Georgia Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr., Dr., Suite 1152 Atlanta, Georgia 30334
Judson H. Turner, Director
(404) 656-4713

May 15, 2013

Honorable Richard Barr, Mayor
City of Adel
Post Office Box 1530
Adel, Georgia 31620-1071

RE: City of Adel
Water Pollution Control Plant (WPCP)
NPDES Permit No. GA0024911
Cook County

Dear Mayor Barr:

Pursuant to the Georgia Water Quality Control Act, as amended; the Federal Water Pollution Control Act, as amended; and the Rules and Regulations promulgated thereunder, we have today issued the attached National Pollutant Discharge Elimination System (NPDES) permit for the referenced water pollution control plant.

Please be advised that on and after the effective date indicated in the attached NPDES permit, the permittee must comply with all the terms, conditions and limitations of the permit. If you have any questions, please contact Mr. Hsin-Sheng Yeh at 404/362-2680.

Sincerely,

Judson H. Turner
Director

JHT/hsy

ATTACHMENT

cc: Environmental Protection Agency

PERMIT NO. GA0024911

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the "State Act;" the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq.), hereinafter called the "Federal Act;" and the Rules and Regulations promulgated pursuant to each of these Acts,

City of Adel
Water Pollution Control Plant
Post Office Box 1530
Adel, Georgia 31620

is authorized to discharge from a facility located at

1325 Honeymoon Lane
Adel, Georgia 31620
(Cook County)

to receiving waters

Bear Creek in the Suwannee River Basin

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, I, III and IV hereof.

This permit shall become effective on June 1, 2013.

This permit and the authorization to discharge shall expire at midnight May 31, 2018.

Issued this 15th day of May 2013.

Director,
Environmental Protection Division

PART I

EPD is the Environmental Protection Division of the Department of Natural Resources.

The Federal Act referred to is The Clean Water Act.

The State Act referred to is The Water Quality Control Act (Act No. 870).

The State Rules referred to are The Rules and Regulations for Water Quality Control (Chapter 391-3-6).

A. SPECIAL CONDITIONS

1. MONITORING

The concentration of pollutants in the discharge will be limited as indicated by the table(s) labeled "Effluent Limitations and Monitoring Requirements." The effluent shall meet the requirements in the table(s) or the condition in paragraph I.A.1.a., whichever yields the higher quality effluent.

a. For 5 day biochemical oxygen demand (BOD_5) and total suspended solids (TSS), the arithmetic mean of the values of the effluent samples collected during a month shall not exceed 15 percent of the arithmetic mean of values for influent samples collected at approximately the same times (85 percent removal). In accordance with Chapter 391-3-6-.06(4)(d) 2., of the State Rules, under certain conditions the 85 percent removal requirement may not be applicable, as specified in 40 CFR 133.

b. The monthly average, other than for fecal coliform bacteria, is the arithmetic mean of values obtained for samples collected during a calendar month.

c. The weekly average, other than for fecal coliform bacteria, is the arithmetic mean of values obtained for samples collected during a 7 day period. The week begins at 12:00 midnight Saturday and ends at 12:00 midnight the following Saturday. To define a different starting time for the sampling period, the permittee must notify the EPD in writing. For reporting required by I.C.2. of this permit, a week that starts in one month and ends in another month shall be considered part of the second month. The permittee may calculate and report the weekly average as a 7 day moving average.

d. Fecal coliform bacteria will be reported as the geometric mean of the values for the samples collected during the time periods in I.A.1.b. and I.A.1.c.

e. Untreated wastewater influent samples required by I.B. shall be collected before any return or recycle flows. These flows include returned activated sludge, supernatants, centrates, filtrates, and backwash.

f. Effluent samples required by I.B. of this permit shall be collected after the final treatment process and before discharge to receiving waters. Composite samples may be collected before chlorination with written EPD approval.

g. A composite sample shall consist of a minimum of 5 subsamples collected at least once every 2 hours for at least 8 hours and shall be composited proportionately to flow.

h. Flow measurements shall be conducted using the flow measuring device(s) in accordance with the approved design of the facility. If instantaneous measurements are required, then the permittee shall have a primary flow measuring device that is correctly installed and maintained. If continuous recording measurements are required, then flow measurements must be made using continuous recording equipment. Calibration shall be maintained of the continuous recording instrumentation to ± 10% of the actual flow.

