Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

    a. For **water** system acquisitions, provide copies of the public water supply/water quality management permits for the utility plant.

RESPONSE:

a. n/a

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

b. For **wastewater** system acquisitions, provide copies of the water quality management and National Pollution Discharge Elimination System (NPDES) permits for the utility plant.

RESPONSE:

b. Attached are the copies of the NPDES permits provided by the Authority. These permits are attached at **Appendix A-20-b.** The two treatment plants include Kinzua and Pine Street. Additional wastewater permits may be identified going forward. Copies of any additional wastewater permits located will be provided.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE REQUIREMENTS FOR PUBLICLY OWNED TREATMENT WORKS (POTWs)

NPDES PERMIT NO: PA0023175

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

Kane Borough
112 Bayard Street
Kane, PA 16735-1377

is authorized to discharge from a facility known as **Kinzua Road STP Kane**, located in **Wetmore Township, McKean County**, to **Hubert Run (Outfalls 001 & 002) and an Unnamed Tributary to Hubert Run (Outfall 003)** in Watershed **16-B** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON FEB 01 2017

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON JAN 31 2022

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.

2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))

3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d))

   In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. (25 Pa. Code §§ 92a.7(b), (c))

4. This NPDES permit does not constitute authorization to construct or make modifications to wastewater treatment facilities necessary to meet the terms and conditions of this permit.

DATE PERMIT ISSUED JAN 13 2017 **ISSUED BY**

John A. Holden, P.E.
Clean Water Program Manager
Northwest Regional Office

Appendix A-20-b

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. A. For Outfall 001 , **Latitude** 41° 40' 40" , **Longitude** 78° 48' 23" , **River Mile Index** 2.27 , **Stream Code** 56598

Type of Effluent: treated domestic sewage

1. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) [1]		Concentrations (mg/L)				Minimum [2] Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX	Continuous	Measured
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	1/day	Grab
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX	1/day	Grab
Total Residual Chlorine	XXX	XXX	XXX	0.06	XXX	0.08	1/day	Grab
CBOD5	313	500	XXX	25	40	50	2/week	24-Hr Composite
BOD5 Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Total Suspended Solids	375	563	XXX	30	45	60	2/week	24-Hr Composite
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000	2/week	Grab

Appendix A-20-b

Outfall 001, Continued (from Permit Effective Date through Permit Expiration Date)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000	2/week	Grab
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX	1/month	24-Hr Composite
Ammonia-Nitrogen May 1 - Oct 31	25	XXX	XXX	2	XXX	4	2/week	24-Hr Composite
Ammonia-Nitrogen Nov 1 - Apr 30	75	XXX	XXX	6	XXX	12	2/week	24-Hr Composite
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX	1/month	24-Hr Composite
Total Copper (Interim)+	Report	XXX	XXX	Report	XXX	XXX	1/week	24-Hr Composite
Total Copper (Final)++	0.11	XXX	XXX	0.009	XXX	0.018	1/week	24-Hr Composite
Total Lead	XXX	XXX	XXX	Report	XXX	XXX	1/month	24-Hr Composite

+ - Interim limits are applicable from the permit effective date (PED) to the PED + 3 years
++ - Final limits are applicable from the PED + 3 years through the permit expiration date.

Refer to Special Condition V – Toxics Reduction Evaluation for Copper

Appendix A-20-b

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfall 001 – after disinfection

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. B. IDENTIFICATION OF COMBINED SEWER OVERFLOW DISCHARGES

The outfalls identified below serve as combined sewer overflows necessitated by storm water entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. Dry weather discharges from these outfalls are prohibited. Each discharge shall be monitored for cause, frequency, duration, and quantity of flow. The data must be recorded on the DEP provided supplemental DMR forms and reported monthly as an attachment to the regular Discharge Monitoring Report (DMR) or as otherwise provided for in the permit.

Outfall No.	Location		
	Latitude	Longitude	Receiving Stream
002	41° 40' 40"	78° 48' 23"	Hubert Run
003	41° 39' 58"	78° 48' 02"	UNT – Hubert Run

The permittee shall achieve a minimum of 85% capture and treatment of combined sewer annual flow volume, collected during precipitation events in accordance with the LTCP to comply with water quality standards.

Refer to Special Condition III

Appendix A-20-b

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfalls 002 & 003

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS (Continued)

Additional Requirements

1. The permittee may not discharge:

   a. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code § 92a.41(c))

   b. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code § 92a.47(a)(7), § 95.2(2))

   c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code § 93.6(a))

   d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. (25 Pa Code § 92a.41(c))

2. The monthly average percent removal of BOD_5 or $CBOD_5$ and TSS must be at least 85% for POTW facilities on a concentration basis except where 25 Pa. Code 92a.47(g) and (h) are applicable to facilities with combined sewer overflows (CSOs) or as otherwise specified in this permit. (25 Pa. Code § 92a.47(a)(3))

3. If the permit requires the reporting of average weekly statistical results, the maximum weekly average concentration and maximum weekly average mass loading shall be reported, regardless of whether the results are obtained for the same or different weeks.

4. The permittee shall monitor the sewage effluent discharge(s) for the effluent parameters identified in the Part A limitations table(s) during all bypass events at the facility, using the sample types that are specified in the limitations table(s). Where the required sample type is "composite", the permittee must commence sample collection within one hour of the start of the bypass, wherever possible. The results shall be reported on the Daily Effluent Monitoring supplemental form (3800-FM-BPNPSM0435) and be incorporated into the calculations used to report self-monitoring data on Discharge Monitoring Reports (DMRs).

Footnotes

(1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.

(2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

Supplemental Information

(1) The hydraulic design capacity of 1.5 million gallons per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to help determine whether a "hydraulic overload" situation exists, as defined in Title 25 Pa. Code Chapter 94.

(2) The effluent limitations for Outfall 001 were determined using an effluent discharge rate of 1.5 MGD.

(3) The organic design capacity of 2,189 lbs BOD_5 per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to determine whether an "organic overload" condition exists, as defined in 25 Pa. Code Chapter 94.

(4) Total Nitrogen is the sum of Total Kjeldahl-N (TKN) plus Nitrite-Nitrate as N (NO_2+NO_3-N), where TKN and NO_2+NO_3-N are measured in the same sample.

II. DEFINITIONS

At Outfall (XXX) means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

Average refers to the use of an arithmetic mean, unless otherwise specified in this permit. (40 CFR 122.41(l)(4)(iii))

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollutant loading to surface waters of the Commonwealth. The term also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term includes activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within this Commonwealth before, during and after earth disturbance activities. (25 Pa. Code § 92a.2)

Bypass means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR 122.41(m)(1)(i))

Calendar Week is defined as the seven consecutive days from Sunday through Saturday, unless the permittee has been given permission by DEP to provide weekly data as Monday through Friday based on showing excellent performance of the facility and a history of compliance. In cases when the week falls in two separate months, the month with the most days in that week shall be the month for reporting.

Clean Water Act means the Federal Water Pollution Control Act, as amended (33 U.S.C.A. §§ 1251 to 1387).

Composite Sample (for all except GC/MS volatile organic analysis) means a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite. (EPA Form 2C)

Composite Sample (for GC/MS volatile organic analysis) consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). The samples must be combined in the laboratory immediately before analysis and then one analysis is performed. (EPA Form 2C)

Daily Average Temperature means the average of all temperature measurements made, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar day or during the operating day if flows are of a shorter duration.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. (25 Pa. Code § 92a.2, 40 CFR 122.2)

Daily Maximum Discharge Limitation means the highest allowable "daily discharge."

Discharge Monitoring Report (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (25 Pa. Code § 92a.2, 40 CFR 122.2)

Estimated Flow means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

Geometric Mean means the average of a set of n sample results given by the n^{th} root of their product.

Grab Sample means an individual sample of at least 100 mL collected at a randomly selected time over a period not to exceed 15 minutes. (EPA Form 2C)

Hauled-In Wastes means any waste that is introduced into a treatment facility through any method other than a direct connection to the sewage collection system. The term includes wastes transported to and disposed of within the treatment facility or other entry points within the collection system.

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. (40 CFR 122.2)

Immersion Stabilization (i-s) means a calibrated device is immersed in the wastewater until the reading is stabilized.

