

Effective Date: July 1, 2022

Expiration Date: June 30, 2027

OHIO ENVIRONMENTAL PROTECTION AGENCY

GENERAL PERMIT AUTHORIZATION FOR
TEMPORARY DISCHARGE OF WASTEWATER

THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Chapter 6111), discharges of wastewater, as defined in Part VI. of this permit, are authorized by the Ohio Environmental Protection Agency, hereafter referred to as "Ohio EPA", to discharge from the outfalls at the sites and to the receiving waters identified in the applicant's Notice of Intent application (NOI) on file with Ohio EPA in accordance with the conditions specified in Parts I through VI of this permit.

In accordance with the antidegradation rule, OAC 3745-1-05, it has been determined that a lowering of water quality of various waters of the state associated with granting coverage under this permit is necessary. Provision (D)(1)(j) was applied to this application. This provision excludes the need for the submittal and subsequent review of technical alternatives and social and economic issues related to the degradation. Other rule provisions, however, including public participation and appropriate intergovernmental coordination were required and considered prior to reaching this decision.

Granting of permit coverage is conditioned upon payment of applicable fees and submittal of the Notice of Intent form.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA (see Part II).

Laurie A. Stevenson
Director

Total Pages: 32

Part I. COVERAGE UNDER THIS PERMIT

A. Permit Area. This permit covers the entire state of Ohio.

B. Applicability. Ohio Revised Code Chapter 6111 provides that discharges resulting from temporary activities which generate wastewater from a point source to waters of the state are unlawful, unless authorized by an NPDES permit. Entities with a temporary wastewater discharge (see definition in Part VI of this permit) that discharge via a point source to waters of the state are required to submit a permit application in accordance with Ohio EPA regulations; this includes discharges through a municipal separate storm sewer system (MS4). Entities that are eligible for coverage under this permit and that submit a complete and acceptable NOI in accordance with the requirements of Part II of this permit are in compliance with the NPDES application requirements for such wastewater discharges.

C. Eligibility.

1. This permit covers temporary discharges of wastewater to waters of the state. Types of discharges that may be covered under this permit include emergency discharges, discharges related to environmental cleanup activity, discharges required for restoring conditions affecting aquatic life, discharges necessary to protect human health and safety, and discharges resulting from testing of pilot projects. All eligible discharges must meet the following requirements:

- a. less than 65 mg/l for total suspended solids, unless the discharge is strictly limited to water previously withdrawn from the same waterbody receiving the discharge; and
- b. less than 10 mg/l for oil and grease;

2. Limitations on Coverage. The following wastewater discharges are not authorized by this permit:

- a. wastewater discharges which will continue or are expected to continue for more than 60 days. Coverage under this permit is limited to one sixty-day period during the five-year duration of this General Permit, unless the Director determines that emergency conditions have arisen that can reasonably be characterized as unforeseen;
- b. wastewater discharges associate with storm water. Storm water discharges are authorized separately by a storm water general permit;
- c. wastewater discharges that the Director has determined would contribute to a potential violation of Ohio's surface Water Quality Standards;
- d. wastewater discharges that are discharged to combined or sanitary sewer systems;
- e. wastewater discharges that take place within five-hundred yards upstream of a public water supply surface water intake and cannot meet Ohio's public water supply standards;

- f. wastewater discharges that are commingled with hazardous wastes or hazardous substances;
- g. discharges of hydrostatic testing wastewater;
- h. discharges associated with petroleum contaminated wastewater discharges;
- i. discharges to the Lake Erie basin if the discharge contains pollutants classified as a bioaccumulative chemicals of concern (BCCs);
- j. discharges to any receiving water designated Outstanding National Resource Water, Outstanding State Water, Superior High Quality Water other than Lake Erie or Category 3 wetland, or to receiving waters that discharge into a water with one of these designations within two stream miles of the discharge point;
- k. discharges for which the Director requests an individual permit application;
- l. increases in regulated pollutants resulting from facility modifications as defined in OAC 3745-1-05;
- m. bypasses or upsets of any kind from a treatment works or collection system;
- n. wastewater discharges already regulated under an NPDES permit; and
- o. discharges to ground water.