Flow shall be measured manually to check the flow meter calibration at a frequency of once a month. If secondary flow instruments are in use and malfunction or fail to maintain calibration as required, the flow shall be computed from manual measurements or by other method(s) approved by EPD until such time as the secondary flow instrument is repaired. For facilities which utilize alternate technologies for measuring flow, the flow measurement device must be calibrated semi-annually by qualified personnel.

Records of the calibration checks shall be maintained.

i. If secondary flow instruments malfunction or fail to maintain calibration as required in I.A.1.h., the flow shall be computed from manual measurements taken at the times specified for the collection of composite samples.

j. Quarterly analyses as required in I.B. shall be performed during each quarter and submitted in March, June, September, and December. Results of analyses required twice per year will be submitted in June and December. Results of analyses required annually will be submitted in June.

k. Some parameters must be analyzed to the detection limits specified by the EPD. These parameters will be reported as "not detected" when they are below the detection limit and will then be considered in compliance with the effluent limit. The detection limit will also be reported.

l. During the months of December through May, the discharge is limited to those periods when there is a stream (Bear Creek) to holding pond discharge ratio of 3:1 or greater. During the months of June through November, the discharge is limited to those periods when there is a stream to holding pond discharge ratio of 6:1 or greater. The Permittee shall report the flow discharged from the holding pond and the stream flow at the time of discharge on a monthly basis.

2. SLUDGE DISPOSAL REQUIREMENTS

Sludge shall be disposed of according to the regulations and guidelines established by the EPD and the Federal Act section 405(d) and (e), and the Resource Conservation and Recovery Act (RCRA). In land applying nonhazardous municipal sewage sludge, the permittee shall comply with the general criteria outlined in the most current version of the EPD "Guidelines for Land Application of Sewage Sludge (Biosolids) at Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17. Before disposing of municipal sewage sludge by land application or any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a sludge management plan to EPD for written approval. This plan will become a part of the NPDES Permit after approval and modification of the permit. The permittee shall notify the EPD of any changes planned in an approved sludge management plan.

If an applicable management practice or numerical limitation for pollutants in sewage sludge is promulgated under Section 405(d) of the Federal Act after approval of the plan, then the plan shall be modified to conform with the new regulations.

3. SLUDGE MONITORING REQUIREMENTS

The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor and maintain records documenting the quantity of sludge removed from the facility. Records shall be maintained documenting that the quantity of solids removed from the facility equals the solids generated on an average day. The total quantity of sludge removed from the facility during the reporting period shall be reported each month with the Discharge Monitoring Reports as required under Part I.C.2. of this permit. The quantity shall be reported on a dry weight basis (dry tons).

Pond treatment systems are required to report the total quantity of sludge removed from the facility only during the months that sludge is removed.

4. INTRODUCTION OF POLLUTANTS INTO THE PUBLICLY OWNED TREATMENT WORKS (POTW)

The permittee must notify EPD of:

a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the Federal Act if the pollutants were directly discharged to a receiving stream; and

b. Any substantial change in the volume or character of pollutants from a source that existed when the permit was issued.

This notice shall include information on the quality and quantity of the indirect discharge introduced and any anticipated impact on the quantity or quality of effluent to be discharged from the POTW.

5. EFFLUENT TOXICITY AND BIOMONITORING REQUIREMENTS

The permittee shall comply with effluent standards or prohibitions established by section 307(a) of the Federal Act and with Chapter 391-3-6-.03(5) of the State Rules and may not discharge toxic pollutants in concentrations or combinations that are harmful to humans, animals, or aquatic life.

If toxicity is suspected in the effluent, the EPD may require the permittee to perform any of the following actions:

a. Acute biomonitoring tests;

b. Chronic biomonitoring tests;

c. Stream studies;

d. Priority pollutant analyses;

e. Toxicity reduction evaluations (TRE); or

f. Any other appropriate study.

The EPD will specify the requirements and methodologies for performing any of these tests or studies. Unless other concentrations are specified by the EPD, the critical concentration used to determine toxicity in biomonitoring tests will be the effluent instream wastewater concentration (IWC) based on the permitted monthly average flow of the facility and the critical low flow of the receiving stream (7Q10). The endpoints that will be reported are the effluent concentration that is lethal to 50% of the test organisms (LC50) if the test is for acute toxicity, and the no observed effect concentration (NOEC) of effluent if the test is for chronic toxicity.

The permittee must eliminate effluent toxicity and supply the EPD with data and evidence to confirm toxicity elimination.

B. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - Pond Discharge

During December - May, the discharge is limited to periods when there is a stream to holding pond ratio of 3:1 or greater. During June - November, the discharge is limited to periods where there is a stream to holding pond ratio of 6:1 or greater. The Discharge(s) from the water pollution control plant shall be limited and monitored by the permittee as follows:

Parameter	Discharge Limitations mg/L unless otherwise specified		Monitoring Requirements		
	Monthly Avg.	Weekly Avg.	Measurement Frequency	Sample Type [3]	Sample Location
Flow - MGD [1]	2.5	3.13	7 Days/Week	Continuous Recording	Effluent
Biochemical Oxygen Demand (5-Day)	30 (284)	45 (355)	3 Days/Week	Grab	Influent and Effluent
Total Suspended Solids	90 (853)	120 (1066)	3 Days/Week	Grab	Influent and Effluent
Ammonia (as N)	16.8 (159)	25.2 (199)	3 Days/Week	Grab	Effluent
Fecal Coliform Bacteria (#/100 mL)	200/100 mL	400/100 mL	2 Days/Week	Grab	Effluent
Total Residual Chlorine (TRC) [2]	0.04	0.04	7 Days/Week	Grab	Effluent
Total Phosphorus (as P)	Report (Report)	Report (Report)	1 Day/Week	Grab	Effluent
Nitrite (as N)	Report (Report)	Report (Report)	1 Day/Week	Grab	Effluent
Nitrate (as N)	Report (Report)	Report (Report)	1 Day/Week	Grab	Effluent
Total Recoverable Mercury [4]	Report (Report)	Report (Report)	--	Grab	Effluent
Long Term Biochemical Oxygen Demand [5]	Report	--	--	Composite	Effluent
Chronic Whole Effluent (WET) Toxicity Testing [6]	Report NOEC	--	Annually	Composite	Effluent

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units and shall be monitored on the final effluent by analyzing grab samples taken 7 days a week.

The minimum effluent dissolved oxygen shall be 2.0 mg/L or higher and shall be monitored on the final effluent by analyzing grab samples taken seven days a week.

1. A continuous flow measuring device shall be installed on the receiving stream (Bear Creek) upstream of the holding pond discharge, and the stream flow and discharge from the holding pond should be reported in the DMR. Refer to Part I.A.1.I. for design flow restrictions.
2. This is a daily maximum limitation for TRC and shall be analyzed to the specific detection limit of 0.05 mg/L.
3. Monitoring shall be performed when there is a discharge.
4. Refer to Part I.C.10.
5. Refer to Part I.C.9.
6. The testing must comply with the most current U.S. Environmental Protection Agency (EPA) chronic aquatic toxicity testing manuals. The referenced document is entitled Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, 4th Edition, U.S. EPA, 821-R-02-013, October 2002. Definitive tests must be run on the same samples concurrently using both an invertebrate species (i.e., *Ceriodaphnia dubia*) and a vertebrate species (i.e., Fathead Minnow, *Pimephales promelas*) and should include a dilution equal to the facility's instream wastewater concentration of 14% (6:1) / 25% (3:1).

C. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements of the monitored waste shall represent the volume and nature of the waste stream. The permittee shall maintain a written sampling and monitoring schedule.

2. REPORTING

All reports or information submitted in compliance with this permit or requested by EPD must be signed and certified by a principal executive officer, elected official, or other authorized representative. Required analytical results obtained by the permittee shall be summarized on a Discharge Monitoring Report form and any additional EPD specified forms. Monitoring results shall be submitted to the EPD postmarked no later than the 15th day of the month following the end of the reporting period. The EPD may require in writing that additional monitoring results be reported. Signed copies of these and all other required reports shall be submitted to:

Environmental Protection Division
Wastewater Regulatory Program
4220 International Parkway, Suite 101
Atlanta, Georgia 30354

3. MONITORING PROCEDURES

All analytical methods, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and methods listed in 40 CFR Part 136. The analytical method used shall be sufficiently sensitive (i.e. EPA 1631E method for mercury). EPA approved methods must be applicable to the concentration ranges of the NPDES permit samples.

4. RECORDING OF RESULTS

For each required parameter analyzed, the permittee shall record:

a. The exact place, date, and time of sampling, and the person(s) collecting the sample. For flow proportioned composite samples, this shall include the instantaneous flow and the corresponding volume of each sample aliquot, and other information relevant to document flow proportioning of composite samples;

b. The dates and times the analyses were performed;

c. The person(s) who performed the analyses;

d. The analytical procedures or methods used; and

e. The results of all required analyses.

5. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors required parameters at the locations designated in I.B. more frequently than required, the permittee shall analyze all samples using approved analytical methods specified in I.C.3. The results of this additional monitoring shall be included in calculating and reporting the values on the Discharge Monitoring Report forms. The permittee shall indicate the

monitoring frequency on the report. The EPD may require in writing more frequent monitoring, or monitoring of other pollutants not specified in this permit.

6. RECORDS RETENTION

The permittee shall retain records of:

a. All laboratory analyses performed including sample data, quality control data, and standard curves;

b. Calibration and maintenance records of laboratory instruments;

c. Calibration and maintenance records and recordings from continuous recording instruments;

d. Process control monitoring records;

e. Facility operation and maintenance records;

f. Copies of all reports required by this permit;

g. All data and information used to complete the permit application; and

h. All monitoring data related to sludge use and disposal.

These records shall be kept for at least three years. Sludge handling records must be kept for at least five years. Either period may be extended by EPD written notification.

7. PENALTIES

Both the Federal and State Acts provide that any person who falsifies or tampers with any monitoring device or method required under this permit, or who makes any false statement, representation, or certification in any record submitted or required by this permit shall, if convicted, be punished by a fine or by imprisonment or by both. The Acts include procedures for imposing civil penalties for violations or for negligent or intentional failure or refusal to comply with any final or emergency order of the Director of the EPD.

8. WATERSHED ASSESSMENT AND WATERSHED PROTECTION PLAN

The permittee shall comply with the requirement to conduct a watershed assessment and develop a watershed protection plan in accordance with the conditions and schedule contained in EPD's Notice of Violation letter dated November 30, 2012.

Upon approval of the watershed protection plan by EPD, the watershed protection plan shall be enforceable through this permit.

The watershed protection plan shall provide for the following:

a. The watershed protection plan will apply to the Assessment Area as defined above. The plan will utilize the information generated in the permittee's watershed assessment to establish a baseline of watershed conditions and to provide ongoing long-term monitoring according to the approved plan to either verify that the plan is effective or to modify the plan such that water quality standards will be achieved.

b. The watershed protection plan must include a schedule for correcting current water quality problems that are causing water quality standards violations. The permittee shall provide ongoing monitoring to verify that the actions taken to correct the water quality problems are effective.

c. The permittee shall develop and put in place best management practices (BMPs) to prevent future water quality standards violations.

d. The permittee shall provide ongoing monitoring to verify that the BMPs are working or to provide the information necessary to modify the BMPs to achieve water quality standards.

Annual Report

Each June 30th the permittee is to submit the following to EPD:

a. An annual certification statement documenting that the plan is being implemented as approved. The certification statement shall read as follows: "I certify, under penalty of law, that the watershed protection plan is being implemented. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

b. All watershed plan data collected during the previous year in an electronic format. This data shall be archived using a digital format such as a spreadsheet developed in coordination with EPD. All archived records, data, and information pertaining to the watershed protection plan shall be maintained permanently.

c. A progress report that provides a summary of the BMPs that have been implemented and documented water quality improvements. The progress report shall also include any necessary changes to the Watershed Protection Plan.

9. LONG TERM BIOCHEMICAL OXYGEN DEMAND TESTING

The permittee shall perform a 120-day long term BOD test during the permit cycle. The test should be performed on an effluent sample collected during the critical period from June 1 through September 30. The results of this test should be provided to EPD prior to renewal of the permit.

10. TOTAL RECOVERABLE MERCURY

Upon issuance of the permit, the permittee must conduct three scans of the total recoverable mercury during the first year of issuance with the first test being conducted within 90 days of permit issuance. The analytical method used shall be sufficiently sensitive specifically for Mercury (EPA's Method 1631E is the most sufficiently sensitive method for the analysis of Mercury). If substances are measured at levels of concern, then the permittee may be required to perform additional priority pollutant analyses or the permit may be modified to include effluent limitations for total recoverable mercury.