Indirect Discharger means a non-domestic discharger introducing pollutants to a Publicly Owned Treatment Works (POTW) or other treatment works. (25 Pa. Code § 92a.2, 40 CFR 122.2)

Industrial User means a source of Indirect Discharge. (40 CFR 403.3)

Instantaneous Maximum Effluent Limitation means the highest allowable discharge of a concentration or mass of a substance at any one time as measured by a grab sample. (25 Pa. Code § 92a.2)

Measured Flow means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

Monthly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. (25 Pa. Code § 92a.2)

Municipality means a city, town, borough, county, township, school district, institution, authority or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes. (25 Pa. Code § 92a.2)

Municipal Waste means garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities; and sludge not meeting the definition of residual or hazardous waste under this section from a municipal, commercial or institutional water supply treatment plant, waste water treatment plant or air pollution control facility. (25 Pa. Code § 271.1)

Publicly Owned Treatment Works (POTW) means a treatment works as defined by §212 of the Clean Water Act, owned by a state or municipality. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also includes sewers, pipes or other conveyances if they convey wastewater to a POTW providing treatment. The term also means the municipality as defined in section 502(4) of the Clean Water Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. (25 Pa Code § 92a.2, 40 CFR 122.2)

Residual Waste means garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining and agricultural operations and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous. The term does not include coal refuse as defined in the Coal Refuse Disposal Control Act. The term does not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under the Clean Streams Law. (25 Pa Code § 287.1)

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities that causes 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. (40 CFR 122.41(m)(1)(ii))

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code § 92a.2)

Stormwater Associated With Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, and as defined at 40 CFR §122.26(b)(14)(i) – (ix) and (xi) and 25 Pa. Code § 92a.2.

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code § 92a.2)

Weekly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity (40 CFR 122.41(j)(1)). Representative sampling includes the collection of samples, where possible, during periods of adverse weather, changes in treatment plant performance and changes in treatment plant loading. If possible, effluent samples must be collected where the effluent is well mixed near the center of the discharge conveyance and at the approximate mid-depth point, where the turbulence is at a maximum and the settlement of solids is minimized. (40 CFR 122.48, 25 Pa. Code § 92a.61)

2. Records Retention (40 CFR 122.41(j)(2))

   Except for records of monitoring information required by this permit related to the permittee's sludge use and disposal activities which shall be retained for a period of at least 5 years, all records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application, unless a longer retention period is required by the permit. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

3. Recording of Results (40 CFR 122.41(j)(3))

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

   a. The exact place, date and time of sampling or measurements.
   b. The person(s) who performed the sampling or measurements.
   c. The date(s) the analyses were performed.
   d. The person(s) who performed the analyses.
   e. The analytical techniques or methods used; and the associated detection level.
   f. The results of such analyses.

4. Test Procedures

   a. Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§ 4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation.

   b. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be those approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, unless the method is specified in this permit or has been otherwise approved in writing by DEP. (40 CFR 122.41(j)(4), 122.44(i)(1)(iv))

   c. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be sufficiently sensitive. A method is sufficiently sensitive when 1) the method minimum level is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or 2) the method has the lowest minimum level of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, for the measured pollutant or pollutant parameter; or 3) the method is specified in this permit or has been otherwise approved in writing by DEP for the measured pollutant or pollutant parameter. Permittees have the option of providing matrix or sample-specific minimum levels rather than the published levels. (40 CFR 122.44(i)(1)(iv))

5. Quality/Assurance/Control

   In an effort to assure accurate self-monitoring analyses results:

   a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))

   b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (40 CFR 122.41(e), 122.44(i)(1))

2. Discharge Monitoring Reports (DMRs) must be completed in accordance with DEP's published DMR Instructions (3800-FM-BPNPSM0463). DMRs are based on calendar reporting periods unless Part C of this permit requires otherwise. DMR(s) must be received by the agency(ies) specified in paragraph 3 below in accordance with the following schedule:

   - Monthly DMRs must be received within 28 days following the end of each calendar month.

   - Quarterly DMRs must be received within 28 days following the end of each calendar quarter, i.e., January 28, April 28, July 28, and October 28.

   - Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 and July 28.

   - Annual DMRs must be received by January 28, unless Part C of this permit requires otherwise.

3. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) provided by DEP in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use DEP's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

   Department of Environmental Protection
   Clean Water Program
   230 Chestnut Street
   Meadville, PA 16335-3481

   NPDES Enforcement Branch (3WP42)
   Office of Permits & Enforcement
   Water Protection Division
   U.S. EPA - Region III
   1650 Arch Street
   Philadelphia, PA 19103-2029

4. If the permittee elects to begin using DEP's eDMR system to submit DMRs required by the permit, the permittee shall, to assure continuity of business operations, continue using the eDMR system to submit all DMRs and Supplemental Reports required by the permit, unless the following steps are completed to discontinue use of eDMR:

   a. The permittee shall submit written notification to the regional office that issued the permit that it intends to discontinue use of eDMR. The notification shall be signed by a principal executive officer or authorized agent of the permittee.

b. The permittee shall continue using eDMR until the permittee receives written notification from DEP's Central Office that the facility has been removed from the eDMR system, and electronic report submissions are no longer expected.

5. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code § 92a.22:

   - For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
   - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
   - For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

   If signed by a person other than the above, written notification of delegation of DMR signatory authority must be submitted to DEP in advance of or along with the relevant DMR form. (40 CFR 122.22(b))

6. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in Part A III.A.4. herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. (40 CFR 122.41(l)(4)(ii))

C. Reporting and Notification Requirements

1. Planned Changes to Physical Facilities – The permittee shall give notice to DEP as soon as possible but no later than 30 days prior to planned physical alterations or additions to the permitted facility. A permit under 25 Pa. Code Chapter 91 may be required for these situations prior to implementing the planned changes. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section.

   Notice is required when:

   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b). (40 CFR 122.41(l)(1)(i))

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))

   c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))

   d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))

2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code § 92a.24(a) and 40 CFR 122.42(b), the permittee shall provide notice to DEP and EPA as soon as possible but no later than 45 days prior to any planned changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the "Planned Changes to Waste Stream" Supplemental Report (3800-FM-BPNPSM0482), available on DEP's website. The permittee shall provide information on the quality and quantity of waste introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW (40 CFR 122.42(b)(3)). The Report shall be sent via Certified Mail or other means to confirm DEP's receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.

a. Introduction of New Pollutants (25 Pa. Code § 92a.24(a), 40 CFR 122.42(b)(1))

New pollutants are defined as parameters that meet one or more of the following criteria:

(i) Any pollutants that were not detected in the facilities' influent waste stream as reported in the permit application; and have not been approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants (40 CFR 122.42(b)(1)).

The permittee shall provide notification of the introduction of new pollutants in accordance with paragraph 2 above. The permittee may not authorize the introduction of new pollutants until the permittee receives DEP's written approval.

b. Increased Loading of Approved Pollutants (25 Pa. Code § 92a.24(a), 40 CFR 122.42(b)(2))

Approved pollutants are defined as parameters that meet one or more of the following criteria:

(i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application; or have been previously approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Have an effluent limitation or monitoring requirement in this permit.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 20% of the maximum loading reported in the permit application, or a loading previously approved by DEP and/or EPA, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the POTW, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations, may not result in a hydraulic or organic overload condition as defined in 25 Pa. Code § 94.1, and may not cause exceedances of the applicable water quality standards in the receiving stream.

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

(i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate), as defined at 25 Pa. Code § 287.1, that are received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-BPNPSM0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report. The information used to develop the Report shall be retained by the permittee for five years from the date of receipt and must be made available to DEP or EPA upon request.

(1) The dates that residual wastes were received.

(2) The volume (gallons) of wastes received.

(3) The license plate number of the vehicle transporting the waste to the treatment facility.

(4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.

(5) The name and address of the generator of the residual wastes.

(6) The type of wastewater.

The transporter of residual waste must maintain these and other records as part of the daily operational record (25 Pa. Code § 299.219). If the transporter is unable to provide this information or the permittee has not otherwise received the information from the generator, the residual wastes shall not be accepted by the permittee until such time as the permittee receives such information from the transporter or generator.

(ii) The following conditions apply to the characterization of residual wastes received by the permittee:

(1) If the generator is required to complete a chemical analysis of residual wastes in accordance with 25 Pa. Code § 287.51, the permittee must receive and maintain on file a chemical analysis of the residual wastes it receives. The chemical analysis must conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be covered by a chemical analysis if the generator is required to complete it.

(2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the chemical analysis may be a general frac wastewater characterization approved by DEP. Thereafter, the chemical analysis must be waste-specific and be reported on the Form 26R.

b. Receipt of Municipal Waste

(i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge), as defined at 25 Pa. Code § 271.1, that are received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-BPNPSM0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

(1) The dates that municipal wastes were received.

(2) The volume (gallons) of wastes received.

(3) The BOD_5 concentration (mg/l) and load (lbs) for the wastes received.

(4) The location(s) where wastes were disposed of within the treatment facility.

(ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes. The influent BOD_5 characterization for the treatment facility, as reported in the annual Municipal Wasteload Management Report per 25 Pa. Code Chapter 94, must be representative of the hauled-in municipal wastes received.

4. Unanticipated Noncompliance or Potential Pollution Reporting

   a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code §§ 91.33 and 92a.41(b).

      (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

      (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.

      (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.

   b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:

      (i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph (40 CFR 122.41(l)(6)(ii)):

         (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

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

         (3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement.

      (ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

      (iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

5. Other Noncompliance

   The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BPNPSM0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

PART B

I. MANAGEMENT REQUIREMENTS

A. Compliance

1. The permittee shall comply with all conditions of this permit. If a compliance schedule has been established in this permit, the permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit. (40 CFR 122.41(a)(1))

2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (25 Pa. Code § 92a.51(c), 40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with 25 Pa. Code § 92a.72 and 40 CFR 122.41(f).

