3. A person who violates any provision of this permit, a term, condition or schedule of compliance contained within a valid NPDES permit, or the State law is subject to the actions defined in the State law.

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

C. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

D. Proper Operation and Maintenance

1. The permittee shall at all times properly operate and maintain in good working order and operate as efficiently as possible all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms

and conditions of this permit. Proper operation and maintenance includes effective performance based on design facility removals, adequate funding, adequate operator staffing and training and 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 the conditions of the permit.

2. Power Failures.

In order to maintain compliance with effluent limitations and prohibitions of this permit, the permittee shall either:

- a. provide an alternative power source sufficient to operate the wastewater control facilities;
- b. or have a plan of operation which will halt, reduce, or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

E. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

F. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege nor does it authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.

G. Duty to Provide Information

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

H. Inspection and Entry

The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

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

I. Signatory Requirements

1. All applications, reports, or information submitted to the Department shall be signed and certified.
 - a. Applications. All permit applications shall be signed as follows:
 - (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 which govern the operation of the regulated facility including having the 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) For a municipality, State, Federal, or other public agency or public facility: By either a principal executive officer, mayor, or other duly authorized employee or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (a) The chief executive officer of the agency, or

- (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator, Region IV, EPA).
- b. All reports required by permits, and other information requested by the Department, shall be signed by a person described in Part V.I of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in Part V.I of this section;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
 - (3) The written authorization is submitted to the Department.
- c. Changes to authorization.

If an authorization under Part V.I of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.I of this section must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

- d. Certification.
 - 1. Any person signing a document under Part V.I of this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
 - 2. The PCA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation, or by imprisonment for not more than two years per violation, or by both.

J. Reporting Requirements

1. Planned changes

The permittee shall give written notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in R 61-9.122.29(b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements of this section.
- c. The alteration or addition results in a significant change in the permittee's sewage sludge or industrial sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan (included in the NPDES permit directly or by reference);

2. Anticipated noncompliance

The permittee shall give advance notice to DHEC/Bureau of Water/Water Pollution Control Division of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to DHEC/Bureau of Water/NPDES Administration Section. The Department may require modification or revocation and reissuance of the permit to change the name of permittee and incorporate such other requirements as may be necessary under the Pollution Control Act and the Clean Water Act. (See section 122.61; in some cases, modification or revocation and reissuance is mandatory.)

- a. Transfers by modification. Except as provided in paragraph b of this section, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under R.61-9.122.62(e)(2)), or a minor modification made (under R.61-9.122.63(d)), to identify the new permittee and incorporate such other requirements as may be necessary under CWA.
- b. Other transfers. As an alternative to transfers under paragraph a of this section, any NPDES permit may be transferred to a new permittee if:
 - (1) The current permittee notifies the Department at least 30 days in advance of the proposed transfer date of this section;

- (2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- (3) Permits are non-transferable except with prior consent of the Department. A modification under this subparagraph may also be a minor modification under section 122.63.

4. Twenty-four hour reporting

- a. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally to local DHEC office within 24 hours from the time the permittee becomes aware of the circumstances. During normal working hours call:

County	DHEC Region	Phone No.
Anderson, Oconee	Upstate BEHS Anderson	864-260-5569
Abbeville, Edgefield, Greenwood, Laurens, McCormick, Saluda	Upstate BEHS Greenwood	864-223-0333
Greenville, Pickens	Upstate BEHS Greenville	864-241-1090
Cherokee, Spartanburg, Union	Upstate BEHS Spartanburg	864-596-3800
Fairfield, Lexington, Newberry, Richland	Midlands BEHS Columbia	803-896-0620
Chester, Lancaster, York	Midlands BEHS Lancaster	803-285-7461
Aiken, Allendale, Bamberg, Barnwell, Calhoun, Orangeburg	Midlands BEHS Aiken	803-642-1637
Chesterfield, Darlington, Dillon, Florence, Marion, Marlboro	Pee Dee BEHS Florence	843-661-4825
Clarendon, Kershaw, Lee, Sumter	Pee Dee BEHS Sumter	803-778-6548
Georgetown, Horry, Williamsburg	Pee Dee BEHS Myrtle Beach	843-238-4378
Berkeley, Charleston, Dorchester	Low Country BEHS Charleston	843-953-0150
Beaufort, Colleton, Hampton, Jasper	Low Country BEHS Beaufort	843-846-1030

After-hour reporting should be made to the 24-Hour Emergency Response telephone number 803-253-6488 or 1-888-481-0125 outside of the Columbia area.

A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; and, if the noncompliance has not been corrected, the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

b. The following shall be included as information which must be reported within 24 hours under this paragraph.

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See R.61-9.122.41(L)(6)(ii)(A).

(2) Any upset which exceeds any effluent limitation in the permit.

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours (See R 61-9.122.44(g)). If the permit contains maximum limitations for any of the pollutants listed below, a violation of the maximum limitations shall be reported orally to the DHEC/Bureau of Water/Water Pollution Control Division within 24 hours or the next business day.

(i) Total Residual Chlorine (TRC)

c. The Department may waive the written report on a case-by-case basis for reports if the oral report has been received within 24 hours.

5. Other noncompliance

The permittee shall report all instances of noncompliance not reported at the time monitoring reports are submitted. The reports shall contain the information listed in Part V.J of this section.

6. Other information.

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 Department, it shall promptly submit such facts or information.

7. Existing manufacturing or commercial dischargers

In addition to the reporting requirements under Part V.J.1-6 of this section, all existing manufacturing or commercial dischargers (that meet the conditions for coverage under this permit) must notify the DHEC/Bureau of Water/Compliance & Enforcement Section of the Department as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
 - (1) One hundred micrograms per liter (100 µg/l);
 - (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application or NOI; or
 - (4) The level established by the Department in accordance with section R.61-9.122.44(f).
- b. 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 in the highest of the following “notification levels”:
 - (1) Five hundred micrograms per liter (500 µg/l);
 - (2) One milligram per liter (1 mg/l) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with R.61-9.122.21(g)(7).
 - (4) The level established by the Department in accordance with section R.61-9.122.44(f).

K. Bypass

1. 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 Part V.K.2 and 3 of this section.

2. Notice

- a. 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 to the DHEC/Bureau of Water/ Water Facilities Permitting Division.
- b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part V.J.4 of this section.

3. Prohibition of bypass

- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part V.K.2 of this section.
- b. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in Part V.K.3.a of this section.

L. Upset

1. Effect of an upset

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part V.L.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. Conditions necessary for a demonstration of upset

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An upset occurred and that the permittee can identify the cause(s) of the upset;
- b. The permitted facility was at the time being properly operated; and
- c. The permittee submitted notice of the upset as required in Part V.J.
- d. The permittee complied with any remedial measures required under Part V.C.

3. Burden of proof

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

M. Misrepresentation of Information

1. Any person making application for a NPDES discharge permit or filing any record, report, or other document pursuant to a regulation of the Department, shall certify that all information contained in such document is true. All application facts certified to by the applicant shall be considered valid conditions of the permit issued pursuant to the application.
2. Any person who knowingly makes any false statement, representation, or certification in any application, record, report, or other documents filed with the Department pursuant to the State law, and the rules and regulations pursuant to that law, shall be deemed to have violated a permit condition and shall be subject to the penalties provided for pursuant to 48-1-320 or 48-1-330.

N. Requiring an Individual Permit or an Alternative General Permit

1. The Department may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Department to take action under this paragraph. The Department may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Individual permit applications shall be submitted to the address shown in Part III.C of this permit. The Department may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Department, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.
2. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application (Form 1 and Form 2C, 2D, or 2E, as appropriate) with reasons supporting the request to the Department. Individual permit applications shall be submitted to the address in Part III.C of this permit. The request may be granted by the issuance of an individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.
3. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES

permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Department.

Part VI. REOPENER CLAUSE

1. If there is evidence indicating potential or realized impacts on water quality due to any water treatment plant discharge covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or an alternative general permit in accordance with Part V.N (Requiring an Individual Permit or Alternative General Permit) of this permit or the permit may be modified to include different limitations and/or requirements.
2. Permit modification or revocation of coverage will be conducted according to S.C. Pollution Control Act and S.C. Regulation 61-9.