PART II LAND APPLICATION SYSTEM

A. CONDITIONS

1. DEFINITIONS

a. Division: the Environmental Protection Division of the Department of Natural Resources.

b. Monthly Average: the arithmetic or geometric mean of values for samples collected during a calendar month.

c. Non-restricted Access: landscaped areas where reclaimed wastewater is used for irrigation purposes and public access cannot be controlled and adequate buffer zones cannot be maintained. Reclaimed wastewater used to irrigate non-restricted access areas must be treated to urban water reuse standards.

d. Preapplication Treatment System: the wastewater treatment facility which reduces high strength organic waste to low levels prior to application to the sprayfield area. The preapplication treatment system can consist of a mechanical plant or a pond system.

e. Restricted Access: landscaped areas where reclaimed wastewater is used for irrigation purposes and public access is restricted to specific and controlled periods of time. Wastewater used to irrigate restricted access areas must be pretreated to secondary levels and receive disinfection.

f. Sprayfield: the wetted area of the land application site, excluding the buffer zone.

g. State Act: the Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).

2. MONITORING

a. The permittee shall monitor and record the amount of rainfall at the land application system site on a daily basis.

b. A composite sample shall consist of a minimum of 5 subsamples collected at least every 2 hours for a period of at least 8 hours, and composited proportionately to flow.

c. Flow measurements shall be conducted using the flow measuring device(s) in accordance with the approved design of the facility. If secondary flow measurements are installed, calibration shall be maintained to ± 10% of the actual flow. Flow shall be measured manually to check the flow meter calibration at a frequency of once per week. If secondary flow instruments are in use and malfunction or fail to maintain calibration as required, the flow shall be computed from manual measurements or by other method(s) approved by EPD until such time as the secondary flow instrument is repaired.

For facilities which utilize alternate technologies for measuring flow, the flow measurement device must be calibrated semi-annually by qualified personnel. Records of the calibration checks shall be maintained.

d. Quarterly analyses as required in I.B. shall be performed during each quarter and submitted in March, June, September, and December. Results of analyses required twice per year will be submitted in June and December. Results of analyses required annually will be submitted in June.

e. Some parameters must be analyzed to the detection limits specified by the EPD. These parameters will be reported as "not detected" when they are below the detection limit and will then be considered in compliance with the effluent limit. The detection limit will also be reported.

B.1. PREAPPLICATION TREATMENT PLANT MONITORING

Treatment Pond System - Land Application System

The average daily flow from the effluent of the mechanical preapplication treatment plant to the storage pond must not exceed 2.5 MGD. For monitoring purposes, influent shall refer to the influent to the facility and effluent shall refer to the discharge from the treatment/storage pond facility to the sprayfields. The mechanical preapplication treatment plant shall be monitored by the permittee for the parameters and at the frequency listed below:

Parameters	Discharge Limitation Monthly Average, mg/L unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow (MGD)	2.5	Daily	Continuous	Effluent
Biochemical Oxygen Demand (5-Day)	50	One/Week	Grab	Influent and Effluent
Total Suspended Solids	90	One/Week	Grab	Influent and Effluent
pH, standard units (minimum - maximum)	6.0 - 10.0	One/Week	Grab	Effluent
Nitrate-Nitrogen	Report	One/Month	Grab	Effluent

Continuous recording measurements are required for effluent flow monitoring. If influent flow monitoring is required, instantaneous flow measurements are acceptable.

B.2. SOIL MONITORING REQUIREMENTS

Representative samples shall be collected from each major soil series present within the sprayfield area. The samples shall be analyzed in accordance with the latest edition of Methods of Soil Analysis (published by the American Society of Agronomy, Madison, Wisconsin) or other methods approved by the Division. The soil samples shall be analyzed for the parameters and at the frequency listed below:

Parameter	Measurement Frequency
pH, standard units	One/Year
Cation Exchange Capacity	If pH changes by one unit
Percent Base Saturation	If pH changes by one unit
Soil Fertility Test*	One/Year

*This testing is to be done in December of each year. The soil fertility testing is to include soil pH and phosphorus, potassium, calcium, magnesium, zinc, and manganese using the Mehlich I extraction procedure.

Where there are categorical and/or significant industrial discharges to the sewer system, the permittee may be required, upon written notification by the Division, to sample for additional parameters. These parameters may include heavy metals and organic compounds.

B.3. GROUNDWATER MONITORING REQUIREMENTS

Groundwater leaving the land application system boundaries must not exceed maximum contaminant levels for drinking water. The groundwater shall be monitored from each groundwater monitoring well by the permittee for the parameters and at the frequency listed below:

Parameters	Measurement Frequency	Sample Type
Depth to Groundwater	One/Month	Report
pH, standard units	One/Month	Grab
Electrical Conductivity	One/Month	Grab
Nitrate-Nitrogen	One/Month	Grab
Fecal Coliform Bacteria	One/Quarter	Grab

Where there are categorical and/or significant industrial discharges to the sewer system, the permittee may be required to sample for additional parameters. These parameters may be required to sample for additional parameters. These parameters may include heavy metals and organic compounds.