2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))

3. In the absence of DEP action to modify or revoke and reissue this permit, 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 specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))

2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))

3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))

4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, required under the provisions of Title 25 Pa. Code Chapter 94:

   a. The requirements identified in 25 Pa. Code § 94.12.

   b. The identity of any indirect discharger(s) served by the POTW which are subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act; the POTW shall also specify the total volume of discharge and estimated concentration of each pollutant discharged into the POTW by the indirect discharger.

   c. A "Solids Management Inventory" if specified in Part C of this permit.

   d. The total volume of hauled-in residual and municipal wastes received during the year, by source.

   e. The Annual Report requirements for permittees required to implement an industrial pretreatment program listed in Part C, as applicable.

D. General Pretreatment Requirements

1. Any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 million gallons per day (MGD) and receiving from industrial users pollutants which pass through or interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards will be required to establish a POTW Pretreatment Program unless specifically exempted by the Approval Authority. A POTW with a design flow of 5 MGD or less may be required to develop a POTW Pretreatment Program if the Approval Authority finds that the nature or volume of the industrial influent, treatment process upsets, violations of effluent limitations, contamination of sludge, or other circumstances warrant in order to prevent interference or pass through. (40 CFR 403.8)

2. Each POTW with an approved Pretreatment Program pursuant to 40 CFR 403.8 shall develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b), and shall continue to develop these limits as necessary and effectively enforce such limits. This condition applies, for example, when there are planned changes to the waste stream as identified in Part A III.C.2. If the permittee is required to develop or continue implementation of a Pretreatment Program, detailed requirements will be contained in Part C of this permit.

3. For all POTWs, where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to ensure renewed or continued compliance with this permit or sludge use or disposal practices. Where POTWs do not have an approved Pretreatment Program, the permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code § 92a.47(d))

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§ 1001-1015.1).

2. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR 122.41(d))

G. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. (40 CFR 122.41(m)(2))

2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:

   a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))

b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))

c. The permittee submitted the necessary notice required in paragraph G.4 below. (40 CFR 122.41(m)(4)(i)(C))

3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in paragraph G.2 above. (40 CFR 122.41(m)(4)(ii))

4. Notice

a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))

b. Unanticipated Bypass – The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.4.b.

H. Sanitary Sewer Overflows (SSOs)

An SSO is an overflow of wastewater, or other untreated discharge from a separate sanitary sewer system (which is not a combined sewer system), which results from a flow in excess of the carrying capacity of the system or from some other cause prior to reaching the headworks of the sewage treatment facility. SSOs are not authorized under this permit. The permittee shall immediately report any SSO to DEP in accordance with Part A III.C.4 of this permit.

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

Any person violating Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act or any permit condition or limitation implementing such sections in a permit issued under Section 402 of the Act is subject to civil, administrative and/or criminal penalties as set forth in 40 CFR 122.41(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or

- 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 and/or imprisonment as set forth in 18 Pa.C.S.A § 4904 and 40 CFR 122.41(j)(5) and (k)(2).

C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the 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. (40 CFR 122.41(c))

III. OTHER RESPONSIBILITIES

A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92a and 40 CFR 122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To 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; (40 CFR 122.41(i)(1))

2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))

3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))

4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))

2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))

   b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))

   c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))

d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code § 92a.51 (relating to schedules of compliance) and other appropriate Department regulations. (25 Pa. Code § 92a.71)

3. In the event DEP does not approve transfer of this permit, the new owner or operator must submit a new permit application.

C. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege. (40 CFR 122.41(g))

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. (40 CFR 122.41(b))

E. Other Laws

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

IV. ANNUAL FEE

Permittees shall pay an annual fee in accordance with 25 Pa. Code § 92a.62. Annual fee amounts are specified in the following schedule and are due on each anniversary of the effective date of the most recent new or reissued permit. All flows identified in the schedule are annual average design flows. (25 Pa. Code § 92a.62)

Small Flow Treatment Facility (SRSTP and SFTF)	$0
Minor Sewage Facility < 0.05 MGD (million gallons per day)	$250
Minor Sewage Facility ≥ 0.05 and < 1 MGD	$500
Minor Sewage Facility with CSO (Combined Sewer Overflow)	$750
Major Sewage Facility ≥ 1 and < 5 MGD	$1,250
Major Sewage Facility ≥ 5 MGD	$2,500
Major Sewage Facility with CSO	$5,000

As of the effective date of this permit, the facility covered by the permit is classified in the following fee category: **Major Sewage Facility with CSO**.

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees. The fees identified above are subject to change in accordance with 25 Pa. Code § 92a.62(e).

Payment for annual fees shall be remitted to DEP at the address below by the anniversary date. Checks should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection
Bureau of Point and Non-Point Source Management
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

Appendix A-20-b

PART C

I. OTHER REQUIREMENTS

A. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance or replacement of all sewers or sewerage structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.

B. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 271, 273, 275, 283, and 285 (related to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR 257, Pennsylvania Clean Streams Law, Pennsylvania Solid Waste Management Act of 1980, and the Federal Clean Water Act and its amendments. The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport, and disposal of solid waste materials generated as a result of wastewater treatment.

C. The permittee shall optimize chlorine dosages used for disinfection or other purposes to minimize the concentration of Total Residual Chlorine (TRC) in the effluent, meet applicable effluent limitations, and reduce the possibility of adversely affecting the receiving waters. Optimization efforts may include an evaluation of wastewater characteristics, mixing characteristics, and contact times, adjustments to process controls, and maintenance of the disinfection facilities. If DEP determines that effluent TRC is causing adverse water quality impacts, DEP may reopen this permit to apply new or more stringent effluent limitations and/or require implementation of control measures or operational practices to eliminate such impacts.

D. In the event that the Department determines that the permittee's batch discharges are causing impairment to the aquatic life of the receiving stream due to the magnitude and frequency of the discharges, the permittee shall submit a Corrective Action Plan to equalize decant flows prior to discharge with a schedule to complete the improvements. The Corrective Action Plan and schedule shall be submitted within 60 days of the Department's written notification. Upon approval of the Plan, the Department will issue an amendment to the facility's Water Quality Management Permit.

II. REQUIREMENT TO USE eDMR SYSTEM

A. The permittee shall continue to use eDMR for all subsequent reporting periods unless DEP grants written approval to discontinue its use and issues an amendment to this permit.

III. COMBINED SEWER OVERFLOWS

A. Management and Control of Combined Sewer Overflows

1. Combined sewer overflows (CSOs) are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed the design capacity of the conveyance or treatment facilities of the system. Overflows that occur without an accompanying precipitation event or snowmelt are termed "dry weather overflows" and are prohibited. CSOs are point source discharges that must be provided with control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.

2. The point source discharge locations (outfalls) identified in the application submitted by the permittee serve as known combined sewer overflow locations on the permittee sewer system.

B. Continued Implementation of Technology-Based Nine Minimum Controls

1. Upon issuance of this permit, the permittee shall continue the implementation of the NMCs, demonstrate system wide compliance with the NMCs and submit discharge monitoring reports and

annual reports to the Department with appropriate documentation. The permittee's NMC documentation report is incorporated in this permit.

2. The Department will use the EPA guidance document entitled "Guidance For Nine Minimum Controls" (EPA 832-B-95-003), dated May 1995, and specific comments provided during review of the NMC documentation reports to determine continued compliance with the CSO permit requirements.

C. Implementation of Water Quality-Based Long Term Control Plan (LTCP)

1. The long term goal of the LTCP requirements in this permit is to achieve compliance with the state water quality standards upon completion of the LTCP implementation. The CSO discharge(s) shall comply with the performance standards of the selected CSO controls and shall comply with the water quality standards found in Chapter 93. When additional CSO-related information and data becomes available to revise water quality-based effluent limitations, the permit should be revised, as appropriate, to reflect the new effluent limitations.

2. The permittee shall continue the implementation of the approved LTCP, demonstrate system-wide compliance with the LTCP's installed alternatives and submit with the Annual Report referenced in paragraph D.2 below, annual progress reports on implementation.

3. The permittee shall continue to implement its approved long term control plan (LTCP). The LTCP, at a minimum, shall incorporate the following requirements:

   a. Continued implementation of the nine minimum controls;

   b. Protection of sensitive areas (recreation areas, public water supply, unique ecological habitat, etc.);

   c. Public participation in developing the LTCP;

   d. The selected CSO controls should include a post-construction monitoring program plan adequate to verify compliance with water quality standards and protection of designated uses as well as to ascertain the effectiveness of CSO controls. This water quality compliance monitoring program should include a plan to be approved by the Department that details the monitoring protocols to be followed.

4. The LTCP is described in the EPA's guidance document entitled "Guidance For Long Term Control Plan" (EPA 832-B-95-002), dated September 1995. Using a compliance monitoring program, the permittee shall periodically review the effectiveness of the LTCP and propose any changes or revisions to the LTCP to the Department for review and approval before its implementation. This shall be done at each permit renewal and as needed during the permit term.