Part VII. TERMINATION OF COVERAGE

A. Notice of Termination

Where all wastewater treatment plant discharges that are authorized by this permit are eliminated or where a facility's operation changes as to reclassify it under another type of eligible operation, the operator of the facility shall submit a Notice of Termination. The Notice of Termination shall include the following information:

1. Name, mailing address, and location of the facility for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the facility to the nearest 15 seconds that the facility is located in;
2. Up to four 4-digit SIC codes that best represent the principal products or activities provided by the facility;
3. The operator's name, address, telephone number, ownership status and status as Federal, State, private, public or other entity;
4. The NPDES permit number for the water plant discharge identified by the Notice of Termination;
5. The reason(s) for termination; and
6. The Notice of Termination must be signed in accordance with Part V.I of this permit.

B. Where to Submit

All Notices of Termination are to be sent to the following address:

SC Dept. of Health and Environmental Control
Bureau of Water
NPDES/ND Permit Administration
2600 Bull Street
Columbia, SC 29201

Part VIII.SPECIAL CONDITIONS

A. Releases in Excess of Reportable Quantities

1. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. Where a release containing a hazardous substance in an amount equal to or in excess of reporting quantity established under either 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:
 - a. The discharger is required to notify both the Department's Emergency Response Section at (803) 253-6488 and the National Response Center (NRC) (800-424-8802) in accordance with the requirements of 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;
 - b. The permittee shall submit within 14 calendar days of knowledge of the release a written description of the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken to both:

Emergency Response Section
SC Dept. of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201; and

EPA Region IV
61 Forsyth Street SW
Atlanta, GA 30303-3104

2. Spills

This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

B. [Reserved]

C. [Reserved]

D. Sludge Disposal Requirements

1. Sludge Use and Disposal

- a. The permittee shall comply with effluent standards and/or prohibitions established under Section 307(a) of the Clean Water Act (CWA) for toxic pollutants, standards for sludge use and disposal established in 40 CFR Parts 122, 123, 258, 501 and 503, under Section 405(d) of the CWA, and R.61-9.503 State Domestic Sludge Regulations, within the time provided in

- the regulations that establish these prohibitions or standards for sludge use or disposal, even if the NPDES permit has not yet been modified to incorporate the requirement.
- b. The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
 - c. This permit may be modified to address any standard for sludge use or disposal promulgated under Section 405(d) and Section 503 of the Clean Water Act and R.61-9.503 State Domestic Sludge Regulations or additional controls of a pollutant or practice not currently limited in this permit.
 - d. The compliance with the Federal sludge regulations is directly enforceable as identified in 40 CFR Part 503.3. No person shall use or dispose of sewage sludge through any practice for which requirements are established except in accordance with 40 CFR Part 503. Any sludge disposal permits issued by the Department will remain in effect and all conditions and requirements will apply; however, this does not relieve the permittee from complying with the conditions of 40 CFR Part 503 or State Regulation 61-9.503
 - e. The direct enforceability (§503.3(b)) of the sludge standards requires that the permittee shall not use or dispose of sewage sludge through any practice for which requirements are established in 40 CFR Part 503, except in accordance with those requirements. If the Department includes State sludge permit requirements under R.61-9.503, the conditions of that permit shall apply in addition to any requirements under 40 CFR Part 503.
 - f.
 - 1. The permittee must obtain prior Departmental approval of planned changes in the facility when the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use of disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
 - 2. The sludge disposal permit may be modified or revoked and reissued if there are material and substantial alterations or additions to the permitted facility or activity (including a change or changes in the permittee's sludge use or disposal practice) which occurred after the permit issuance which justify the application of permit conditions which are different from or absent in the existing permit.
 - g. The sludge disposal permit may be terminated if there is a change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit.
 - h. Periodic inspections will be conducted by Department authorized representatives to ensure compliance with State regulations and permit stipulations. Any necessary modification to this permit may be based upon these evaluations.

- i. Records of monitoring required by the permits related to sludge use and disposal activities must be kept at least five (5) years (or longer as required by 40 CFR Part 503 or R.61-9.503).
- j. Sludge monitoring procedures shall be those specified in 1) R.61-9.503; 2) 40 CFR Part 503; 3) 40 CFR Part 136; or 4) other procedures specified in the sludge permit (in that order of "preference" depending on the availability and applicability of a particular method at the time the sludge permit is issued).
- k. The permittee must provide sludge monitoring results on a form(s) approved by the Department.
- l. The permittee shall submit the results of all sludge monitoring if done more frequently than required by the sludge permit. The permittee may be required to maintain specific records at the facility and on request may also be required to furnish them to the Department.
- m. The permittee should note that under 40 CFR 122.44(l), the "anti-backsliding" provision applies only to surface water dischargers. The "anti-backsliding" provision does not apply to sludge use and disposal activities.

E. Effluent Sampling Requirements for Part X

For purposes of reporting, the Permittee shall use the reporting threshold equivalent to the PQL listed below and conduct analyses in accordance with the method specified below:

Parameter	Analytical Method	PQL (µg/l)
Total Residual Chlorine	SM4500Cl B, C, D, E, F, or G	50
Total Mercury	1669(sampling)/1631E (analysis)	0.0005

The Permittee can however use another analytical method (40 CFR Part 136 approved) from a SCDHEC certified laboratory with a PQL equal to or lower than the PQL listed above. If the permittee is using a PQL below the PQL listed above, then for purposes of reporting, the lower PQL shall be used.

The grab samples taken must be representative of the effluent characteristics. The permittee may be required to provide composite samples using the method listed in Part I.E.2, 3 or 4 in place of grab samples. If required, the permittee must change from grab to composite sample beginning sixty (60) days from written notice by the Department.

F. Other Requirements

- 1. The permittee shall develop and maintain at the facility a complete Operations and Maintenance Manual for the waste treatment facilities and/or land application system. The manual shall be made available for on-site review during normal working hours. The manual shall contain operation and maintenance instructions for all equipment and appurtenances associated with the waste treatment

facilities and land application system. The manual shall contain a general description of: the treatment process(es), the operational procedures to meet the permit requirements, and the corrective action to be taken should operating difficulties be encountered.

2. The permittee shall provide for the performance of daily treatment facility inspections by a certified operator of the appropriate grade as specified in Part IX.G. The inspections shall include, but should not necessarily be limited to, areas which require visual observation to determine efficient operation and for which immediate corrective measures can be taken using the O & M manual as a guide. All inspections shall be recorded and shall include the date, time, and name of the person making the inspection, corrective measures taken, and routine equipment maintenance, repair, or replacement performed. The permittee shall maintain all records of inspections at the permitted facility as required by the permit, and the records shall be made available for on-site review during normal working hours.
3. A roster of operators associated with the facility's operation and their certification grades shall be submitted to the DHEC/Bureau of Water/Water Pollution Control Division. For existing facilities, this roster shall be submitted within thirty (30) days of the effective date of this permit. For new facilities, this roster must be submitted prior to placing the facility into operation. Additionally, any changes in operator or operators (including their certification grades) shall be submitted to the Department as they occur.
4. Wastewater Sewer Systems
 - a. Purpose. This section establishes rules for governing the operation and maintenance of wastewater sewer systems, including gravity or pressure interceptor sewers. It is the purpose of this section to establish standards for the management of sewer systems to prevent and/or minimize system failures that would lead to public health or environmental impacts.
 - b. Applicability. This section applies to all sewer systems that have been or would be subject to a DHEC construction permit under Regulation 61-67 and whose owner owns or operates the wastewater treatment system to which the sewer discharges.
 - c. General requirements. The permittee must:
 - (1) Properly manage, operate, and maintain at all times all parts of its sewer system(s), to include maintaining contractual operation agreements to provide services, if appropriate;
 - (2) Provide adequate capacity to convey base flows and peak flows for all parts of the sewer system or, if capital improvements are necessary to meet this standard, develop a schedule of short and long term improvements;
 - (3) Take all reasonable steps to stop and mitigate the impact of releases of wastewater to the environment; and
 - (4) Notify the Department within 30 days of a proposed change in ownership of a sewer system.