B.4. SURFACE WATER MONITORING

The water quality of any surface water adjacent to or traversing the land application site shall be monitored. Grab samples collected upstream and downstream of the sprayfield area shall be monitored for the parameters and at the frequency listed below:

Parameter	Measurement Frequency
Biochemical Oxygen Demand (5-Day)	One/Quarter
Suspended Solids	One/Quarter
Dissolved Oxygen	One/Quarter
pH, standard units	One/Quarter
Fecal Coliform Bacteria	One/Quarter
Nitrate-Nitrogen	One/Quarter

C. GENERAL REQUIREMENTS - Land Application System

1. The wetted sprayfield area of the land application system shall consist of 280.2 acres(s). The hydraulic wastewater loading to this sprayfield area must not exceed the rate established and approved by EPD. At no time shall the maximum application rate exceed 2.3 inches per week (inches/week) or an instantaneous application rate of 0.25 inches per hour (inches/hour). Any request for a higher loading rate must be submitted to EPD for approval.

2. Groundwater leaving the land application system boundaries must not exceed maximum contaminant levels for drinking water. If groundwater samples indicate contamination, the permittee will be required to develop a plan which will ensure that the primary maximum contaminant levels for drinking water are not exceeded. The plan will be implemented by the permittee immediately upon EPD approval.

3. The permittee, upon written notification by EPD, may be required to install groundwater monitoring wells at an existing land application system. This requirement may apply if monitoring wells were not included in the original design of the facility and also, if EPD determines the existing groundwater monitoring wells are not adequate.

4. The State Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, 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 or by imprisonment, or by both. The State Act also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of the EPD.

   Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

PART III

A. MANAGEMENT REQUIREMENTS

1. FACILITY OPERATION

The permittee shall maintain and operate efficiently all treatment or control facilities and related equipment installed or used by the permittee to achieve compliance with this permit. Efficient operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Back-up or auxiliary facilities or similar systems shall be operated only when necessary to achieve permit compliance.

2. CHANGE IN DISCHARGE

Any anticipated facility expansions, or process modifications which will result in new, different, or increased discharges of pollutants requires the submission of a new NPDES permit application. If the changes will not violate the permit effluent limitations, the permittee may notify EPD without submitting an application. The permit may then be modified to specify and limit any pollutants not previously limited.

3. NONCOMPLIANCE NOTIFICATION

If, for any reason the permittee does not comply with, or will be unable to comply with any effluent limitations specified in the permitee's NPDES permit, the permittee shall provide EPD with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

a. A description of the noncompliance and its cause; and

b. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and

c. The steps taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

4. ANTICIPATED NONCOMPLIANCE NOTIFICATION

The permittee shall give written notice to the EPD at least 10 days before:

a. Any planned changes in the permitted facility; or

b. Any activity which may result in noncompliance with the permit.

5. OTHER NONCOMPLIANCE

The permittee must report all instances of noncompliance not reported under other specific reporting requirements, at the time monitoring reports are submitted. The reports shall contain the information required under conditions of twenty-four hour reporting.

6. OPERATOR CERTIFICATION REQUIREMENTS

The person responsible for the daily operation of the facility must be a Class II Certified Operator in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control. All other operators must have the minimum certification required by this Act.

7. LABORATORY ANALYST CERTIFICATION REQUIREMENTS

Laboratory Analysts must be certified in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act, as amended.

8. BYPASSING

Any diversion of wastewater from or bypassing of wastewater around the permitted treatment works is prohibited, except if:

a. Bypassing is unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There are no feasible alternatives to bypassing; and

c. The permittee notifies the EPD at least 10 days before the date of the bypass.

Feasible alternatives to bypassing include use of auxiliary treatment facilities and retention of untreated waste. The permittee must take all possible measures to prevent bypassing during routine preventative maintenance by installing adequate back-up equipment.

The permittee shall operate the facility and the sewer system to minimize discharge of pollutants from combined sewer overflows or bypasses and may be required by the EPD to submit a plan and schedule to reduce bypasses, overflows, and infiltration.

Any unplanned bypass must be reported following the requirements for noncompliance notification specified in II.A.3. The permittee may be liable for any water quality violations that occur as a result of bypassing the facility.