5. The permittee shall implement, inspect, monitor and effectively operate and maintain the CSO controls identified in the LTCP pursuant to the LTCP implementation schedule, which is incorporated herein by reference.

D. Monitoring and Reporting Requirements

1. Discharge Monitoring Report (DMR) Supplemental Reports for Combined Sewer Overflows

   The permittee shall record data on CSO discharges in the format specified in DEP's DMR Supplemental Reports for CSOs attached to this permit. The data shall be submitted to the appropriate regional office of the Department within 28 days of the end of the month. For CSOs that are part of a permitted POTW, the DMR Supplemental Reports for CSOs must be submitted with the Permittee's regular DMR. Copies of DMR Supplemental Reports for CSOs must be retained at the Sewage Treatment Plant (STP) site or municipality for at least three (3) years.

2. Annual CSO Status Report

On March 31 of each year, an Annual CSO Status Report shall be submitted to the Department with the annual "Municipal Wasteload Management Report" required by 25 Pa. Code Chapter 94, Section 94.12. For a satellite CSO system, a copy of the annual report shall also be provided to the POTW providing treatment for its wastewater. DEP's Annual CSO Status Report template (3800-PM-BPNPSM0076e) shall be used.

a. The Annual CSO Status Report shall:

(1) Provide a summary of the frequency, duration and volume of the CSO discharges and a 85% capture analysis of the sewerage system for the past calendar year,

(2) Provide the operational status of overflow points,

(3) Provide an identification of known in-stream water quality impacts, their causes, and their effects on downstream water uses,

(4) Summarize all actions taken to implement the NMCs and the LTCP and their effectiveness, and

(5) Evaluate and provide a progress report on implementing and necessary revisions to the NMC and LTCP.

b. Specifically, the following CSO-related information shall be included in the report:

(1) Rain gauge data - total inches (to the nearest 0.01 inch) that caused each CSO discharge being reported in the DMR Supplemental Reports for CSOs.

(2) Inspections and maintenance.

- Total number of regulator inspections conducted during the period of the report (reported by drainage system).

- A list of blockages (if any) corrected or other interceptor maintenance performed, including location, date and time discovered, date and time corrected, and any discharges to the stream observed and/or suspected to have occurred.

(3) Dry weather overflows

Dry weather CSO discharges are prohibited. Immediate telephone notification to DEP of such discharges is required in accordance with 25 Pa. Code, Section 91.33. Indicate location, date and time discovered, date and time corrected/ceased, and action(s) taken to prevent their reoccurrence. A plan to correct this condition and schedule to implement the plan must be submitted with the DMR Supplemental Reports for CSOs.

(4) Wet weather overflows

- For all locations that have automatic level monitoring of the regulators, report all exceedances of the overflow level during the period of the report, including location, date, time, and duration of wet weather overflows.

- For all locations at which flows in the interceptors can be controlled by throttling and/or pumping, report all instances when the overflow level was reached or the gates were lowered. For each instance, provide the location, date, time, and duration of the overflow.

E. Area-Wide Planning/Participation Requirement

Where applicable, the permittee shall cooperate with and participate in any interconnected CSO system's NMCs and LTCP activities being developed and/or carried out by the operator(s) of these systems, and shall participate in implementing applicable portions of the approved NMC and LTCP for these systems.

F. Permit Reopener Clause

The Department reserves the right to modify, revoke and reissue this permit as provided pursuant to 40 CFR 122.62 and 124.5 and for the following reasons:

1. To include new or revised conditions developed to comply with any State or Federal law or regulation that addresses CSOs and that is adopted or promulgated subsequent to the effective date of this permit.

2. To include new or revised conditions if new information indicates that CSO controls imposed under the permit have failed to ensure the attainment of State Water Quality Standards.

3. To include new or revised conditions based on new information resulting from implementation of the LTCP or other plans or data.

G. Combined Sewer Overflow Compliance Schedule

The permittee shall complete the above CSO activities in accordance with the following compliance schedule:

Schedule Activity Description	**Compliance Due Date**
Continue Implementation of the NMCs	Permit effective date
Continue Implementation of the LTCP	Permit effective date
Submit Annual CSO Status Report to Department with Chapter 94 Report	March 31 of each year
Begin implementation of the stream - post construction compliance monitoring plan (PCCM). Include the results of that testing in the Annual CSO Status Report.	Annually, starting after the PCCM approval date of 4/1/16.
Submit DMR Supplemental Reports for CSOs	Within 28 days of the end of a month

IV. SOLIDS MANAGEMENT

A. The permittee shall manage and properly dispose of sewage sludge and/or biosolids, produced by the system, by balancing the amount of solids maintained within the treatment system. The permittee shall develop a scheduled sludge wasting rate that maintains an appropriate mass balance for the specific treatment process type and system loadings and maintains compliance with permit effluent conditions. Holding excess sludge within clarifiers or in the disinfection process is not acceptable. The permittee shall compute and set the wasting rate and time so as to maintain an appropriate balance of sludge in the system. Seasonal variations shall be considered in developing sludge wasting rates.

B. The permittee shall submit the Supplemental Reports entitled, "Supplemental Report – Sewage Sludge/Biosolids Production and Disposal" (Form No. 3800-FM-BPNPSM0438) as an attachment to the DMR on a monthly basis. When applicable, the permittee shall submit the Supplemental Reports entitled, "Supplemental Report – Hauled In Municipal Wastes" (Form No. 3800-FM-BPNPSM0437) and "Supplemental Report – Hauled In Residual Wastes" (Form No. 3800-FM-BPNPSM0450), as attachments to the DMR.

C. By March 31 of each year, the permittee shall submit a "Sewage Sludge Management Inventory" that summarizes the amount of sewage sludge and/or biosolids produced and wasted during the calendar year from the system. The "Sewage Sludge Management Inventory" may be submitted with the Municipal Wasteload Management Report required by Chapter 94. This summary shall include the expected sewage sludge production (estimated using the methodology described in the U.S. EPA handbook, "Improving POTW Performance Using the Composite Correction Approach" (EPA-625/6-84-008)), compared with the actual amount disposed during the year. Sludge quantities shall be expressed as dry weight in addition to gallons or other appropriate units.

V. TOXICS REDUCTION EVALUATION (TRE)

A. Water Quality Based Effluent Limitations (WQBELs)

1. Based on the discharge and stream data currently available to DEP, the WQBELs for **Copper** on Page 3 are necessary to protect the receiving stream uses designated in the DEP's Rules and Regulations.

2. Within 60 days following the permit effective date (PED), the permittee must submit notification to DEP verifying that <u>one</u> of the following options has been selected.

   a. The permittee accepts DEP's data, assumptions and water quality modeling which was the basis for the WQBELs and <u>will not</u> proceed with the <u>optional</u> site-specific data collection activities described in Section C of this condition. The WQBELs will be considered final and enforceable three years after the PED and should be used as the basis for Phase II of the TRE.

   b. During the period following permit issuance, and prior to the WQBELs becoming final, the permittee agrees to conduct site-specific discharge and/or stream data collection and provide DEP with data to verify or refine the WQBELs in accordance with the schedule in Section B.2, herein. If warranted, modified WQBELs will be established through a permit amendment. Any such permit amendment shall be considered a formal permitting action of DEP subject to applicable permit modification procedures.

   If the permittee fails to select one of these options within 60 days of permit effective date, option A.2.a. is selected by default. If the permittee selects option A.2.b, and conducts TRE actions within the schedule in Section B.2 of this condition of the permit, herein, DEP will issue a written decision by letter or permit amendment. The permittee will have 30 days from the date of receipt of the written decision to file an appeal of the final WQBELs.

3. In either case, the permittee must conduct a TRE as outlined below. Phase I of the TRE has both required and optional components.

B. TRE Submission Requirements

1. The TRE shall be developed to:

   a. Confirm and quantify the presence of the pollutants in the discharge with WQBELs.

   b. Verify or refine the modeling data and/or assumptions used to develop the WQBELs.

   c. Identify sources of the pollutants with final WQBELs.

   d. Recommend management practices, wastewater treatment technologies, or other control techniques to reduce or eliminate these pollutants.

2. The TRE and associated reports shall be completed and submitted in accordance with the following schedule:

   a. Submit notification specified in A.2 above Within 60 days of PED

b.	Submit work plan for conducting Phase I	Within 90 days of PED
c.	Start Phase 1	Within 120 days of PED
d.	Submit complete Phase I report (3 copies)	Within 18 months of PED
e.	Start Phase II	Within 30 days of notice from DEP to proceed with Phase II
f.	Submit complete Phase II report	Within 180 days of notice to proceed with Phase II
g.	Progress reports	Every three months starting 120 days after PED

C. Phase I TRE Requirements

1. The Phase I TRE shall consist of the following components, at a minimum:

   a. Influent and effluent quality review;

   b. Source inventory and evaluation;

   c. Source reduction evaluation; and

   d. Implementation of pollution prevention, sound housekeeping practices, and other management practices.