5. Domestic treatment works

All POTWs must provide adequate notice to the Department of the following:

- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to sections 301 or 306 of CWA if it were directly discharging those pollutants; and
- b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. For purposes of this paragraph, adequate notice shall include information on:
 - (1) The quality and quantity of effluent introduced into the POTW, and
 - (2) Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

6. Prohibited Discharges (POTW's)

In accordance with 24 S.C. Reg. Ann. § 61-9.403, the Permittee shall prohibit in its sewer use ordinance the discharge of pollutant(s) into its treatment works by any non-domestic source(s), if such pollutant(s) may inhibit or interfere with the operation or performance of the works. Further, the Permittee shall prohibit in its sewer use ordinance and pretreatment program regulations (if a pretreatment program is approved by the Department) the introduction of the following pollutants into its treatment works:

- a. Pollutant(s) 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.
- b. Pollutant(s) which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the works is specifically designed to accommodate such discharges.
- c. Solid or viscous pollutant(s) in amounts which will cause obstruction to the flow in the POTW resulting in interference.
- d. Any pollutant, including oxygen demanding pollutants, (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
- e. Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40°C (104°F) unless the Department, upon request of the POTW, approves alternate temperature limits.
- f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- h. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

Part IX. Other Requirements

A. [Reserved]

B. Effluent Toxicity Limitations and Monitoring Requirements

1. Acute Toxicity

a. Freshwater (FW) and Brackish Water (FW-SW) Requirements

- (1) A 48-hour static acute toxicity test shall be conducted at the frequency stated in Part X.C Effluent Toxicity Limitations and Monitoring Requirements using a control and the acute test concentration (ATC) of (see RATIONALE and EXCEL spreadsheet). The test shall be conducted using *Ceriodaphnia dubia* as the test organism using EPA Method 2002.0 in accordance with “Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms,” EPA 821/R-02/012 (October 2002). The test shall be conducted at $25^{\circ}\text{C} \pm 1^{\circ}\text{C}$.
- (2) If the test group *Ceriodaphnia dubia* survival is less than the control group survival at the 0.05α level of a left-tailed Fisher’s exact test, the test shall be deemed a failure.
- (3) The permittee must report on the discharge monitoring report (DMR) form whether the test passes or fails at the specified ATC. If the test fails, the number “1” shall be placed on the form. If the test passes, the number “0” shall be placed on the form. If more than one test is performed during a monitoring period (including tests from split samples), the worst case result shall be reported on the DMR.
- (4) A test shall be invalidated if any part of Method 2002.0 is not followed or if the laboratory is not certified at the time the test is conducted.
- (5) Results from all invalid tests must be appended to DMRs, including lab control data. The permittee has sole responsibility for scheduling toxicity tests so as to ensure there is sufficient opportunity to complete and report the required number of valid test results for each monitoring period.
- (6) The permittee is responsible for reporting a valid test during each monitoring period. However, the Department acknowledges that invalid tests may occur. All of the following conditions must be satisfied for the permittee to be in compliance with Whole Effluent Toxicity (WET) testing requirements for a particular monitoring period when a valid test was not obtained.
 - (a) A minimum of five (5) tests have been conducted which were invalid in accordance with Part IX.B.1.a.(4) above;

- (b) The data and results of all invalid tests are attached to the DMR;
- (c) At least one additional State-certified laboratory is used after two (2) consecutive invalid tests were determined by the first laboratory. The name(s) and lab certification number(s) of the additional lab(s) shall be reported in the comment section of the DMR; and
- (d) A valid test was reported during each of the previous three reporting periods.

If these conditions are satisfied, the permittee may enter "H" in the appropriate boxes on the toxicity DMR and add the statement to the Comment Section of the DMR that "H indicates invalid tests."

- (7) This permit may be modified based on new information that supports a modification in accordance with Regulation 61-9.122.62 and Regulation 61-68.D.

b. Saltwater (SW) Requirements

- (1) A 48-hour static acute toxicity test shall be conducted at the frequency stated in Part X.D, Effluent Toxicity Limitations and Monitoring Requirements, using a control and the acute test concentration (ATC) of (see RATIONALE and EXCEL spreadsheet). The test shall be conducted using *Mysidopsis bahia* as the test organism using Method 2007.0 in accordance with "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms," EPA 821/R-02/012 (October 2002). The test shall be conducted at 25°C ±1°C. The effluent's salinity may be adjusted to 20 to 30 parts per thousand (ppt) by the addition of salts before the test is performed. The effluent shall not be diluted to achieve a lower salinity.
- (2) If the test group *Mysidopsis bahia* survival is less than the control group survival at the 0.05 α level of a left-tailed Fisher's exact test, the test shall be deemed a failure.
- (3) The permittee must report on the discharge monitoring report (DMR) form whether the test passes or fails at the specified ATC. If the test fails, the number "1" shall be placed on the form. If the test passes, the number "0" shall be placed on the form. If more than one test is performed during a monitoring period (including tests from split samples), the worst case result shall be reported on the DMR.
- (4) A test shall be invalidated if any part of Method 2007.0 is not followed or if the laboratory is not certified at the time the test is conducted.
- (5) Results from all invalid tests must be appended to DMRs, including lab control data. The permittee has sole responsibility for scheduling toxicity tests so as to ensure there is sufficient opportunity to complete and report the required number of valid test results for each monitoring period.

- (6) The permittee is responsible for reporting a valid test during each monitoring period. However, the Department acknowledges that invalid tests may occur. All of the following conditions must be satisfied for the permittee to be in compliance with Whole Effluent Toxicity (WET) testing requirements for a particular monitoring period when a valid test was not obtained.
- (a) A minimum of five (5) tests have been conducted which were invalid in accordance with Part IX.B.1.b.(4) above;
 - (b) The data and results of all invalid tests are attached to the DMR;
 - (c) At least one additional State-certified laboratory is used after two (2) consecutive invalid tests were determined by the first laboratory. The name(s) and lab certification number(s) of the additional lab(s) shall be reported in the comment section of the DMR; and
 - (d) A valid test was reported during each of the previous three reporting periods.

If these conditions are satisfied, the permittee may enter “H” in the appropriate boxes on the toxicity DMR and add the statement to the Comment Section of the DMR that “H indicates invalid tests.”

- (7) This permit may be modified based on new information that supports a modification in accordance with Regulation 61-9.122.62 and Regulation 61-68.D.

2. Chronic Toxicity

a. Freshwater (FW) and Brackish Water (FW-SW) Requirements

- (1) A *Ceriodaphnia dubia* three brood chronic toxicity test shall be conducted at the frequency stated in Part X.E, Effluent Toxicity Limitations and Monitoring Requirements, using the chronic test concentration (CTC) of (see RATIONALE and EXCEL spreadsheet) and the following test concentrations: 0% (control), 6.25%, 12.5%, 25%, 50% and 100% effluent. The permittee may add additional test concentrations without prior authorization from the Department provided that the test begins with at least 10 replicates in each concentration and all data is used to determine permit compliance.
- (2) The test shall be conducted using EPA Method 1002.0 in accordance with “Short-Term Methods for Estimating Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms,” EPA/821/R-02/013 (October 2002).
- (3) The permittee shall use the linear interpolation method described in “Short-Term Methods for Estimating Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms,” EPA/821/R-02/013 (October 2002), Appendix M to estimate the percent effect at the CTC according to the equations in d below.