3. This permit may cover all eligible facilities, including those with a short-term, temporary, or emergency discharge.

D. Authorization.

1. To seek authorization to discharge under this general permit, temporary dischargers of wastewater must submit an NOI in accordance with the requirements of Part II of this permit, using an NOI application form provided by the Director. Coverage under this permit shall not be effective until the Director notifies the person submitting a NOI that the discharge is authorized under the general permit.
2. After the NOI form is reviewed by the Ohio EPA, the applicant shall be notified as to Ohio EPA's approval or denial for coverage under this permit. If coverage under this general permit is granted, notification from the Director will include requirements for monitoring and limits for applicable parameters based upon the characterization of the discharge.

3. The Director may require submittal of an application for an individual NPDES permit based on a review of the NOI or other information. Any interested person may petition for the Director to take action under this paragraph. Cases where an individual NPDES permit may be required include, but are not limited to, the following:
- a. The discharger is not in compliance with the conditions of the general NPDES permit;
 - b. A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
 - c. Effluent limitation guidelines are promulgated for point sources covered by this permit;
 - d. A water quality management plan containing requirements applicable to this permit is approved;
 - e. Circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary; and
 - f. The discharge is a significant contributor of pollutants.

Part II. NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification.

1. NOIs should be submitted after the effective date of this general permit.
2. NOIs may be submitted prior to the effective date of this general permit, but Ohio EPA will not act upon the application until after the effective date of this permit.
3. Coverage under the general permit is transferable. Ohio EPA must be notified in writing at least 60 days prior to any proposed transfer of the general permit (see Part V.E. for transfer requirements).

B. Contents of the NOI. The NOI shall include the information required by the NOI form and its instruction sheet. An NOI that is incomplete or deficient will be returned to the applicant. The applicant shall attach to the NOI data to characterize the pollutants that would be discharged under the permit. Information contained in the NOI shall characterize the chemical constituents expected in the temporary discharge. The projected start date and duration of the temporary discharge shall be defined in the NOI. The NOI electronic application form is available through the Ohio EPA eBusiness Center at:

<https://ebiz.epa.ohio.gov/>

C. Submittal of the NOI.

1. Submission through the Ohio EPA eBusiness Center will require establishing an Ohio EPA eBusiness Center account and obtaining a unique Personal Identification Number (PIN) for submission of the NOI. Existing eBusiness Center account holders can access the NOI form through their existing account and submit using their existing PIN. A guide for the Ohio EPA eBusiness Center is available in the link below:

[https://epa.ohio.gov/static/Portals/35/edmr/doc/STREAMSGuide\(Dashboard\).pdf](https://epa.ohio.gov/static/Portals/35/edmr/doc/STREAMSGuide(Dashboard).pdf)

2. NOIs shall be signed in accordance with Part V.D of this permit.

3. Payment in the amount designated on the form, can be electronically submitted through the agency eBusiness Center ePay service. Instructions on submitting fee payments via the ePay service can be found at:

<https://epa.ohio.gov/static/Portals/35/edmr/doc/ePAYwalkthrough.pdf>

D. Additional Notification.

1. Temporary discharges of wastewater through a MS4 shall, in addition to submission of the NOI in accordance with paragraph II.C, also submit signed copies of the NOI to the operator of the MS4 through which they discharge in accordance with the deadlines in Part II.A of this permit.
2. Within 7 days of discharge initiation, the permittee shall provide notification to Ohio EPA Central Office identifying the discharge start date.

E. Notice of Termination (NOT). Within 60 days after the date the discharge begins, the temporary discharge authorized by this permit must be eliminated and the permittee shall submit an NOT to terminate permit coverage. The permittee must submit a NOT that is signed in accordance with Part V.D of this permit. If a NOT is not submitted within 60 days after the date the discharge begins, coverage under this general permit will be terminated and the discharge must cease.