2. The permittee selecting option A.2.b above has the option of providing all or some of the following site-specific data as part of Phase I for use in verifying and refining the WQBELs:

   - Discharge hardness
   - Discharge pollutant concentration and variability
   - Design discharge flow
   - Discharge mixing characteristics
   - Pollutant fate characteristics
   - Stream width, depth and slope
   - Stream velocity
   - Ambient stream data for pollutants, pH, temperature
   - Instream hardness
   - Water intake quality and quantity
   - Treatment plant influent pollutant concentrations
   - Chemical translators
   - Water Effects Ratio (WER)

   The permittee should contact DEP for guidance in determining which of the above data will have a significant impact on the WQBELs and also for protocols on collecting and submitting the data. DEP will determine the adequacy of any site-specific data submitted and advise the permittee accordingly. If initial review of the submitted data suggests that additional data collection is necessary, DEP will so advise the permittee. DEP will notify the permittee what effect, if any, the data have on the WQBELs using the procedure outlined in A.2 above.

3. Site-Specific Criteria

   The permittee may request an opportunity to demonstrate alternative, site-specific criteria for these pollutants. The procedures for carrying out such demonstrations must receive written approval in

advance by DEP and must be in accordance with the requirements of Section 93.8 of DEP's Rules and Regulations.

If the permittee chooses this option, requests for alternative, site-specific criteria must be submitted to DEP as part of the Phase I TRE report. Where the demonstration results in more stringent limitations than those previously established by DEP, the more stringent limitation will apply. Any less stringent limitations which are approved by DEP shall not violate any other applicable water criteria.

4. Alternative Site Specific Method Detection Limits (MDL)

In some cases, the WQBEL may be less than the Method Detection Level (MDL) in 25 Pa. Code, Chapter 16. In this event, the permittee has the option to demonstrate alternative, facility-specific MDLs to account for analytical matrix interference associated with the wastewater in question. The procedures for determining MDLs, published as Appendix B in 40 CFR Part 136, must be followed and complete documentation provided. The request for approval of alternative facility-specific MDLs including all documentation required to support such a request must be submitted to DEP with the Phase I TRE report.

DEP may grant a facility-specific MDL by including the numeric alternate MDL value for compliance purposes through the permit modification or renewal process.

D. Phase II TRE Requirements

The permittee should not proceed with Phase II until notified by DEP to do so. Depending on the results of Phase I, the WQBELs may need to be modified or Phase II may not be necessary.

1. Source Reduction Evaluation

In addition to those items in C.1 above, as part of Phase II, the permittee must conduct source reduction evaluations including recycle, reuse, and process/chemical substitution. The intent of this portion of the TRE is to investigate and implement all low-cost, non-structural alternatives to reduce pollutants.

2. Final WQBEL Compliance Strategies and Schedule

A complete TRE report must consist of identification and assessment of all available pollution control options (Best Management Practices and/or treatment technologies and other structural alternatives) and their ability to comply with the final WQBELs or other WQBELs identified in response to Phase I. The permittee must select a specific pollution control option that will achieve the applicable WQBELs and specify a schedule for the implementation of this option.

3. Section 95.4 Time Extension Request

In some cases, the final WQBEL may not be technologically achievable using any combination of control options. In this event, the permittee has the option of requesting an extension under the requirements contained in 25 Pa Code, Section 95.4 of DEP's Rules and Regulations. If the permittee elects to submit the 95.4 time extension request, the request must be submitted with Phase II of the TRE report. Form 3800-FM-WSFR0302 should be used for any such requests.

VI. WHOLE EFFLUENT TOXICITY (WET)

A. General Requirements

1. The permittee shall conduct Chronic WET tests as specified in this section. The permittee shall collect discharge samples and perform WET tests to generate chronic survival and reproduction data for the cladoceran, *Ceriodaphnia dubia* and chronic survival and growth data for the fathead minnow, *Pimephales promelas*.

2. Samples shall be collected at Outfall 001 in accordance with paragraph E.

3. The permittee shall perform testing using the following dilution series: 21%, 41%, 82%, 91%, and 100% effluent, with a control, where 82% is the facility-specific Target In-Stream Waste Concentration (TIWC).

4. The determination of whether a test endpoint passes or fails shall be made using DEP's WET Analysis Spreadsheet (available at www.depweb.state.pa.us/wett) by comparing replicate data for the control with replicate data for the TIWC dilution or any dilution greater than the TIWC.

5. The permittee shall submit only valid WET test results to DEP.

B. Test Frequency and Reporting

1. WET testing shall be conducted annually, at a minimum, during the period January 1 – December 31. Annual WET tests must be completed at least 6 months apart, and shall start in the year the permit becomes effective if the permit effective date is prior to October 1.

2. A complete WET test report shall be submitted to the DEP regional office that issued the permit within 45 days of test completion. A complete WET test report submission shall include the information contained in paragraph H, below. The permittee shall continue annual WET monitoring, at a minimum, during the permit renewal review period and during any period of administrative extension of this permit.

3. If a test failure is determined for any endpoint during annual monitoring, the permittee shall initiate a re-test for the species with the failure within 45 days of test completion. All endpoints for the species shall be evaluated in the re-test. The results of the re-test shall be submitted to the DEP regional office that issued the permit.

4. If a passing result is determined for all endpoints in a re-test, the permittee may resume annual monitoring.

5. If there is a failure for one or more endpoints in a re-test, the permittee shall initiate or continue quarterly WET testing for both species until there are four consecutive passing results for all endpoints. The results of all tests shall be submitted to the DEP regional office that issued the permit. In addition, the permittee shall initiate a Phase I Toxicity Reduction Evaluation (TRE) as specified in paragraph C, below.

6. The permittee shall attach the WET Analysis Spreadsheet for the latest four consecutive WET tests to the NPDES permit renewal application that is submitted to DEP at least 180 days prior to the permit expiration date.

C. Phase I Toxicity Reduction Evaluation (TRE)

1. The Phase I TRE trigger is one WET endpoint failure followed by a re-test that confirms the failure for the same species. When the TRE process is triggered, quarterly WET testing shall be initiated for both species until there are four consecutive passing results for all endpoints. The Phase I TRE may include a Toxicity Identification Evaluation (TIE) if the permittee cannot immediately identify the possible causes of the effluent toxicity and the possible sources of the causative agents.

2. The permittee shall, within one year following the Phase I TRE trigger, submit a Phase I TRE report to the DEP regional office that issued the permit. The Phase I TRE shall be conducted in accordance with EPA's guidance, "Toxicity Reduction Evaluation for Municipal Wastewater Treatment Plants" (EPA/833B-99/002), "Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations" (EPA/600/2-88/070), and other relevant EPA guidance, as applicable. If a TIE is conducted as part of the Phase I TRE, it shall conform to EPA's guidance, "Methods for Aquatic Toxicity Identification Evaluations Phase I" (EPA/600/6-91/003), "Phase II" (EPA/600/R-92/080), "Phase III" (EPA/600/R-92/081) and other relevant EPA guidance. The Phase I TRE report shall be

submitted with the fourth quarterly WET test report that is completed following the Phase I TRE trigger. The TRE shall include all activities undertaken to identify the cause(s) and source(s) of toxicity and any control efforts.

3. If all four quarterly WET tests produce passing results for all endpoints during the Phase I TRE process, performance of a Phase II TRE is not required, and annual WET testing in accordance with paragraph B.1 may resume.

4. If the four WET tests produce at least one failing result during the Phase I TRE process, the permittee shall continue quarterly WETT monitoring for both species and initiate a Phase II TRE in accordance with paragraph D. In this case, the Phase I TRE must include a schedule for completion of the Phase II TRE. The schedule must include interim milestones and a final completion date not to exceed two years from the initiation of the Phase II TRE. The permittee shall implement the Phase II TRE in accordance with the schedule unless DEP issues written approval to modify the schedule or cease performance of the Phase II TRE.

5. Re-tests during the TRE process are required for invalid tests but are optional and at the discretion of the permittee for valid tests. The results of all re-tests must be submitted to the DEP regional office that issued the permit along with the required elements in paragraph H.