- (4) The linear interpolation estimate of percent effect is $\left(1 - \frac{M_{CTC}}{M_1}\right) * 100$ if the CTC is a tested concentration. Otherwise, it is

$$\left(1 - \frac{M_J - \frac{M_{J+1} - M_J}{C_{J+1} - C_J} * C_J + \frac{M_{J+1} - M_J}{C_{J+1} - C_J} * CTC}{M_1}\right) * 100.$$

- (5) A test shall be invalidated if any part of Method 1002.0 is not followed or if the laboratory is not certified at the time the test is conducted.
- (6) Results from all invalid tests must be appended to DMRs, including lab control data. The permittee has sole responsibility for scheduling toxicity tests so as to ensure there is sufficient opportunity to complete and report the required number of valid test results for each monitoring period.
- (7) The permittee is responsible for reporting a valid test during each monitoring period. However, the Department acknowledges that invalid tests may occur. All of the following conditions must be satisfied for the permittee to be in compliance with Whole Effluent Toxicity (WET) testing requirements for a particular monitoring period when a valid test was not obtained.
- (a) A minimum of three (3) tests have been conducted which were invalid in accordance with Part IX.B.2.a.(5) above;
 - (b) The data and results of all invalid tests are attached to the DMR;
 - (c) At least one additional State-certified laboratory was used after two (2) consecutive invalid tests were determined by the first laboratory. The name(s) and lab certification number(s) of the additional lab(s) shall be reported in the comment section of the DMR; and
 - (d) A valid test was reported during each of the previous three reporting periods.

If these conditions are satisfied, the permittee may enter “H” in the appropriate boxes on the toxicity DMR and add the statement to the Comment Section of the DMR that “H indicates invalid tests.”

- (8) This permit may be modified based on new information that supports a modification in accordance with Regulation 61-9.122.62 and Regulation 61-68.D.

b. Saltwater (SW) Requirements

- (1) A *Mysidopsis bahia* survival, growth and fecundity chronic toxicity test shall be conducted at the frequency stated in Part X.F, Effluent Toxicity Limitations and Monitoring Requirements, using the chronic test concentration (CTC) of (see RATIONALE and EXCEL spreadsheet) and the following test concentrations: 0% (control), 6.25%, 12.5, 25%, 50%, and 100% effluent. The permittee may add additional test concentrations without prior authorization from the Department provided that the test begins with at least 8 vessels each containing 5 organisms per concentration and all data is used to determine permit compliance. The effluent's salinity may be adjusted to 20 to 30 parts per thousand (ppt) by the addition of salts before the test is performed. The effluent shall not be diluted to achieve a lower salinity.
- (2) The test shall be conducted using EPA Method 1007.0 in accordance with "Short-Term Methods for Estimating Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms," EPA/821/R-02/014 (October 2002).

- (3) The permittee shall use the linear interpolation method described in "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms," EPA/821/R-02/014 (October 2002), Appendix L to estimate the percent effect on survival, growth and fecundity at the CTC according to the equations in (4) below.

- (4) The linear interpolation estimate of percent effect is $\left(1 - \frac{M_{CTC}}{M_1}\right) * 100$ if the CTC is a tested concentration. Otherwise, it is

$$\left(1 - \frac{M_J - \frac{M_{J+1} - M_J}{C_{J+1} - C_J} * C_J + \frac{M_{J+1} - M_J}{C_{J+1} - C_J} * CTC}{M_1}\right) * 100.$$

- (5) A test shall be invalidated if any part of Method 1007.0 is not followed or if the laboratory is not certified at the time the test is conducted.
- (6) Results from all invalid tests must be appended to DMRs, including lab control data. The permittee has sole responsibility for scheduling toxicity tests so as to ensure there is sufficient opportunity to complete and report the required number of valid test results for each monitoring period.
- (7) The permittee is responsible for reporting a valid test during each monitoring period. However, the Department acknowledges that invalid tests may occur. All of the following conditions must be satisfied for the permittee to be in compliance with Whole Effluent

Toxicity (WET) testing requirements for a particular monitoring period when a valid test was not obtained.

- (a) A minimum of three (3) tests have been conducted which were invalid in accordance with Part IX.B.2.b.(5) above;
- (b) The data and results of all invalid tests are attached to the DMR;
- (c) At least one additional State-certified laboratory was used after two (2) consecutive invalid tests were determined by the first laboratory. The name(s) and lab certification number(s) of the additional lab(s) shall be reported in the comment section of the DMR; and
- (d) A valid test was reported during each of the previous three reporting periods.

If these conditions are satisfied, the permittee may enter "H" in the appropriate boxes on the toxicity DMR and add the statement to the Comment Section of the DMR that "H indicates invalid tests."

- (8) This permit may be modified based on new information that supports a modification in accordance with Regulation 61-9.122.62 and Regulation 61-68.D.

C. Effluent Limitations and Monitoring Requirements

1. There shall be no discharge of floating solids or visible foam in other than trace amounts, nor shall the effluent cause a visible sheen on the receiving waters.
2. a. Effluent samples taken in compliance with the monitoring requirements specified in Part X, shall be taken at the following location(s): nearest accessible point after final treatment but prior to actual discharge or mixing with the receiving waters.

b. Influent samples taken in compliance with the monitoring requirements specified in Part X, shall be taken at the following location(s): nearest accessible point prior to any primary treatment unit (e.g. after the bar screen and before primary treatment).
3. Samples shall be collected in accordance with the permit conditions specified.
4. MR = Monitor and Report only.

D. Odor Control Requirements

The permittee shall use best management practices normally associated with the proper operation and maintenance of a sludge wastewater treatment site, any sludge storage or lagoon areas, transportation of sludges, and all individual activities permitted under R.61-9.503 to ensure that an undesirable level of odor does not exist.

1. The permittee is required to prepare an odor abatement plan for the sewage sludge treatment sites, any sludge storage or lagoon areas, and land application or surface disposal sites. It must be noted this state regulation that went into effect on June 27, 2003, and continues in effect, required permittees that land-apply sludge to prepare the plan by December 24, 2003. Otherwise, the permittee had until June 27, 2004 to prepare the plan and this requirement remains in effect. The plan must have included the following topics:
 - a. Operation and maintenance practices which are used to eliminate or minimize undesirable odor levels in the form of best management practices for odor control.
 - b. Use of treatment processes for the reduction of undesirable odors;
 - c. Use of setbacks.
 - d. Contingency plans and methods to address odor problems for the different type of disposal/application methods used.
2. Unless otherwise requested, prior to issuance of a new or expanded land application disposal permit, the Department may review the odor abatement plan for compliance with this Part (503.50). The Department may require changes to the plan as appropriate.

3. No permittee may cause, allow, or permit emission into the ambient air of any substance or combinations of substances in quantities that an undesirable level of odor is determined to result unless preventative measures of the type set out below are taken to abate or control the emission to the satisfaction of the Department. When an odor problem comes to the attention of the Department through field surveillance or specific complaints, the Department may determine, in accordance with section 48-1-120 of the Pollution Control Act, if the odor is at an undesirable level by considering the character and degree of injury or interference to:
 - a. The health or welfare of the people;
 - b. Plant, animal, freshwater aquatic, or marine life;
 - c. Property; or
 - d. Enjoyment of life or use of affected property.
4. After determining that an undesirable level of odor exists, the Department may require:
 - a. the permittee to submit a corrective action plan to address the odor problem,
 - b. remediation of the undesirable level of odor within a reasonable timeframe, and
 - c. in an order, specific methods to address the problem.
5. In accordance with R.61-9.503.50(e), if the permittee fails to control or abate the odor problems addressed in this section within the specified timeframe, the Department may revoke disposal/application activities associated with the site or the specific aspect of the sludge management program.

E. [Reserved]

F. [Reserved]

G. Additional Operational Requirements

1. The wastewater treatment plant is assigned a classification of (see EXCEL spreadsheet). This classification corresponds to an operator with a grade of (see EXCEL spreadsheet).
2. The wastewater treatment plant is assigned a Reliability Classification of (see EXCEL spreadsheet), in accordance with Section 67.400 "Reliability Classifications" of the Standards for Wastewater Facility Construction: R.61-67.
3. For parameters with a sample frequency of once per month or greater, the Permittee shall monitor (at least one sample) consistent with conditions established by this Permit on the (see EXCEL spreadsheet) of every calendar month, unless otherwise approved by the Department. (For

example; with a once per week (01/07) sampling frequency, the permittee shall monitor one weekly sample on the day of the week noted during the monthly DMR reporting period.)

For parameters with a sampling frequency of less than once per month (if any), the permittee shall monitor these parameters on specific date noted above on any of the months during the appropriate reporting period unless otherwise approved by the Department. (For example, with a once per quarter (1/90) sampling frequency, the permittee may monitor on the day of the week noted in either the first, second or third month in the quarterly reporting period.)