The NOT shall include the information required by the NOT form and shall be submitted through the Ohio EPA eBusiness Center using the online form provided by the Director of the Ohio EPA. The form is available at:

<https://ebiz.epa.ohio.gov/>

Submission through the Ohio EPA eBusiness Center shall require establishing an Ohio EPA eBusiness Center account and obtaining a unique PIN for submission of the NOT. Existing eBusiness Center account holders can access the NOT form through their existing account and submit using their existing PIN at the following:

[https://epa.ohio.gov/static/Portals/35/edmr/doc/STREAMSGuide\(Dashboard\).pdf](https://epa.ohio.gov/static/Portals/35/edmr/doc/STREAMSGuide(Dashboard).pdf)

Part III - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the date the discharge begins and lasting for 60 consecutive days, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	When Disch.	Grab	All
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All
00095 - Specific Conductance at 25 Degrees C - Umho/cm	-	-	-	-	-	-	-	When Disch.	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00310 - Biochemical Oxygen Demand, 5 Day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	When Disch.	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00671 - Orthophosphate, Dissolved (as P) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00680 - Carbon, Total Organic (TOC) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00720 - Cyanide, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00940 - Chloride, Total - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00945 - Sulfate, (SO4) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00978 - Arsenic, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00979 - Cobalt, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00980 - Iron, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00982 - Thallium, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00985 - Vanadium, Total Recoverable In Water (as V) - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
00999 - Boron, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01009 - Barium, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01079 - Silver, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01104 - Aluminum, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01128 - Vanadium, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01129 - Molybdenum, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
01268 - Antimony, Total Recoverable - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
22409 - Octachlorostyrene - pg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
32102 - Carbon Tetrachloride - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
32106 - Chloroform - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
Parameter										
34010 - Toluene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34030 - Benzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34198 - Delta BHC - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34205 - Acenaphthene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34220 - Anthracene, General Organic - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34253 - Alpha BHC - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34255 - Beta BHC - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34301 - Chlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34311 - Chloroethane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34336 - Diethyl phthalate - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34341 - Dimethyl phthalate - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34371 - Ethylbenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34376 - Fluoranthene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34381 - Fluorene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34396 - Hexachloroethane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34418 - Methyl Chloride - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34423 - Methylene Chloride - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34447 - Nitrobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34461 - Phenanthrene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34469 - Pyrene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34475 - Tetrachloroethylene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34496 - 1,1-Dichloroethane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34501 - 1,1-Dichloroethylene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34506 - 1,1,1-Trichloroethane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34511 - 1,1,2-Trichloroethane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
34531 - 1,2-Dichloroethane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34536 - 1,2-Dichlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34541 - 1,2-Dichloropropane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34546 - 1,2-trans-Dichloroethylene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34551 - 1,2,4-Trichlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34566 - 1,3-Dichlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34571 - 1,4-Dichlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34591 - 2-Nitrophenol - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34646 - 4-Nitrophenol - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34657 - 4,6-Dinitro-o-cresol - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34675 - 2,3,7,8 TCDD - ng/l	-	-	-	-	-	-	-	When Disch.	Grab	All
34696 - Naphthalene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39100 - Bis(2-ethylhexyl) Phthalate - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39110 - Di-N-Butylphthalate - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39175 - Vinyl Chloride - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39180 - Trichloroethylene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39300 - P,P' DDT In Whole Water Sample - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39310 - P,P' DDD In Whole Water Sample - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39320 - P,P' DDE In Whole Water Sample - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39350 - Chlordane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39380 - Dieldrin, Whole Sample - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39400 - Toxaphene, Total - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39516 - PCBS - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39700 - Hexachlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
39702 - Hexachlorobutadiene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39755 - Mirex - ng/l	-	-	-	-	-	-	-	When Disch.	Grab	All
39782 - Lindane - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All
50060 - Chlorine, Total Residual - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50797 - Carcinogen Additivity Factor - Admin Units	-	-	-	-	-	-	-	When Disch.	Total	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	When Disch.	Grab	All
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	When Disch.	Grab	All
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	When Disch.	Grab	All
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected	-	-	-	-	-	-	-	When Disch.	Grab	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	When Disch.	Grab	All
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	When Disch.	Grab	All
76025 - Toxicity Equivalent - pg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
77128 - Styrene, Total - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
77163 - 1,3-Dichloropropylene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
77734 - 1,2,4,5-Tetrachlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
77736 - 1,2,3,4-Tetrachlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
77793 - Pentachlorobenzene - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
77835 - Hexachlorocyclohexane, Total - ug/l	-	-	-	-	-	-	-	When Disch.	Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

Notes:

The permittee shall comply with the monitoring requirements and limits included with the authorization to discharge under this permit.

The Director may include additional parameters and establish a different sampling type when setting monitoring requirements and limits for specific parameters.