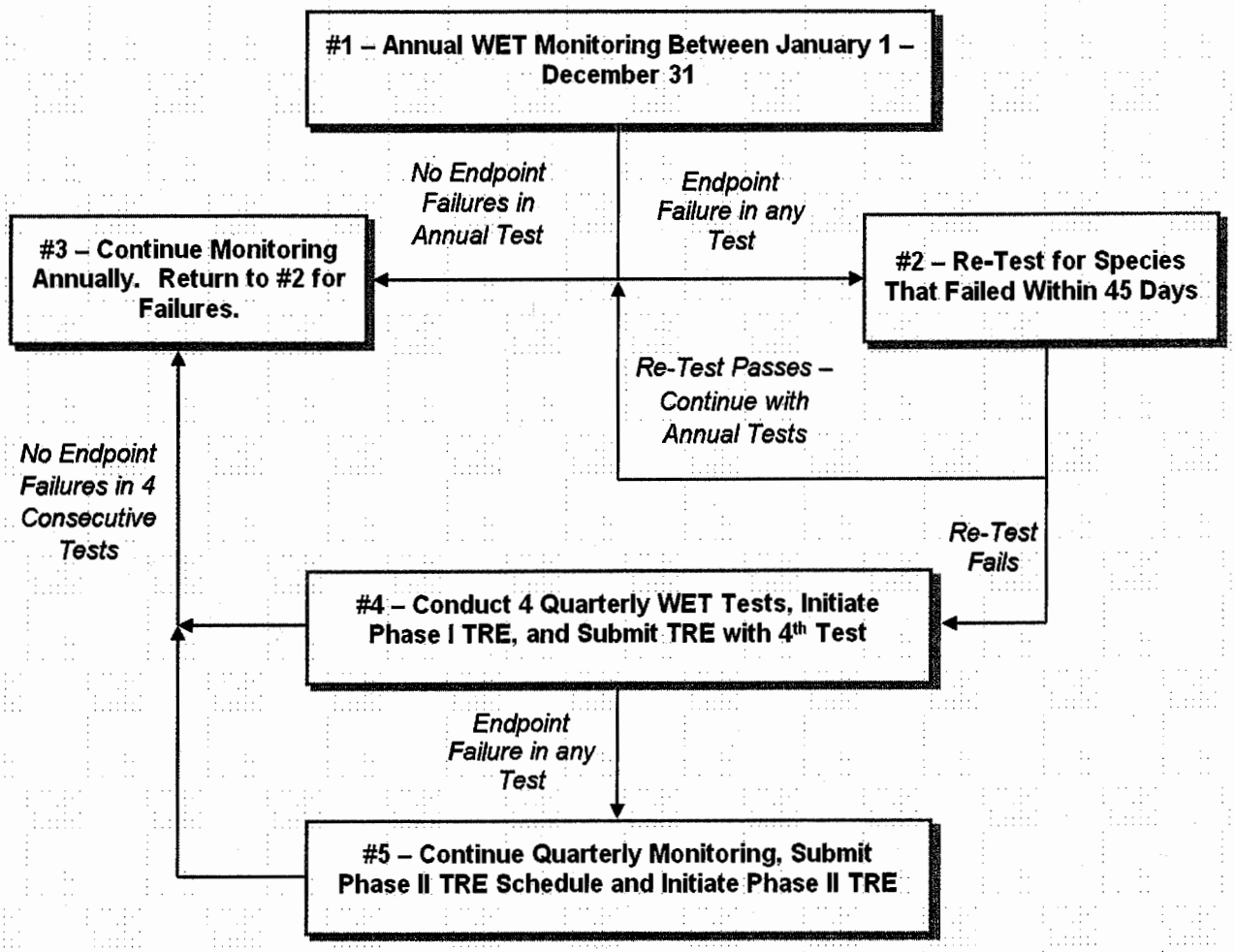
D. Phase II Toxicity Reduction Evaluation (TRE)

1. The Phase II TRE trigger is one WET endpoint failure during performance of the Phase I TRE. A Phase II TRE, if required, shall conform to EPA's guidance, "Toxicity Reduction Evaluation for Municipal Wastewater Treatment Plants" (EPA/833B-99/002), "Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations" (EPA/600/2-88/070), and other relevant EPA guidance, as applicable. A Phase II TRE evaluates the possible control options to reduce or eliminate the effluent toxicity and the implementation of controls.

2. Once initiated, the Phase II TRE must continue until the source(s) of toxicity are controlled as evidenced by four consecutive WET test passing results for all endpoints, and a final TRE report must be submitted on or before the date specified in the schedule, unless otherwise approved by DEP in writing.

3. If four consecutive quarterly WET tests produce passing results for all endpoints during the Phase II TRE process, annual WET testing in accordance with paragraph B.1 may be initiated or resume.

An overview of the process described in paragraphs B, C and D is presented below:



E. Sample Collection

For each acute testing event, a 24-hour flow-proportioned composite sample shall be collected. For each chronic testing event, three 24-hour flow-proportioned, composite samples shall be collected over a seven day exposure period. The samples must be collected at a frequency of not greater than every two hours and must be flow-proportioned. The samples must be collected at the permit compliance sampling location. Samples must be analyzed within 36 hours from the end of the compositing period and must be placed on ice and held at ≤ 6°C. Refer to the sample handling and preservation regulations set forth in 40 CFR 136, 25 Pa. Code Chapter 252, The NELAC Institute (TNI) Standard, and the appropriate EPA methods.

F. Test Conditions and Methods

Laboratories must be accredited by the DEP Laboratory Accreditation Program in order to perform and report WET tests for NPDES permit compliance. Laboratories must be either State or NELAP accredited.

1. Acute tests shall be completed in accordance with EPA's "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA-821-R-02-012, latest edition). Forty eight (48) hour static non-renewal tests shall be used.

2. Chronic tests shall be completed in accordance with EPA's "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" (EPA-821-R-02-013, latest edition). Seven (7) day tests shall be used with renewal every 24 hours.

3. The quality assurance and control (QA/QC) requirements and test acceptability standards specified in EPA's test methods and the requirements set forth in 25 Pa Code Chapter 252 or the TNI Standard must be followed.

4. If the permittee or its accredited laboratory determines that QA/QC requirements and/or test acceptability standards have not been met, a re-test shall be initiated within 45 days. Original test data must be maintained by the laboratory and be submitted to DEP upon request. The justification for a re-test must be clearly documented and kept on file with the sample results.

G. Chemical Analyses

Chemical analyses must follow the requirements of the EPA methods and applicable State and/or Federal regulations.

1. Chemical analysis on effluent samples shall include pH, Conductivity, Total Alkalinity, Total Hardness, Total Residual Chlorine, Total Ammonia (Unionized Ammonia), Dissolved Oxygen and temperature. Chemical analyses as described in the EPA Methods (above) shall be performed for each sampling event, including each new batch of dilution water and each testing event.

2. In addition to the chemical analyses required above, those parameters listed in Part A of the NPDES permit for the outfall(s) tested shall be analyzed concurrently with the WET test by using the method(s) specified in the permit.

H. WET Report Elements

WET test reports that are submitted to DEP must include the requirements identified in 25 Pa. Code § 252.401(j)(1) – (15) or in the TNI Standard, or equivalent, as well as the following information:

1. A general test description, including the origin and age of test organisms, dates and results of reference toxicant tests, light and temperature regimes, and other documentation that QA and test acceptability criteria as specified in EPA's methods and DEP's QA Summaries have been met.

2. A description of sample collection procedures and sampling location.

3. Name(s) of individual(s) collecting and transporting samples, including sample renewals, and the date(s) and time(s) of sample collection.

4. All chemical and physical data including laboratory quantitation limits and observations made on the species. The hardness shall be reported for each test condition.

5. Copies of raw data sheets and/or bench sheets with data entries and signatures.

6. When effluents are dechlorinated, dechlorination procedures must be described and if applicable a thiosulfate control used in addition to the normal dilution water control. If the thiosulfate control results are significantly different from the normal control, as determined using DEP's WET Analysis Spreadsheet, the thiosulfate control shall be used in the spreadsheet for comparison with the TIWC condition. The WET report must specify which control was used to determine whether the test result is pass or fail.

7. A description of all observations or test conditions that may have affected the test outcome.

8. Control charts for the species tested regarding age, temperature test range, mortality data and all reference toxicant tests.

9. A completed WET test summary report (3800-FM-BPNPSM0485).

10. A DEP WET Analysis Spreadsheet printout that provides control and TIWC replicate data and displays the outcome of the test (pass or fail) for each endpoint tested.

WETT reports shall be submitted to the DEP regional office that issued the permit and, for discharges to the Delaware River basin, the Delaware River Basin Commission (DRBC).

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE REQUIREMENTS FOR PUBLICLY OWNED TREATMENT WORKS (POTWs)

NPDES PERMIT NO: PA0023167

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

Kane Borough Authority
PO Box 79
112 Bayard Street
Kane, PA 16735

is authorized to discharge from a facility known as the **Pine Street STP Kane**, located on **North Pine Street, Kane, PA 16735** in **Wetmore Township, McKean County**, to the **West Run** in Watershed **16-F** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON FEB 01 2018

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON JAN 31 2023

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.

2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))

3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d))

   In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. (25 Pa. Code §§ 92a.7(b), (c))

4. This NPDES permit does not constitute authorization to construct or make modifications to wastewater treatment facilities necessary to meet the terms and conditions of this permit.