For parameters requiring multiple samples for a single test the Permittee may collect the samples on any date during the reporting period, unless otherwise approved by the Department. The permittee must notify the Department of the planned sampling dates upon request.

In accordance with R.61-9.122.41(j)(1)(iii), the Department may waive compliance with the permit requirement for a specific sampling event for extenuating circumstances. Additional monitoring, as necessary to meet the frequency requirements of this Permit (Part IV, if applicable) shall be performed by the Permittee.

4. Wastewater Design Flow

- a. For the purposes of identification of the treatment capacity (under R.61-67.300.A.8) the design flow is (see EXCEL spreadsheet).
- b. For NPDES billing (under R.61-30.B(2)(b)), the “actual flow” limit for this wastewater treatment facility shall be identified as the design flow of (see EXCEL spreadsheet).

5. Water Treatment Plant Notification

The permittee shall notify any downstream water treatment plants within fifteen (15) miles downstream of any emergency condition, plant upset, bypass or other system failure, which has the potential to affect the quality of water withdrawn for drinking purposes:

This notification should be made as soon as possible and in anticipation of such event, if feasible, without taking away any response time necessary to attempt to alleviate this situation.

6. Sludge transportation and disposal requirements, if applicable, shall hereby be incorporated by reference into this permit from the attached “Sludge Removal and Transportation Approval” letter.

H. Secondary Treatment (POTW's only) - Percent Removal (BOD₅, CBOD₅ and TSS)

1. In accordance with R.61-9.133.102,103 and 105, the 30 day average percent removal for BOD₅, CBOD₅ (if applicable) and TSS have been identified in Part X, "Effluent Limitations and Monitoring Requirements". For purposes of reporting the 30-day average percent removal for BOD₅, CBOD₅ (if applicable) and TSS across the treatment plant, the permittee shall conduct influent and effluent sampling for BOD₅, CBOD₅ (if applicable) and TSS during a 30-day reporting as follows:

I. Secondary Treatment (POTW's only) - Percent Removal for Lagoons (BOD₅ and CBOD₅)

1. In accordance with R.61-9.133.102,103 and 105, the 30 day average percent removal for BOD₅ and/or CBOD₅ (if applicable) have been identified in Part X, "Effluent Limitations and Monitoring Requirements". For purposes of reporting the 30-day average percent removal for BOD₅ and/or CBOD₅ (if applicable) across the treatment plant, the permittee shall conduct influent and effluent sampling for BOD₅ and/or CBOD₅ (if applicable) during a 30-day reporting as follows: **(FOR LAGOONS)**

Influent Sampling:

- At a minimum during any 30-day reporting period, collect grab or composite influent sample(s) at a frequency identified in Part X. The procedure to collect a composite sample shall be in accordance with Part I.E and a grab sample shall be in accordance with Part I.P.
- If only one influent sample is collected during any 30-day reporting period (provided this meets the minimum frequency specified in Part X), then that sample shall be considered as the 30-day average influent concentration for a given parameter.
- If more than one influent samples are collected during the 30-day reporting period, then all individual values for a given parameter shall be averaged to determine the 30-day average influent concentration.

Effluent Sampling:

- Effluent data collected for permit compliance can be used, provided sufficient samples are collected to meet the frequency specified in Part X.
- If more than one effluent samples are collected during the 30-day reporting period, then all individual values for a given parameter shall be averaged to determine the 30-day average effluent concentration.

Percent Removal Determination:

- Determine the 30-day average percent removal for a given parameter using the formula below:

$$30\text{-day average percent removal} = \frac{C_{\text{influent}} - C_{\text{effluent}}}{C_{\text{influent}}} \times 100$$

where:

C_{influent} = Average of all influent samples collected during the 30-day reporting period in (mg/l).

C_{effluent} = Average of all effluent samples collected during the 30-day reporting period in (mg/l).

2. The Department may substitute either a lower percent removal requirement or a mass loading limit for the percent removal requirements set forth in section 133.102(a)(3), section 133.102(a)(4)(iii), section 133.102(b)(3), section 133.105(a)(3), section 133.105(b)(3) and section 133.105(e)(1)(iii) provided that the permittee satisfactorily demonstrates that:
 - (a) The treatment works is consistently meeting, or will consistently meet, its permit effluent concentration limits but its percent removal requirements cannot be met due to less concentrated influent wastewater,
 - (b) To meet the percent removal requirements, the treatment works would have to achieve significantly more stringent limitations than would otherwise be required by the concentration-based standard. In accordance with R.61-9.133.101(j), "Significantly more stringent limitation" means BOD₅ and TSS limitations necessary to meet the percent removal requirements of at least 5 mg/l more stringent than the otherwise applicable concentration-based limitations (e.g., less than 25 mg/l in the case of the secondary treatment limits for BOD₅ and TSS), or the percent removal limitations in section 133.102 and section 133.105, if such limits would, by themselves, force significant construction or other significant capital expenditure.
 - (c) The less concentrated influent wastewater is not the result of excessive I/I. The determination of whether the less concentrated wastewater is the result of excessive I/I will use the definition of excessive I/I in 40 CFR 35.2005(b)(16) plus the additional criterion that inflow is non-excessive if the total flow to the POTW (i.e., wastewater plus inflow plus infiltration) is less than 275 gallons per capita per day.

Part X. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Wastewater treatment facilities (domestic wastewater sources only) with no compliance schedules and a design flow less than or equal to 50,000 gallons per day

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

Following limits are based on the average design flow of: ① MGD													
EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS (Public Facilities - POTW)						DISCHARGE LIMITATIONS (Private Facilities)				MONITORING REQUIREMENTS		
	Pounds per Day			Other Units			Pounds per Day		Other Units		Measurement Frequency	Sample Type	Sample Point
	Monthly Average	Weekly Average	Daily Max.	Monthly Average	Weekly Average	Daily Max.	Monthly Average	Daily Max.	Monthly Average	Daily Max.			
Flow	---	---	---	MR MGD	MR MGD	---	---	---	MR MGD	MR MGD	1/Month	Inst. +	Eff.
BOD ₅	②	②	---	③ mg/l	③ mg/l	---	②	②	③ mg/l	③ mg/l	1/Month	24 Hr C	Eff.
TSS	②	②	---	④ mg/l	④ mg/l	---	②	②	④ mg/l	④ mg/l	1/Month	24 Hr C	Eff.
NH ₃ -N (Mar-Oct)	②	②	---	⑤ mg/l	⑤ mg/l	---	②	②	⑤ mg/l	⑤ mg/l	1/Month	24 Hr C	Eff.
NH ₃ -N (Nov-Feb)	②	②	---	⑥ mg/l	⑥ mg/l	---	②	②	⑥ mg/l	⑥ mg/l	1/Month	24 Hr C	Eff.
TRC	②	---	②	⑦ mg/l	---	⑦ mg/l	②	②	⑦ mg/l	⑦ mg/l	1/Month	Grab	Eff.
DO	---	---	---	⑧ mg/l Minimum at all times			---	---	⑧ mg/l Minimum at all times		Week-Days	Grab	Eff.
pH	---	---	---	⑨ - ⑩ Standard Units			---	---	⑨ - ⑩ Standard Units		Week-Days	Grab	Eff.
BOD ₅ (% Removal) §	---	---	---	* % (Min.)	---	---	---	---	---	---	1/Month	Calc.	---
TSS (% Removal) §	---	---	---	**% (Min.)	---	---	---	---	---	---	1/Month	Calc.	---

- ① Design Flow from Excel sheet
- ② Mass in pounds per day from Excel sheet
- ③ BOD₅ concentration in mg/l from Excel sheet
- ④ TSS concentration in mg/l from Excel sheet
- ⑤ NH₃-N concentration (Mar-Oct) in mg/l from Excel sheet
- * BOD₅ percent removal (POTW's only) from Excel sheet
- § See Part IX.H.