Monitoring requirements will be selected based on the information submitted with the NOI. Monitoring frequencies will then be developed based on the projected flow rate of the discharge, the flow rate of the receiving water, the water quality of the receiving water and the pollutants to be discharged. Any needed permit limits will be established to ensure that BADCT and water quality standards are met.

Discharge Monitoring Reports (DMRs) shall be submitted after the end of each month during coverage under this permit, regardless of whether or not a discharge occurred during the month. If there are no discharges during the month, select the "No Discharge" check box on the data entry form and PIN the eDMR. Instructions for electronic submittal of data can be found on Ohio EPA's website at:

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

All eligible discharges must meet the minimum criteria for Total Suspended Solids, 65 mg/L, (unless the discharge is strictly limited to water previously withdrawn from the same waterbody receiving the discharge) and for oil and grease, 10 mg/L.

Discharges containing bioaccumulative chemicals of concern (BCCs) are prohibited within the Lake Erie basin. BCCs are defined in Part VI of this permit. Other parameters meeting the definition of BCCs may be added to the authorization with applicable monitoring and limitation requirements.

Part IV. SPECIAL CONDITIONS

- A. This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable standards or regulations.
- B. Samples taken in compliance with the effluent monitoring requirements shall be collected following treatment (if provided) and prior to either direct or via storm sewer discharge to the receiving stream.
- C. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.
- D. The permittee shall monitor the parameters from Part III of this general permit that are specified by Ohio EPA with the coverage granted. Parameters to be monitored, monitoring frequency, and any necessary limits for the selected parameters will be established by Ohio EPA at the time coverage is granted to the permittee.
- E. Some parameters under this permit may have water quality-based effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the approved analytical procedure promulgated at 40 CFR 136. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

Compliance with an effluent limit that is below the OEPA QL is determined in accordance with ORC Section 6111.13 and OAC Rule 3745-33-07(C). For maximum effluent limits, any value reported below the OEPA QL shall be considered in compliance with the effluent limit. For average effluent limits, compliance shall be determined by taking the arithmetic mean of values reported for a specified averaging period, using zero (0) for any value reported at a concentration less than the OEPA QL, and comparing that mean to the appropriate average effluent limit. An arithmetic mean that is less than or equal to the average effluent limit shall be considered in compliance with that limit.

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters. If Ohio EPA sets limits that are less than the OEPA QL, specific QL levels will be set at the time monitoring requirements and limits are established.

- F. Analyses for Dioxin Toxicity Equivalents shall be done using EPA Method 1613.

Toxicity equivalents (TEQs) shall be calculated using Ohio Administrative Code 3745-2-07(C)(1-4). For purposes of eDMR reporting, only congener values greater than the OEPA QLs need to be included in the TEQ calculation. Analytical results for all congeners shall be submitted separately to Ohio EPA Central Office each month. For details on OEPA QLs, refer to Part IV, Item E.

G. Reporting for Carcinogen Additivity.

Carcinogen Additivity shall be calculated using Ohio Administrative Code (OAC) 3745-2-07(A)(1-5). For purposes of eDMR reporting, only values greater than the OEPA QLs need to be included in the carcinogen additivity calculation. For details on OEPA QLs, refer to Part IV, Item E.

Carcinogen Additivity shall be calculated by dividing the monthly average concentrations of each specific chemical by the human health wasteload allocations for each chemical and adding the fractions together.

$$\text{MAC1/HHWLA1} + \text{MAC2/HHWLA2} + \dots + \text{MACn/HHWLAN} < \text{or} = 1$$

Where:

MAC = average concentration of all samples collected within the month for each limited or monitored carcinogen.

HHWLA = wasteload allocation (WLA) to meet human health criteria determined in accordance with OAC 3745-2-05 of the Administrative Code.

Part V. STANDARD PERMIT CONDITIONS

A. Duty to Comply.

1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Ohio Revised Code Chapter 6111 and is grounds for enforcement action; for permit revocation or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions.

a. Criminal

i. Ohio Revised Code Chapter 6111 provides that any person who violates permit conditions is subject to a fine or imprisonment.

ii. False Statement. Ohio Revised Code Section 2921.13 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the Act, shall upon conviction be punished by a fine or by imprisonment for not more than six months, or both.

iii. Where the permittee becomes aware that it failed to submit any relevant facts in a NOI or submitted incorrect information in a NOI or in any report to the Director, it shall promptly submit such corrected facts or information.

b. Civil Penalties. Ohio Revised Code Chapter 6111 provides that any person who violates a permit condition is subject to a civil penalty.