DATE PERMIT ISSUED JAN 16 2018 **ISSUED BY**

John A. Holden, P.E.
Clean Water Program Manager
North West Regional Office

Appendix A-20-b

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. A. For Outfall 001 , **Latitude** 41° 39' 17.00" , **Longitude** 78° 49' 35.00" , **River Mile Index** 2.5 , **Stream Code** 55346

Receiving Waters: West Run

Type of Effluent: Combined Sewer Overflow, Sewage Effluent

1. The permittee is authorized to discharge during the period from **Permit Effective Date** through **January 31, 2021**.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Measured
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0	1/day	Grab
Dissolved Oxygen	XXX	XXX	7.0 Inst Min	XXX	XXX	XXX	1/day	Grab
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.06	1/day	Grab
Carbonaceous Biochemical Oxygen Demand (CBOD5) Nov 1 - Apr 30	312	500	XXX	25.0	40.0	50	2/week	24-Hr Composite
Carbonaceous Biochemical Oxygen Demand (CBOD5) May 1 - Oct 31	125	187	XXX	10.0	15.0	20	2/week	24-Hr Composite
Total Suspended Solids	375	562	XXX	30.0	45.0	60	2/week	24-Hr Composite
Biochemical Oxygen Demand (BOD5) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000	2/week	Grab

Appendix A-20b

Outfall 001, Continued (from Permit Effective Date through January 31, 2021)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000	2/week	Grab
Nitrate-Nitrite as N	125	XXX	XXX	10.0	XXX	20	2/week	24-Hr Composite
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Ammonia-Nitrogen Nov 1 - Apr 30	56.2	XXX	XXX	4.5	XXX	9	2/week	24-Hr Composite
Ammonia-Nitrogen May 1 - 31	43.7	XXX	XXX	3.5	XXX	7	2/week	24-Hr Composite
Ammonia-Nitrogen Jun 1 - Oct 31	18.7	XXX	XXX	1.5	XXX	3	2/week	24-Hr Composite
Total Phosphorus	25.0	XXX	XXX	2.0	XXX	4	2/week	24-Hr Composite
Copper, Total	0.25	XXX	XXX	0.02	XXX	0.05	1/week	24-Hr Composite
Chlorodibromomethane	Report	XXX	XXX	Report	XXX	XXX	1/week	24-Hr Composite
Dichlorobromomethane	Report	XXX	XXX	Report	XXX	XXX	1/week	24-Hr Composite

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 001, after disinfection.

Appendix A-20-b

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. B. For Outfall 001 , **Latitude** 41° 39' 17.00" , **Longitude** 78° 49' 35.00" , **River Mile Index** 2.5 , **Stream Code** 55346

Receiving Waters: West Run

Type of Effluent: Combined Sewer Overflow, Sewage Effluent

1. The permittee is authorized to discharge during the period from **February 1, 2021** through **Permit Expiration Date**.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Measured
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0	1/day	Grab
Dissolved Oxygen	XXX	XXX	7.0 Inst Min	XXX	XXX	XXX	1/day	Grab
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.06	1/day	Grab
Carbonaceous Biochemical Oxygen Demand (CBOD5) Nov 1 - Apr 30	312	500	XXX	25.0	40.0	50	2/week	24-Hr Composite
Carbonaceous Biochemical Oxygen Demand (CBOD5) May 1 - Oct 31	125	187	XXX	10.0	15.0	20	2/week	24-Hr Composite
Total Suspended Solids	375	562	XXX	30.0	45.0	60	2/week	24-Hr Composite
Biochemical Oxygen Demand (BOD5) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000	2/week	Grab

Appendix A-20b

Outfall 001, Continued (from February 1, 2021 through Permit Expiration Date)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000	2/week	Grab
Nitrate-Nitrite as N	125	XXX	XXX	10.0	XXX	20	2/week	24-Hr Composite
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX	2/week	24-Hr Composite
Ammonia-Nitrogen Nov 1 - Apr 30	56.2	XXX	XXX	4.5	XXX	9	2/week	24-Hr Composite
Ammonia-Nitrogen May 1 - 31	43.7	XXX	XXX	3.5	XXX	7	2/week	24-Hr Composite
Ammonia-Nitrogen Jun 1 - Oct 31	18.7	XXX	XXX	1.5	XXX	3	2/week	24-Hr Composite
Total Phosphorus	25.0	XXX	XXX	2.0	XXX	4	2/week	24-Hr Composite
Copper, Total	0.25	XXX	XXX	0.02	XXX	0.05	1/week	24-Hr Composite
Chlorodibromomethane	0.0075	XXX	XXX	0.0006	XXX	0.0015	1/week	24-Hr Composite
Dichlorobromomethane	0.011	XXX	XXX	0.0009	XXX	0.0022	1/week	24-Hr Composite

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 001, after disinfection.

Appendix A-20-b

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS (Continued)

Additional Requirements

1. The permittee may not discharge:

   a. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code § 92a.41(c))

   b. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code § 92a.47(a)(7), § 95.2(2))

   c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code § 93.6(a))

   d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. For the purpose of determining compliance with this condition, DEP will compare conditions in the receiving water upstream of the discharge to conditions in the receiving water approximately 100 feet downstream of the discharge to determine if there is an observable change in the receiving water. (25 Pa Code § 92a.41(c))

2. The monthly average percent removal of BOD_5 or $CBOD_5$ and TSS must be at least 85% for POTW facilities on a concentration basis except where 25 Pa. Code 92a.47(g) and (h) are applicable to facilities with combined sewer overflows (CSOs) or as otherwise specified in this permit. (25 Pa. Code § 92a.47(a)(3))

3. If the permit requires the reporting of average weekly statistical results, the maximum weekly average concentration and maximum weekly average mass loading shall be reported, regardless of whether the results are obtained for the same or different weeks.

4. The permittee shall monitor the sewage effluent discharge(s) for the effluent parameters identified in the Part A limitations table(s) during all bypass events at the facility, using the sample types that are specified in the limitations table(s). Where the required sample type is "composite", the permittee must commence sample collection within one hour of the start of the bypass, wherever possible. The results shall be reported on the Daily Effluent Monitoring supplemental form (3800-FM-BCW0435) and be incorporated into the calculations used to report self-monitoring data on Discharge Monitoring Reports (DMRs).

Footnotes

(1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.

(2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

Supplemental Information

(1) The hydraulic design capacity of 1.5 million gallons per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to help determine whether a "hydraulic overload" situation exists, as defined in Title 25 Pa. Code Chapter 94.

(2) The effluent limitations for Outfall 001 were determined using an effluent discharge rate of 1.5 MGD.

(3) The organic design capacity of 2500 lbs BOD_5 per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to determine whether an "organic overload" condition exists, as defined in 25 Pa. Code Chapter 94.

(4) Total Nitrogen is the sum of Total Kjeldahl-N (TKN) plus Nitrite-Nitrate as N (NO_2+NO_3-N), where TKN and NO_2+NO_3-N are measured in the same sample.

II. DEFINITIONS

At Outfall (XXX) means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

Average refers to the use of an arithmetic mean, unless otherwise specified in this permit. (40 CFR 122.41(l)(4)(iii))

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollutant loading to surface waters of the Commonwealth. The term also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term includes activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within this Commonwealth before, during and after earth disturbance activities. (25 Pa. Code § 92a.2)

Bypass means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR 122.41(m)(1)(i))

Calendar Week is defined as the seven consecutive days from Sunday through Saturday, unless the permittee has been given permission by DEP to provide weekly data as Monday through Friday based on showing excellent performance of the facility and a history of compliance. In cases when the week falls in two separate months, the month with the most days in that week shall be the month for reporting.

Clean Water Act means the Federal Water Pollution Control Act, as amended (33 U.S.C.A. §§ 1251 to 1387).

Composite Sample (for all except GC/MS volatile organic analysis) means a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite. (EPA Form 2C)

Composite Sample (for GC/MS volatile organic analysis) consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). The samples must be combined in the laboratory immediately before analysis and then one analysis is performed. (EPA Form 2C)

Daily Average Temperature means the average of all temperature measurements made, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar day or during the operating day if flows are of a shorter duration.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. (25 Pa. Code § 92a.2, 40 CFR 122.2)

Daily Maximum Discharge Limitation means the highest allowable "daily discharge."

Discharge Monitoring Report (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (25 Pa. Code § 92a.2, 40 CFR 122.2)

Estimated Flow means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

Geometric Mean means the average of a set of n sample results given by the n^{th} root of their product.

Grab Sample means an individual sample of at least 100 mL collected at a randomly selected time over a period not to exceed 15 minutes. (EPA Form 2C)

Hauled-In Wastes means any waste that is introduced into a treatment facility through any method other than a direct connection to the sewage collection system. The term includes wastes transported to and disposed of within the treatment facility or other entry points within the collection system.

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. (40 CFR 122.2)

Immersion Stabilization (i-s) means a calibrated device is immersed in the wastewater until the reading is stabilized.