- ⑥ NH₃-N concentration (Nov-Feb) in mg/l from Excel sheet
- ⑦ TRC concentration in mg/l from Excel sheet
- ⑧ Minimum DO in mg/l from Excel sheet
- ⑨ pH Lower range limit (standard units) from Excel sheet
- ⑩ pH Upper range limit (standard units) from Excel sheet
- ** TSS percent removal (POTW's only) from Excel sheet
- + The flow to be reported shall either be the average of eight instantaneous flow readings or the continuous flow measurement used in obtaining the composite samples as required in Part I.E.

B. Wastewater treatment facilities (domestic wastewater sources only) with no compliance schedules and a design flow greater than 50,000 gallons per day and less than 500,000 gallons per day

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

Following limits are based on the average design flow of: ① MGD													
EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS (Public Facilities - POTW)						DISCHARGE LIMITATIONS (Private Facilities)				MONITORING REQUIREMENTS		
	Pounds per Day			Other Units			Pounds per Day		Other Units		Measurement Frequency	Sample Type	Sample Point
	Monthly Average	Weekly Average	Daily Max.	Monthly Average	Weekly Average	Daily Max.	Monthly Average	Daily Max.	Monthly Average	Daily Max.			
Flow	---	---	---	MR MGD	MR MGD	---	---	---	MR MGD	MR MGD	2/Month	Cont.	Eff.
BOD ₅	②	②	---	③ mg/l	③ mg/l	---	②	②	③ mg/l	③ mg/l	2/Month	24 Hr C	Eff.
TSS	②	②	---	④ mg/l	④ mg/l	---	②	②	④ mg/l	④ mg/l	2/Month	24 Hr C	Eff.
NH ₃ -N (Mar-Oct)	②	②	---	⑤ mg/l	⑤ mg/l	---	②	②	⑤ mg/l	⑤ mg/l	2/Month	24 Hr C	Eff.
NH ₃ -N (Nov-Feb)	②	②	---	⑥ mg/l	⑥ mg/l	---	②	②	⑥ mg/l	⑥ mg/l	2/Month	24 Hr C	Eff.
TRC	②	---	②	⑦ mg/l	---	⑦ mg/l	②	②	⑦ mg/l	⑦ mg/l	2/Month	Grab	Eff.
DO	---	---	---	⑧ mg/l Minimum at all times			---	---	⑧ mg/l Minimum at all times		Week-Days	Grab	Eff.
pH	---	---	---	⑨ - ⑩ Standard Units			---	---	⑨ - ⑩ Standard Units		Week-Days	Grab	Eff.
BOD ₅ (% Removal) §	---	---	---	* % (Min.)	---	---	---	---	---	---	2/Month	Calc.	---
TSS (% Removal) §	---	---	---	**% (Min.)	---	---	---	---	---	---	2/Month	Calc.	---

- ① Design Flow from Excel sheet
- ② Mass in pounds per day from Excel sheet
- ③ BOD₅ concentration in mg/l from Excel sheet
- ④ TSS concentration in mg/l from Excel sheet
- ⑤ NH₃-N concentration (Mar-Oct) in mg/l from Excel sheet
- * BOD₅ percent removal (POTW's only) from Excel sheet
- § See Part IX.H.

- ⑥ NH₃-N concentration (Nov-Feb) in mg/l from Excel sheet
- ⑦ TRC concentration in mg/l from Excel sheet
- ⑧ Minimum DO in mg/l from Excel sheet
- ⑨ pH Lower range limit (standard units) from Excel sheet
- ⑩ pH Upper range limit (standard units) from Excel sheet
- ** TSS percent removal (POTW's only) from Excel sheet

C. Whole Effluent Toxicity Limitations and Monitoring Requirements discharging to Freshwaters Class FW or FW sp as classified by S.C. Regulation 61-68, Water Classifications and Standards, and Regulation 61-69, Classified Waters

Final Limitations: During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Other Units		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum		
Whole Effluent Toxicity Acute Testing @ ATC = \$%	---	0	1/year	24 Hour Composite

1. Samples used to demonstrate compliance with the discharge limitations and monitoring requirements specified above shall be taken at or near the final point-of-discharge but, prior to mixing with the receiving waters or other waste streams.
2. A 48-hour static acute toxicity test shall be conducted at the frequency stated above using a control and the acute test concentration (ATC) of \$%. The test shall be conducted using *Ceriodaphnia dubia* as the test organism using EPA Method 2002.0 in accordance with "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms," EPA 821/R-02/012 (October 2002). The test shall be conducted at 25°C ±1°C.
3. If the test group *Ceriodaphnia dubia* survival is less than the control group survival at the 0.05α level of a left-tailed Fisher's exact test, the test shall be deemed a failure.
4. The permittee must report on the discharge monitoring report (DMR) form whether the test passes or fails at the specified ATC. If the test fails, the number "1" shall be placed on the form. If the test passes, the number "0" shall be placed on the form. If more than one test is performed during a monitoring period (including tests from split samples), the worst case result shall be reported on the DMR. The DMR Attachment for Toxicity Test Results, DHEC Form 3420, shall also be completed and submitted with the DMR.
5. \$% = (see RATIONALE and EXCEL spreadsheet). Default IWC is 100% if no mixing zone analysis provided and if IWC calculation is less than 80%. IWC will be actual dilution between 80% and 100%.

D. Whole Effluent Toxicity Limitations and Monitoring Requirements discharging to Saltwaters Class SA or SA sp or SB or SB sp or SFH (existing) as classified by S.C. Regulation 61-68, Water Classifications and Standards, and Regulation 61-69, Classified Waters

Final Limitations: During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Other Units		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum		
Whole Effluent Toxicity Acute Testing @ ATC = \$%	---	0	1/year	24 Hour Composite

1. Samples used to demonstrate compliance with the discharge limitations and monitoring requirements specified above shall be taken at or near the final point-of-discharge but, prior to mixing with the receiving waters or other waste streams.
2. A 48-hour static acute toxicity test shall be conducted at the frequency stated above using a control and the acute test concentration (ATC) of \$%. The test shall be conducted using *Mysidopsis bahia* as the test organism using Method 2007.0 in accordance with "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms," EPA 821-R-02-012, 5th ed., 2002. The test shall be conducted at 25°C ±1°C. The effluent's salinity may be adjusted to 20 to 30 parts per thousand (ppt) by the addition of salts before the test is performed. The effluent shall not be diluted to achieve a lower salinity.
3. If the test group *Mysidopsis bahia* survival is less than the control group survival at the 0.05α level of a left-tailed Fisher's exact test, the test shall be deemed a failure.
4. The permittee must report on the discharge monitoring report (DMR) form whether the test passes or fails at the specified ATC. If the test fails, the number "1" shall be placed on the form. If the test passes, the number "0" shall be placed on the form. If more than one test is performed during a monitoring period (including tests from split samples), the worst case result shall be reported on the DMR. The DMR Attachment for Toxicity Test Results, DHEC Form 3420, shall also be completed and submitted with the DMR.
5. \$% = (see RATIONALE and EXCEL spreadsheet). Default IWC is 100% if no mixing zone analysis provided and if IWC calculation is less than 80%. IWC will be actual dilution between 80% and 100%.

E. Chronic Whole Effluent Toxicity Limitations and Monitoring Requirements discharging to Freshwaters Class FW or FW sp as classified by S.C. Regulation 61-68, Water Classifications and Standards, and Regulation 61-69, Classified Waters

Final Limitations: During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
<i>Ceriodaphnia dubia</i> Chronic Whole Effluent Toxicity @ CTC= \$%	MR%	MR%	1/year	24 hour composite

MR = Monitor and Report.

See Part IX.B.2 for additional toxicity reporting requirements.

The following notes apply only to valid tests. For invalid tests see Part IX.B.2.