B. Continuation of the Expired General Permit. An expired general permit continues in force and effect only for authorized discharges that were granted approval prior to the general permit expiration date.

C. Need to halt or reduce activity not a defense. 40 CFR 122.41(c) states that it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Signatory Requirements.

All NOIs, NOTs, reports, certifications, or information either submitted to the Director (and/or the operator of a MS4), or that this permit requires be maintained by the permittee, shall be signed as provided in the following paragraphs 1 through 3.

1. NOIs and NOTs shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) 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 and who has authority to sign documents on behalf of the corporation; or (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality: State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g. Regional Administrators of EPA).

2. All reports required by this permit and other information requested by the Director shall be signed by a person described in paragraph 1 above or by a duly authorized representative of that person. A person is a duly authorized representative only if all of the following apply:

a. The authorization is made in writing by a person described above and submitted to the Director.

b. 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 manager, operator, superintendent, or 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).

c. Changes to authorization. If an authorization under paragraph D.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph D.2. must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

3. Certification. Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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."

E. Transfers of Permit Coverage.

This permit cannot be transferred or assigned, nor shall a new owner or successor be authorized to discharge from this facility until the following requirements are met:

1. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to Ohio EPA Central Office. The copy of that letter shall serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the Ohio EPA central office at least 30 days prior to the proposed date of transfer;
2. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the current permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date) shall be submitted to Ohio EPA Central Office within 30 days after receipt by the central office of the copy of the letter from the permittee to the succeeding owner;
3. The Director does not exercise his right within thirty days after receipt of the written agreement to notify the current permittee and the new permittee of intent to revoke the permit and to require that a new NOI be filed; and
4. The new owner or successor receives written confirmation and approval of the transfer from the Director.

At any time during the 30-day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit.

F. Requiring an individual permit or an alternative general permit.

1. The Director may require a permittee to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Director to take action under this paragraph. The Director may notify the operator in writing that an application for an individual permit 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 permit shall be revoked. Individual permit applications shall be submitted to the appropriate Ohio EPA district office, Division of Surface Water. The Director may grant additional time to submit the application upon request of the permittee and good cause shown. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Director, then the applicability of this permit to the individual NPDES permittee is automatically revoked at the end of last day of the period specified for application submittal (see Part V.W). Any discharge past this date is illegal and subject to enforcement.

2. Any operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The operator shall submit an individual application (Form 1 and Form 2C, 2D, 2E, or 2F) with reasons supporting the request to the Director. Individual permit applications shall be submitted to the appropriate Ohio EPA district office, Division of Surface Water. The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request (see Part I.D).

G. Other Laws. No condition of this permit shall release the permittee from any responsibility or requirements under other statutes or regulations.

H. Inspection and Entry.

The permittee shall allow the Director or an authorized representative of Ohio EPA or other designated representative or, in the case of a facility that discharges through a MS4, an authorized representative of the municipal operator of the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of 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 Ohio Revised Code Chapter 6111 or the Clean Water Act, any substances or parameters at any location.

I. Upset.

1. An upset constitutes an affirmative defense to an action brought for non-compliance with a technology-based permit effluent limit if the requirements of paragraph I.2. of this permit are met. No determination made during administrative review of claims that non-compliance was caused by upset, and before an action for non-compliance, is a final action subject to judicial review.
2. 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 identified the cause(s) of the upset;
 - b. the permitted facility was at the time being properly operated;
 - c. the permittee submitted notice of the upset as required by the paragraph S of this Part titled "Noncompliance Notification"; and,
 - d. the permittee complied with any remedial measures required under paragraph T of this Part titled "Duty to Mitigate".
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proving the conditions of paragraph I.

J. General Effluent Limitations.

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

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

K. Facility Operation and Quality Control.

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

1. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
2. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
3. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by the Ohio EPA as specified in the paragraph R of this Part entitled, " Unauthorized Discharges".