9. POWER FAILURES

If the primary source of power to this water pollution control facility is reduced or lost, the permittee shall use an alternative source of power, to reduce or control all discharges to maintain permit compliance.

10. ADVERSE IMPACT

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge disposal which might adversely affect human health or the environment.

11. NOTICE CONCERNING ENDANGERING WATERS OF THE STATE

Whenever, because of an accident or otherwise, any toxic or taste and color producing substance, or any other substance which would endanger downstream users of the waters of

the State or would damage property, is discharged into such waters, or is so placed that it might flow, be washed, or fall into them, it shall be the duty of the person in charge of such substances at the time to forthwith notify EPD in person or by telephone of the location and nature of the danger, and it shall be such person's further duty to immediately take all reasonable and necessary steps to prevent injury to property and downstream users of said water.

Spills and Major Spills:

A "spill" is any discharge of raw sewage by a Publicly Owned Treatment Works (POTW) to the waters of the State.

A "major spill" means:

1. The discharge of pollutants into waters of the State by a POTW that exceeds the weekly average permitted effluent limit for biochemical oxygen demand (5-day) or total suspended solids by 50 percent or greater in one day, provided that the effluent discharge concentration is equal to or greater than 25 mg/L for biochemical oxygen demand or total suspended solids.

2. Any discharge of raw sewage that 1) exceeds 10,000 gallons or 2) results in water quality violations in the waters of the State.

"Consistently exceeding effluent limitation" means a POTW exceeding the 30 day average limit for biochemical oxygen demand or total suspended solids for at least five days out of each seven day period during a total period of 180 consecutive days.

The following specific requirements shall apply to POTW's. If a spill or major spill occurs, the owner of a POTW shall immediately:

a. Notify EPD, in person or by telephone, when a spill or major spill occurs in the system.

b. Report the incident to the local health department(s) for the area affected by the incident. The report at a minimum shall include the following:

    1. Date of the spill or major spill;
    2. Location and cause of the spill or major spill;
    3. Estimated volume discharged and name of receiving waters; and
    4. Corrective action taken to mitigate or reduce the adverse effects of the spill or major spill.

c. Post a notice as close as possible to where the spill or major spill occurred and where the spill entered State waters and also post additional notices along portions of the waterway affected by the incident (i.e. bridge crossings, boat ramps, recreational areas, and other points of public access to the affected waterway). The notice at a minimum shall include the same information required in 11(b)(1-4) above. These notices shall remain in place for a minimum of seven days after the spill or major spill has ceased.

d. Within 24 hours of becoming aware of a spill or major spill, the owner of a POTW shall report the incident to the local media (television, radio, and print media). The report shall include the same information required in 11(b)(1-4) above.

e. Within five (5) days (of the date of the spill or major spill), the owner of a POTW shall submit to EPD a written report which includes the same information required in 11(b)(1-4) above.

f. Within 7 days (after the date of a major spill), the owner of a POTW responsible for the major spill, shall publish a notice in the largest legal organ of the County where the incident occurred. The notice shall include the same information required in 11(b)(1-4) above.

g. The owner of a POTW shall immediately establish a monitoring program of the receiving waters affected by a major spill or by consistently exceeding an effluent limit, with such monitoring being at the expense of the POTW for at least one year. The monitoring program shall include an upstream sampling point as well as sufficient downstream locations to accurately characterize the impact of the major spill or the consistent exceedence of effluent limitations described in the definition of "Consistently exceeding effluent limitation" above. As a minimum, the following parameters shall be monitored in the receiving stream:

1. Dissolved Oxygen;
2. Fecal Coliform Bacteria;
3. pH;
4. Temperature; and
5. Other parameters required by the EPD.

The monitoring and reporting frequency as well as the need to monitor additional parameters, will be determined by EPD. The results of the monitoring will be provided by the POTW owner to EPD and all downstream public agencies using the affected waters as a source of a public water supply.

h. Within 24 hours of becoming aware of a major spill, the owner of a POTW shall provide notice of a major spill to every county, municipality, or other public agency whose public water supply is within a distance of 20 miles downstream and to any others which could be potentially affected by the major spill.

12. UPSET PROVISION

Provision under 40 CFR 122.41(n)(1)-(4), regarding "Upset" shall be applicable to any civil, criminal, or administrative proceeding brought to enforce this permit.