- 1: The overall % effect is defined as the larger of the % survival effect or the % reproduction effect.
- 2: If only one test is conducted during a month, the monthly average and daily maximum are each equal to the overall % effect.
- 3: If more than one test is conducted during a month, the monthly average is the arithmetic mean of the overall % effect values of all tests conducted during the month.
- 4: The monthly average to be reported on the DMR is the highest monthly average for any month during the monitoring period. There is no averaging of data from tests from one month to another.
- 5: The daily maximum to be reported on the DMR is the highest of the % survival effect or % reproduction effect of all tests conducted during the monitoring period.
- 6: When a sample is collected in one month and the test is completed in the next month, the overall % effect applies to the month in which the sample was collected.
- 7: Tests must be separated by at least 7 days (from the time the first sample is collected to start one test until the time the first sample is collected to start a different test). There is no restriction on when a new test may begin following a failed or invalid test.
- 8: For any split sample:
 - a. Determine the % survival effect and % reproduction effect values separately for each test.
 - b. Determine the arithmetic mean of the % survival effects and of the % reproduction effects for all tests.
 - c. The monthly average and daily maximum shall be the higher of the % effect values from (b) above.
 - d. For the purposes of reporting, split samples are reported as an individual sample regardless of the number of times it is split. All laboratories used shall be identified on the DMR attachment and each test shall be reported individually.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): after treatment but prior to mixing with the receiving stream or other waste streams for each monitored outfall.

\$% = (see RATIONALE and EXCEL spreadsheet). Default IWC is 100% if no mixing zone analysis provided and if IWC calculation is less than 80%. IWC will be actual dilution between 80% and 100%.

F. Chronic Whole Effluent Toxicity Limitations and Monitoring Requirements discharging to Saltwaters Class SA or SA sp or SB or SB sp or SFH (existing) as classified by S.C. Regulation 61-68, Water Classifications and Standards, and Regulation 61-69, Classified Waters

Final Limitations: During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
<i>Mysidopsis bahia</i> Chronic Whole Effluent Toxicity @ CTC= \$%	MR %	MR %	1/year	24 hour composite

MR = Monitor and Report.

See Part IX.B.2 for additional toxicity reporting requirements.

The following notes apply only to valid tests. For invalid tests see Part IX.B.2. The % fecundity effect is not used below when inadequate control fecundity occurs (egg production by less than 50% of females). Inadequate control fecundity alone does not invalidate the toxicity test.

- 1: The overall % effect is defined as the larger of the % survival effect, the % growth effect or the % fecundity effect.
- 2: If only one test is conducted during a month, the monthly average and daily maximum are each equal to the overall % effect.
- 3: If more than one test is conducted during a month, the monthly average is the arithmetic mean of the overall % effect values of all tests conducted during the month.
- 4: The monthly average to be reported on the DMR is the highest monthly average for any month during the monitoring period. There is no averaging of data from tests from one month to another.
- 5: The daily maximum to be reported on the DMR is the highest of the % survival effect, % growth effect or % fecundity effect of all tests conducted during the monitoring period.
- 6: When a sample is collected in one month and the test is completed in the next month, the overall % effect applies to the month in which the sample was collected.
- 7: Tests must be separated by at least 7 days (from the time the first sample is collected to start one test until the time the first sample is collected to start a different test). There is no restriction on when a new test may begin following a failed or invalid test.
- 8: For any split sample:
 - a. Determine the % survival effect, % growth effect and % fecundity effect values separately for each test.
 - b. Determine the arithmetic mean of the % survival effects, of the % growth effects and of the % fecundity effects for all tests.
 - c. The monthly average and daily maximum shall be the higher of the % effect values from (b) above.
 - d. For the purposes of reporting, split samples are reported as an individual sample regardless of the number of times it is split. All laboratories used shall be identified on the DMR attachment and each test shall be reported individually.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): after treatment but prior to mixing with the receiving stream or other waste streams for each monitored outfall.

\$% = (see RATIONALE and EXCEL spreadsheet). Default IWC is 100% if no mixing zone analysis provided and if IWC calculation is less than 80%. IWC will be actual dilution between 80% and 100%.

G. Bacteria Limitations and Monitoring Requirements discharging to Freshwaters (FW and FW sp)

1. **FINAL LIMITS:** During the period beginning on the effective date of this permit, and lasting until the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If each E. coli daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **less than or equal to** 349 MPN/100 ml **or** the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, were **not** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Sample Point
E. coli (MPN/100ml)	126	349	①	Grab	Effluent

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.G.1) of the permit, and report all E. coli data for this monitoring period in paragraph 2 below.

2. **FINAL LIMITS:** During the period beginning on the effective date of this permit, and lasting until the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If any E. coli daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **greater than** 349 MPN/100 ml **and** in each instance the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, **were** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Individual Sample Maximum	Measurement Frequency	Sample Type	Sample Point
E. coli (MPN/100ml)	126	800*	①	Grab	Effluent

* For this reporting period only.

① See Rationale

Otherwise report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.G.2) of the permit, and report all E. coli data for this monitoring period in paragraph 1 above. In addition, if data is reported in paragraph 2, the “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit **must** be attached to the Discharge Monitoring Report (DMR) and signed by the authorized DMR representative, documenting compliance with the provisions of R.61-68.E.14(c)(12). If this attachment is not included with the DMR submittal, the permittee may **not** use this portion (Part X.G.2) for reporting E. coli data.

Note for 1 and 2 above: Sample results reported should include all data collected for this monitoring period including any additional E. coli samples that might be collected under the provisions of R.61-68.E.14(c)(12).

H. Bacteria Limitations and Monitoring Requirements discharging to Saltwaters (SA and SA sp)

1. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If each Enterococci daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is less than or equal to 104 MPN/100 ml or the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, were not met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Sample Point
Enterococci (MPN/100ml)	35	104	①	Grab	Effluent

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.H.1) of the permit, and report all Enterococci data for this monitoring period in paragraph 2 below.

2. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If any Enterococci daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **greater than** 104 MPN/100 ml **and** in each instance the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, **were** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Individual Sample Maximum	Measurement Frequency	Sample Type	Sample Point
Enterococci (MPN/100ml)	35	800*	①	Grab	Effluent

* For this reporting period only.

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.H.2) of the permit, and report all Enterococci data for this monitoring period in paragraph 1 above. In addition, if data is reported in paragraph 2, the “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit **must** be attached to the Discharge Monitoring Report (DMR) and signed by the authorized DMR representative, documenting compliance with the provisions of R.61-68.E.14(c)(12). If this attachment is not included with the DMR submittal, the permittee may **not** use this portion (Part X.H.2) for reporting Enterococci data.

Note for 1 and 2 above: Sample results reported should include all data collected for this monitoring period including any additional Enterococci samples that might be collected under the provisions of R.61-68.E.14(c)(12).

I. Bacteria Limitations and Monitoring Requirements discharging to Saltwaters (SB and SB sp)

1. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If each Enterococci daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **less than or equal to** 501 MPN/100 ml **or** the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, were **not** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Sample Point
Enterococci (MPN/100ml)	35	501	①	Grab	Effluent

① See Rationale

Otherwise report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.I.1) of the permit, and report all Enterococci data for this monitoring period in paragraph 2 below.

2. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If any Enterococci daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **greater than** 501 MPN/100 ml **and** in each instance the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, **were** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Individual Sample Maximum	Measurement Frequency	Sample Type	Sample Point
Enterococci (MPN/100ml)	35	800*	①	Grab	Effluent

* For this reporting period only.

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.I.2) of the permit, and report all Enterococci data for this monitoring period in paragraph 1 above. In addition, if data is reported in paragraph 2, the “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit **must** be attached to the Discharge Monitoring Report (DMR) and signed by the authorized DMR representative, documenting compliance with the provisions of R.61-68.E.14(c)(12). If this attachment is not included with the DMR submittal, the permittee may **not** use this portion (Part X.I.2) for reporting Enterococci data.

Note for 1 and 2 above: Sample results reported should include all data collected for this monitoring period including any additional Enterococci samples that might be collected under the provisions of R.61-68.E.14(c)(12).

J. Bacteria Limitations and Monitoring Requirements discharging to Saltwaters SFH (existing) or any waters regardless of class that can affect shellfish

1. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If each Fecal Coliform daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **less than or equal to** 43 MPN/100 ml **or** the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, were **not** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Sample Point
Fecal Coliform (MPN/100ml)	14	43	①	Grab	Effluent

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.J.1) of the permit, and report all Fecal Coliform data for this monitoring period in paragraph 2 below.

2. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If any Fecal Coliform daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **greater than** 43 MPN/100 ml **and** in each instance the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, **were** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Individual Sample Maximum	Measurement Frequency	Sample Type	Sample Point
Fecal Coliform (MPN/100ml)	14	200*	①	Grab	Effluent

* For this reporting period only.