L. Reporting.

1. Monitoring data required by this permit shall be reported on the Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign and submit DMRs on the internet. It is accessed from the Ohio EPA eBusiness Center. The eBusiness Center is found on the following web page:

<https://ebiz.epa.ohio.gov/>

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

<https://epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/edmr-pin-inform>

3. e-DMRs shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest.
4. A copy of the submitted Ohio EPA DMR shall be maintained onsite for records retention purposes (see paragraph O of this Part entitled "Records Retention." A copy of the DMR can be printed from e-DMR.
5. If the permittee monitors any pollutant at the location(s) designated in the NOI more frequently than required by this permit, using approved analytical methods as specified below, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

6. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported on Ohio EPA report form (4500), but records shall be retained as specified in the paragraph entitled "Records Retention."

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

N. Recording of Results.

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

1. The exact place and date of sampling (time of sampling not required on the DMR);
2. The person(s) who performed the sampling or measurements;
3. The date the analyses were performed on those samples;
4. The person(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of all analyses and measurements.

O. Records Retention.

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years, including:

1. All sampling and analytical records (including internal sampling data not reported);
2. All original recordings for any continuous monitoring instrumentation;
3. All instrumentation, calibration and maintenance records;
4. All plant operation and maintenance records;
5. All reports required by this permit; and
6. Records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report, or application.
7. All chain of custody forms within the past three years.

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

P. Availability of Reports. Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the Ohio EPA Central Office. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Ohio Revised Code Section 6111.99.

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

R. Unauthorized Discharges.

1. Bypassing or diverting of wastewater from the treatment works is prohibited, and the Director may take enforcement action against a permittee for bypass unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent an unauthorized discharge which occurred during normal periods of equipment downtime or preventive maintenance; and
- c. The permittee submitted notices as required under paragraph R.2. of this section.

2. Prior Notice.

- a. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice to Ohio EPA, if possible at least ten days before the date of the bypass.
- b. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph S.2.

3. The Ohio EPA may approve an unanticipated bypass, after considering its adverse effects, if the Ohio EPA determines that it has met the three conditions listed in paragraph R.1. of this Part.

4. The permittee shall submit notice of an unanticipated bypass as required in paragraph S of this Part.

5. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded if that bypass is for essential maintenance to assure efficient operation. The permittee shall monitor effluent quality during these episodes at any frequency necessary to accurately and fully characterize the event.

S. Noncompliance Notification.

All notifications under this paragraph shall be made to the Ohio EPA central and district office, and also to the municipal MS4 operator if the discharge flows to an MS4 prior to reaching receiving waters.

1. Exceedance of a Daily maximum Discharge Limit

a. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed in this permit by e-mail within 24 hours of discovery.

The permittee shall report to the appropriate Ohio EPA district office and central office e-mail account as follows:

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

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

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

2. Other Permit Noncompliance

The permittee shall report noncompliance that is the result of any of the following:

- a. Any noncompliance which may endanger health or the environment;
- b. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- c. Any upset which exceeds any effluent limitation in the permit; or
- d. Any violation of a maximum daily discharge limitation for any of the pollutants listed in this permit.

For violations described under items 2.b, 2.c, and 2.d of this section, the permittee shall report noncompliance to the appropriate Ohio EPA district office by e-mail within 24 hours of discovery. The contact information is listed in paragraph S.1 of this Part. For violations described under item 2.a of this section, the permittee shall report noncompliance within 30 minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282 - 9378.

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

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

3. When the telephone is used for the non-compliance reports required by paragraph S.2 above, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed compliance report within five days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed non-compliance report.

4. The permittee shall report all instances of noncompliance not reported under paragraphs S.1. or S.2. of this Part in the monthly DMR submission. The DMR shall contain the information listed in paragraphs S.1. or S.2. as appropriate.

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

T. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

U. Discharge Changes. The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable.

1. For all treatment works, any significant change in character of the discharge that the permittee knows or has reason to believe has occurred or will occur that would constitute cause for revocation. The permittee shall give at least 30 days of advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

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

Following this notice, a determination will be made as to whether the permit should remain unchanged or be revoked. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

3. In addition to the reporting requirements under 40 CFR 122.41(1) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

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 that exceeds the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv). This includes any toxic pollutant which is not limited in the permit.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

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

W. Permit Revocation.

1. After notice and opportunity for a hearing, permit coverage may be revoked for cause including, but not limited to, the following:

- a. violation of any terms or conditions of this permit;
- b. obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or
- d. obtaining coverage under an individual or alternative general permit is required (see Part V.F.).