B. RESPONSIBILITIES

1. COMPLIANCE

The permittee must comply with this permit. Any permit noncompliance is a violation of the Federal Act, State Act, and the State Rules, and is grounds for:

a. Enforcement action;

b. Permit termination, revocation and reissuance, or modification; or

c. Denial of a permit renewal application.

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

2. RIGHT OF ENTRY

The permittee shall allow the Director of the EPD, the Regional Administrator of EPA, and their authorized representatives, agents, or employees after they present credentials to:

a. Enter the permittee's premises where a regulated activity or facility is located, or where any records required by this permit are kept;

b. Review and copy any records required by this permit;

c. Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and

d. Sample any substance or parameter at any location.

3. SUBMITTAL OF INFORMATION

The permittee shall furnish any information required by the EPD to determine whether cause exists to modify, revoke and reissue, or terminate this permit or to determine compliance with this permit. The permittee shall also furnish the EPD with requested copies of records required by this permit. If the permittee determines that any relevant facts were not included in a permit application or that incorrect information was submitted in a permit application or in any report to the EPD, the permittee shall promptly submit the additional or corrected information.

4. TRANSFER OF OWNERSHIP OR CONTROL

A permit may be transferred to another person by a permittee if:

a. The permittee notifies the Director in writing at least 30 days in advance of the proposed transfer;

b. An agreement is written containing a specific date for transfer of permit responsibility including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on. This agreement must be submitted to the Director at least 30 days in advance of the proposed transfer; and

c. The Director does not notify the current permittee and the new permittee within 30 days of EPD intent to modify, revoke and reissue, or terminate the permit. The Director may require that a new application be filed instead of agreeing to the transfer of the permit.

5. AVAILABILITY OF REPORTS

Except for data determined to be confidential by the Director of EPD under O.C.G.A. 12-5-26 or by the Regional Administrator of EPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared to comply with this permit shall be available for public inspection at an EPD office. Effluent data, permit applications, permittees' names and addresses, and permits shall not be considered confidential.

6. PERMIT MODIFICATION

This permit may be modified, terminated, or revoked and reissued in whole or in part during its term for causes including, but not limited to:

a. Permit violations;

b. Obtaining this permit by misrepresentation or by failure to disclose all relevant facts;

c. Changing any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

d. Changes in effluent characteristics; and

e. Violations of water quality standards.

The filing of a request by the permittee for permit modification, termination, revocation and reissuance, or notification of planned changes or anticipated noncompliance does not negate any permit condition.

7. CIVIL AND CRIMINAL LIABILITY

The permittee is liable for civil or criminal penalties for noncompliance with this permit and must comply with applicable State and Federal laws including promulgated water quality standards. The permit cannot be interpreted to relieve the permittee of this liability even if it has not been modified to incorporate new requirements.

8. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights of either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, or any infringement of Federal, State or local laws or regulations.

9. EXPIRATION OF PERMIT

The permittee shall submit an application for permit reissuance at least 180 days before the expiration date of this permit. The permittee shall not discharge after the permit expiration date without written authorization from the EPD. To receive this authorization, the permittee shall submit the information, forms, and fees required by the EPD no later than 180 days before the expiration date.

10. CONTESTED HEARINGS

Any person aggrieved or adversely affected by any action of the Director of the EPD shall petition the Director for a hearing within 30 days of notice of the action.

11. SEVERABILITY

The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the provision does not affect other circumstances or the remainder of this permit.

12. PREVIOUS PERMITS

All previous State water quality permits issued to this facility for construction or operation are revoked by the issuance of this permit. The permit governs discharges from this facility under the National Pollutant Discharge Elimination System (NPDES).

PART IV

INDUSTRIAL PRETREATMENT PROGRAM FOR PUBLICLY OWNED TREATMENT WORKS (POTW)

1. The permittee may establish and operate an approved industrial pretreatment program.

2. If the EPD determines that the permittee is required to develop a local industrial pretreatment program, the permittee will be notified in writing. The permittee shall immediately begin development of an industrial pretreatment program and shall submit it to the EPD for approval no later than one year after the notification.

3. During the interim period between determination that a program is needed and approval of the program, all industrial pretreatment permits shall be issued by the EPD.

4. The permittee shall notify the EPD of all industrial users connected to the system or proposing to connect to the system from the date of issuance of this permit.

5. Implementation of the Pretreatment Program developed by the State can be delegated to the permittee following the fulfillment of requirements detailed in 391-3-6-.09 of the Rules and Regulations for Water Quality Control.