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) form for this portion (Part X.J.2) of the permit, and report all Fecal Coliform data for this monitoring period in paragraph 1 above. In addition, if data is reported in paragraph 2, the “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit **must** be attached to the Discharge Monitoring Report (DMR) and signed by the authorized DMR representative, documenting compliance with the provisions of R.61-68.E.14(c)(12). If this attachment is not included, the permittee may **not** use this portion (Part X.J.2) for reporting Fecal Coliform data.

Note for 1 and 2 above: Sample results reported should include all data collected for this monitoring period including any additional Fecal Coliform samples that might be collected under the provisions of R.61-68.E.14(c)(12).

3. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If each Enterococci daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **less than or equal to** 104 MPN/100 ml **or** the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, were **not** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Sample Point
Enterococci (MPN/100ml)	35	104	①	Grab	Effluent

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) for this portion (Part X.J.3) of the permit, and report all Enterococci data for this monitoring period in paragraph 4 below.

4. **FINAL LIMITS:** During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited and monitored by the permittee as specified below:

If any Enterococci daily maximum (as defined by R.61-68.B.29) during a calendar month reporting period is **greater than** 104 MPN/100 ml **and** in each instance the provisions of R.61-68.E.14(c)(12), included as “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit, **were** met, then the following limits apply:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS		
	Monthly Average	Individual Sample Maximum	Measurement Frequency	Sample Type	Sample Point
Enterococci (MPN/100ml)	35	800*	①	Grab	Effluent

* For this reporting period only.

① See Rationale

Otherwise, report “Conditional Monitoring-Not Required” on the Discharge Monitoring Report (DMR) for this portion (Part X.J.4) of the permit, and report all Enterococci data for this monitoring period in paragraph 3 above. In addition, if data is reported in paragraph 4, the “Bacteria Supplemental Data Sheet” contained in Part X.K of this permit **must** be attached to the Discharge Monitoring Report (DMR) and signed by the authorized DMR representative, documenting compliance with the provisions of R.61-68.E.14(c)(12). If this attachment is not included, the permittee may **not** use this portion (Part X.J.4) for reporting Enterococci data.

Note for 3 and 4 above: Sample results reported should include all data collected for this monitoring period including any additional Enterococci samples that might be collected under the provisions of R.61-68.E.14(c)(12).

K. Bacteria Supplemental Data Sheet

MONITORING PERIOD

YEAR MO DAY		YEAR MO DAY	
FROM		TO	

Select the current daily maximum limit	<input type="checkbox"/> 349 MPN/100 ml (E.coli) <input type="checkbox"/> 104 MPN/100 ml (Enterococci) <input type="checkbox"/> 501 MPN/100 ml (Enterococci) <input type="checkbox"/> 43 MPN/100 ml (Fecal coliform)
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1. Report data and sample time for daily maximum bacteria value greater than the permitted limitation.

Sample Result (MPN/100 ml) §	Sample Date (mm/dd/yyyy)	Sample Time (24 Hr. Format)	Parameter
	/ /	: hrs	<input type="checkbox"/> E.coli <input type="checkbox"/> Enterococci <input type="checkbox"/> Fecal coliform

§ Sample result above must be less than or equal to 800 MPN/100 ml for E. coli and Enterococci or less than or equal to 200 MPN/100 ml for Fecal Coliform to use this form.

2. Two additional bacterial samples collected within 48 hours of the original sample result (of item #1) that exceeded the daily maximum limitation.

Sample Number	Sample Result (MPN/100 ml)	Sample Date (mm/dd/yyyy)	Sample Time (24 Hr. Format)	Parameter
1.		/ /	: hrs	<input type="checkbox"/> E.coli <input type="checkbox"/> Enterococci <input type="checkbox"/> Fecal coliform
2.		/ /	: hrs	<input type="checkbox"/> E.coli <input type="checkbox"/> Enterococci <input type="checkbox"/> Fecal coliform

The two additional sample results in item #2, do not exceed the daily maximum bacteria limits in the permit and were collected within 48-hours of the original sample result of item #1.

Yes No*

3. Report the total number of bacterial samples collected in the previous twelve months: _____
(If requested, this data must be provided to the Department to verify this information)

4. Choose one of the following:

- a. The number from item #3 above is less than 120; and no more than one (1) bacterial sample exceeded the daily maximum limit in the previous twelve (12) months, and that value is identified in item #1 above.

- b. The number in item #3 above is 120 samples or more, and no more than four (4) individual bacterial samples exceeded the daily maximum limit in the previous twelve (12) months, and those values were:

Sample Number	Sample Result (MPN/100 ml)	Sample Date (mm/dd/yyyy)	Parameter
1.	Same as Item #1 above	Same as Item #1 above	Same as Item #1 above
2.		/ /	<input type="checkbox"/> E.coli <input type="checkbox"/> Enterococci <input type="checkbox"/> Fecal coliform
3.		/ /	<input type="checkbox"/> E.coli <input type="checkbox"/> Enterococci <input type="checkbox"/> Fecal coliform
4.		/ /	<input type="checkbox"/> E.coli <input type="checkbox"/> Enterococci <input type="checkbox"/> Fecal coliform

c. Neither (a) **nor** (b) above is true*.

5. The following statements are true:
- a. The disinfection equipment and wastewater solids handling system were fully functional and operating during this monitoring period.
 - b. There is neither an existing Consent Order nor Administrative Order associated with the facility's operation of this disinfection system.
 - c. The laboratory data included with this report is sufficiently sensitive to accurately represent the effluent bacteria concentrations. No values for the monitoring period were reported as ">" greater than.

* If you check any of the starred boxes or if statements 5(a), (b) or (c) are not true, you cannot use this form.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name: _____

Signature: _____ Date: _____

Note: The bacteria supplemental data sheets are required only in the event the permittee reports bacteria data under Part X.G-J.

L. Phosphorus Limitations and Monitoring Requirements: Wastewater treatment facilities (domestic wastewater sources only) with no compliance schedules and a design flow less than or equal to 50,000 gallons per day

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

Following limits are based on the average design flow of: ① MGD							
EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS		
	Pounds per Day		Other Units		Measurement Frequency	Sample Type	Sample Point
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum			
Total Phosphorus	MR	MR	MR	MR	Semi-annual*	Grab	Eff.

① Design Flow from Excel sheet

* Semi-annual samples should be taken during the following periods. One sample between November to April and one sample between May to October. No two consecutive month samples (e.g. October and November or April and May) should be provided.

M. Phosphorus Limitations and Monitoring Requirements: Wastewater treatment facilities (domestic wastewater sources only) with no compliance schedules and a design flow greater than 50,000 gallons per day and less than 500,000 gallons per day

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

Following limits are based on the average design flow of: ① MGD							
EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS		
	Pounds per Day		Other Units		Measurement Frequency	Sample Type	Sample Point
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum			
Total Phosphorus	MR	MR	MR	MR	Quarterly	Grab	Eff.

① Design Flow from Excel sheet

N. Mercury Limitations and Monitoring Requirements: Wastewater treatment facilities (domestic wastewater sources only) with no compliance schedules and a design flow less than or equal to 50,000 gallons per day

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

Following limits are based on the average design flow of: ① MGD							
EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS		
	Pounds per Day		Other Units		Measurement Frequency	Sample Type	Sample Point
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum			
Total Mercury	MR	MR	MR	MR	1/5 Years	Grab	Eff.

① Design Flow from Excel sheet

O. Mercury Limitations and Monitoring Requirements: Wastewater treatment facilities (domestic wastewater sources only) with no compliance schedules and a design flow greater than 50,000 gallons per day and less than 500,000 gallons per day

1. During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from **outfall 001**. Such discharge shall be limited at each outfall and monitored by the permittee as specified below:

Following limits are based on the average design flow of: ① MGD							
EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS		
	Pounds per Day		Other Units		Measurement Frequency	Sample Type	Sample Point
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum			
Total Mercury	MR	MR	MR	MR	1/Year	Grab	Eff.

① Design Flow from Excel sheet