2. The filing of a request by the permittee for permit coverage revocation does not stay any permit condition.

See Part II.E. for requirements regarding Notice of Termination (NOT).

X. Oil and Hazardous Substance Liability. With the exception of full compliance with the effluent limitations found in this general permit, nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

Y. Solids Disposal. Collected screenings, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state. For publicly owned treatment works, these shall be disposed of in accordance with the approved Ohio EPA Sludge Management Plan.

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

AA. Civil and Criminal Liability. Except as exempted in the permit conditions on "Unauthorized Discharges." or "Upsets." (Part V.I. or V.R.), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

AB. State Laws and Regulations. Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

AC. Property Rights. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

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

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

AF. Penalties for Violations of Permit Conditions.

1. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information. ORC 6111.99 provides that any person who knowingly submits false information or records or fails to submit information or records shall be fined not more than \$25,000.
2. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
3. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
4. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042., 6111.05., or division (A) Section 6111.07 of the Revised Code shall be fined not more than twenty-five thousand dollars or imprisoned not more than one year, or both.

AG. Pollution Prevention.

It is suggested that, if applicable, the permittee evaluate potential prevention methods and install the latest pollution prevention technology if it is economically feasible. If pollution prevention methods are currently being used, it is suggested that they be re-evaluated; the latest pollution prevention technology should be installed if applicable, necessary, and economically feasible.

Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner.

You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets and the Ohio Pollution Prevention and Waste Minimization Planning Guidance Manual, please contact the Ohio EPA, Office of Pollution Prevention at (614) 644-3949.

AH. Permit-to-Install Required

A Permit-to-Install (PTI) is required by OAC 3745-31-02 in order to install or modify treatment/disposal systems, including systems to treat temporary discharges. The approval of coverage under this permit shall in no way be construed as approval of detail plans or a PTI. The approval of a PTI does not preclude a facility from obtaining an NPDES permit. Discharges to surface waters require an effective NPDES permit, including those discharges from systems for which a PTI was obtained.

Part VI - DEFINITIONS

"Act" 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 Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117, and Pub. L. 100-433 U.S.C. 1251 et.seq.

"Bioaccumulative chemical of concern" or "BCC" is any chemical that has the potential to cause adverse effects which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor greater than one thousand, after considering metabolism and other physicochemical properties that might enhance or inhibit bioaccumulation, calculated in accordance with the methodology in rule 3745-1-41 of the Administrative Code. Chemicals with half-lives of less than eight weeks in the water column, sediment, and biota are not BCCs. The minimum BAF information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the BSAF methodology. The minimum BAF information needed to define an inorganic chemical, including an organometal, as a BCC is either a field-measured BAF or a laboratory-measured BCF. Bioaccumulative chemicals of concern include, but are not limited to, chlordane, 4,4'-DDD (p,p'-DDD, 4,4'-TDE, p,p'-TDE), 4,4'-DDE (p,p'-DDE), 4,4'-DDT (p,p'-DDT), dieldrin, hexachlorobenzene, hexachlorobutadiene (hexachloro-1,3-butadiene), hexachlorocyclohexanes (BHCs), alpha-hexachlorocyclohexane (alpha-BHC), beta-hexachlorocyclohexane (beta-BHC), delta-hexachlorocyclohexane (delta-BHC), lindane (gamma-hexachlorocyclohexane, gamma-BHC), mercury, mirex, octachlorostyrene, PCBs (polychlorinated biphenyls), pentachlorobenzene, photomirex, 2,3,7,8-TCDD (dioxin), 1,2,3,4-tetrachlorobenzene, 1,2,4,5-tetrachlorobenzene, and toxaphene.

There is not a comprehensive list of BCCs; therefore, a BCC can be named if the characteristics of the chemical fit the definition. (i.e., Perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA))

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

"Daily load limitations" is the total discharge by weight during any calendar day. If only one sample is taken during a day, the weight of pollutant discharge calculated from it is the daily load.

"Daily concentration limitation" means the arithmetic average (weighted by flow) of all the determinations of concentration made during the day. If only one sample is taken during the day, its concentration is the daily concentration. Coliform bacteria limitations compliance shall be determined using the geometric mean.

"Detection Level" or "DL" means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte is greater than zero as determined by the procedures set forth in 40 CFR 136, Appendix B.

"Director" means the director of Ohio EPA or an authorized representative.

"Grab sample" means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

"Municipal separate storm water system" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutter, ditches, man-made channels or storm drains) that is:

(i) owned or operated by the federal government, state, municipality, township, county, district or other public body (created by or pursuant to state or federal law) including special districts under state law such as a sewer district, flood control district or drainage districts, or similar entity, or a designated and approved management agency under section 208 of the Act that discharges into surface waters of the state;

(ii) designated or used for collecting or conveying solely storm water;

(iii) not a combined sewer; and

(iv) not part of a publicly owned treatment works.

"MGD" means million gallons per day.

"mg/kg" means milligrams per kilogram dry weight.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"National Pollutant Discharge Elimination System (NPDES)" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the CWA. The term includes an "approved program".

"NOI" means notice of intent to be covered by this permit (see Part II of this permit).

"NOT" means notice of termination (see Part II.E. of this permit).

"Petroleum contaminated wastewater discharges" includes, but is not limited to, the discharge of one or more of the following:

- petroleum contact water;
- secondary containment water;
- ground and/or surface water from remediation systems;
- surface and/or ground water accumulating as a result of excavation activity;
- surface water and ground water contaminated by spills; or
- ground water resulting from pumping and/or monitoring aquifer(s).

"Pilot projects" means facilities which may be testing experimental technology, new technology, alternative operations, or alternative processes, and have, or will have a short-term discharge to surface waters.

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Process Wastewater" is water that comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, waste product, or wastewater.

"Quantification Level" or "QL" is a quantitation limit that represents a practical and routinely achievable quantitation limit with a higher degree of certainty (>99.9% confidence) in the results.

"Quarterly sampling frequency" means the sampling shall be done in the months of March, June, August, and December.

"Receiving waters" means the waters of the state into which point and non-point sources flow.

"Regional administrator" means the administrator of the U.S. Environmental Protection Agency, Region V.

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

"Semi-annual sampling frequency" means the sampling shall be done during the months of June and December.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities that would cause them to become inoperable, or substantial and permanent loss of natural resources that 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.

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

"Temporary discharge" means a wastewater discharge authorized under this general permit which is limited in duration to no more than 60 consecutive days. Temporary discharges under this permit include emergency discharges, discharges related to environmental cleanup activity, discharges required for restoring conditions affecting aquatic life, and discharges necessary to protect human health and safety.

"Time-weighted composite" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

"Tributary" means a stream flowing into a larger body of water.

"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.

"Waters of the State" means all streams, lakes, reservoirs, ponds, marshes, wetlands, watercourses, waterways, springs, irrigation systems, drainage systems, and all other bodies or accumulations of surface water, natural or artificial, that are situated wholly or partly within, or border upon this state, or are within its jurisdiction, except those private waters that do not combine or effect a junction with natural surface waters.

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

"Yearly sampling frequency" means the sampling shall be done in the month of September.

"7-day load limitation" is the total discharge by weight during any 7-day period divided by the number of days in that 7-day period that the facility was in operation. If only one sample is taken in a 7-day period, the weight of pollutant discharge calculated from it is the 7-day load. If more than one sample is taken during the 7-day period, the 7-day load is calculated by determining the daily load for each day sampled, totaling the daily loads for the 7-day period, and dividing by the number of days sampled.

"7-day concentration limitation" means the arithmetic average (weighted by flow) of all the determinations of daily concentration limitation made during the 7-day period. If only one sample is taken during the 7-day period, its concentration is the 7-day concentration limitation for that 7-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.

"30-day load limitation" is the total discharge by weight during any 30-day period divided by the number of days in the 30-day period that the facility was in operation. If only one sample is taken in a 30-day period, the weight of pollutant discharge calculated from it is the 30-day load. If more than one sample is taken during one 30-day period, the 30-day load is calculated by determining the daily load for each day sampled, totaling the daily loads for the 30-day period and dividing by the number of days sampled.

"30-day concentration limitation" means the arithmetic average (weighted by flow) of all the determinations of daily concentration made during the 30-day period. If only one sample is taken during the 30-day period, its concentration is the 30-day concentration for that 30-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.