Indirect Discharger means a non-domestic discharger introducing pollutants to a Publicly Owned Treatment Works (POTW) or other treatment works. (25 Pa. Code § 92a.2, 40 CFR 122.2)

Industrial User means a source of Indirect Discharge. (40 CFR 403.3)

Instantaneous Maximum Effluent Limitation means the highest allowable discharge of a concentration or mass of a substance at any one time as measured by a grab sample. (25 Pa. Code § 92a.2)

Measured Flow means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

Monthly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. (25 Pa. Code § 92a.2)

Municipality means a city, town, borough, county, township, school district, institution, authority or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes. (25 Pa. Code § 92a.2)

Municipal Waste means garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities; and sludge not meeting the definition of residual or hazardous waste under this section from a municipal, commercial or institutional water supply treatment plant, waste water treatment plant or air pollution control facility. (25 Pa. Code § 271.1)

Publicly Owned Treatment Works (POTW) means a treatment works as defined by §212 of the Clean Water Act, owned by a state or municipality. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also includes sewers, pipes or other conveyances if they convey wastewater to a POTW providing treatment. The term also means the municipality as defined in section 502(4) of the Clean Water Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. (25 Pa Code § 92a.2, 40 CFR 122.2)

Residual Waste means garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining and agricultural operations and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous. The term does not include coal refuse as defined in the Coal Refuse Disposal Control Act. The term does not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under the Clean Streams Law. (25 Pa Code § 287.1)

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities that causes 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. (40 CFR 122.41(m)(1)(ii))

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code § 92a.2)

Stormwater Associated With Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, and as defined at 40 CFR §122.26(b)(14)(i) – (ix) and (xi) and 25 Pa. Code § 92a.2.

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code § 92a.2)

Weekly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity (40 CFR 122.41(j)(1)). Representative sampling includes the collection of samples, where possible, during periods of adverse weather, changes in treatment plant performance and changes in treatment plant loading. If possible, effluent samples must be collected where the effluent is well mixed near the center of the discharge conveyance and at the approximate mid-depth point, where the turbulence is at a maximum and the settlement of solids is minimized. (40 CFR 122.48, 25 Pa. Code § 92a.61)

2. Records Retention (40 CFR 122.41(j)(2))

   Except for records of monitoring information required by this permit related to the permittee's sludge use and disposal activities which shall be retained for a period of at least 5 years, all records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application, unless a longer retention period is required by the permit. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

3. Recording of Results (40 CFR 122.41(j)(3))

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

   a. The exact place, date and time of sampling or measurements.
   b. The person(s) who performed the sampling or measurements.
   c. The date(s) the analyses were performed.
   d. The person(s) who performed the analyses.
   e. The analytical techniques or methods used; and the associated detection level.
   f. The results of such analyses.

4. Test Procedures

   a. Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§ 4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation.

   b. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be those approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, unless the method is specified in this permit or has been otherwise approved in writing by DEP. (40 CFR 122.41(j)(4), 122.44(i)(1)(iv))

   c. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be sufficiently sensitive. A method is sufficiently sensitive when 1) the method minimum level is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or 2) the method has the lowest minimum level of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, for the measured pollutant or pollutant parameter; or 3) the method is specified in this permit or has been otherwise approved in writing by DEP for the measured pollutant or pollutant parameter. Permittees have the option of providing matrix or sample-specific minimum levels rather than the published levels. (40 CFR 122.44(i)(1)(iv))

5. Quality/Assurance/Control

In an effort to assure accurate self-monitoring analyses results:

a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))

b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.44, 92a.61(i) and 40 CFR §§ 122.41(e), 122.44(i)(1))

2. The permittee shall use DEP's electronic Discharge Monitoring Report (eDMR) system to report the results of compliance monitoring under this permit (see www.dep.pa.gov/edmr). Permittees that are not using the eDMR system as of the effective date of this permit shall submit the necessary registration and trading partner agreement forms to DEP's Bureau of Clean Water (BCW) within 30 days of the effective date of this permit and begin using the eDMR system when notified by DEP BCW to do so. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))

3. Submission of a physical (paper) copy of a Discharge Monitoring Report (DMR) is acceptable under the following circumstances:

   a. For a permittee that is not yet using the eDMR system, the permittee shall submit a physical copy of a DMR to the DEP regional office that issued the permit during the interim period between the submission of registration and trading partner agreement forms to DEP and DEP's notification to begin using the eDMR system.

   b. For any permittee, as a contingency a physical DMR may be mailed to the DEP regional office that issued the permit if there are technological malfunction(s) that prevent the successful submission of a DMR through the eDMR system. In such situations, the permittee shall submit the DMR through the eDMR system within 5 days following remedy of the malfunction(s).

4. DMRs must be completed in accordance with DEP's published DMR instructions (3800-FM-BCW0463). DMRs must be received by DEP no later than 28 days following the end of the monitoring period. DMRs are based on calendar reporting periods and must be received by DEP in accordance with the following schedule:

   - Monthly DMRs must be received within 28 days following the end of each calendar month.
   - Quarterly DMRs must be received within 28 days following the end of each calendar quarter, i.e., January 28, April 28, July 28, and October 28.
   - Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 and July 28.
   - Annual DMRs must be received by January 28, unless Part C of this permit requires otherwise.

5. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) attached to this permit, or an approved equivalent, and submit the signed, completed forms as attachments to the DMR, through DEP's eDMR system. DEP's Supplemental Laboratory Accreditation Form (3800-FM-BCW0189) must be completed and submitted to DEP with the first DMR following issuance of this permit, and anytime thereafter when changes to laboratories or methods occur. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))

6. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code § 92a.22:

- For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
- For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
- For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

If signed by a person other than the above and for co-permittees, written notification of delegation of DMR signatory authority must be submitted to DEP in advance of or along with the relevant DMR form. (40 CFR § 122.22(b))

7. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in Part A III.A.4. herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. (40 CFR 122.41(l)(4)(ii))

C. Reporting and Notification Requirements

1. Planned Changes to Physical Facilities – The permittee shall give notice to DEP as soon as possible but no later than 30 days prior to planned physical alterations or additions to the permitted facility. A permit under 25 Pa. Code Chapter 91 may be required for these situations prior to implementing the planned changes. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section.

   Notice is required when:

   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b). (40 CFR 122.41(l)(1)(i))

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))

   c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))

   d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))

2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code § 92a.24(a) and 40 CFR 122.42(b), the permittee shall provide notice to DEP and EPA as soon as possible but no later than 45 days prior to any planned changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the "Planned Changes to Waste Stream" Supplemental Report (3800-FM-BCW0482), available on DEP's website. The permittee shall provide information on the quality and quantity of waste introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW (40 CFR 122.42(b)(3)). The Report shall be sent via Certified Mail or other means to confirm DEP's receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.

   a. Introduction of New Pollutants (25 Pa. Code § 92a.24(a), 40 CFR 122.42(b)(1))

      New pollutants are defined as parameters that meet one or more of the following criteria:

(i) Any pollutants that were not detected in the facilities' influent waste stream as reported in the permit application; and have not been approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants (40 CFR 122.42(b)(1)).

The permittee shall provide notification of the introduction of new pollutants in accordance with paragraph 2 above. The permittee may not authorize the introduction of new pollutants until the permittee receives DEP's written approval.

b. Increased Loading of Approved Pollutants (25 Pa. Code § 92a.24(a), 40 CFR 122.42(b)(2))

Approved pollutants are defined as parameters that meet one or more of the following criteria:

(i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application; or have been previously approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Have an effluent limitation or monitoring requirement in this permit.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 20% of the maximum loading reported in the permit application, or a loading previously approved by DEP and/or EPA, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the POTW, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations, may not result in a hydraulic or organic overload condition as defined in 25 Pa. Code § 94.1, and may not cause exceedances of the applicable water quality standards in the receiving stream.

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

(i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate), as defined at 25 Pa. Code § 287.1, that are received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-BCW0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report. The information used to develop the Report shall be retained by the permittee for five years from the date of receipt and must be made available to DEP or EPA upon request.

(1) The dates that residual wastes were received.

(2) The volume (gallons) of wastes received.

(3) The license plate number of the vehicle transporting the waste to the treatment facility.

(4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.

(5) The name and address of the generator of the residual wastes.

(6) The type of wastewater.

The transporter of residual waste must maintain these and other records as part of the daily operational record (25 Pa. Code § 299.219). If the transporter is unable to provide this information or the permittee has not otherwise received the information from the generator, the residual wastes shall not be accepted by the permittee until such time as the permittee receives such information from the transporter or generator.

(ii) The following conditions apply to the characterization of residual wastes received by the permittee:

(1) If the generator is required to complete a chemical analysis of residual wastes in accordance with 25 Pa. Code § 287.51, the permittee must receive and maintain on file a chemical analysis of the residual wastes it receives. The chemical analysis must conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be covered by a chemical analysis if the generator is required to complete it.

(2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the chemical analysis may be a general frac wastewater characterization approved by DEP. Thereafter, the chemical analysis must be waste-specific and be reported on the Form 26R.

b. Receipt of Municipal Waste

(i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge), as defined at 25 Pa. Code § 271.1, that are received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-BCW0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

(1) The dates that municipal wastes were received.

(2) The volume (gallons) of wastes received.

(3) The BOD_5 concentration (mg/l) and load (lbs) for the wastes received.

(4) The location(s) where wastes were disposed of within the treatment facility.

(ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes. The influent BOD_5 characterization for the treatment facility, as reported in the annual Municipal Wasteload Management Report per 25 Pa. Code Chapter 94, must be representative of the hauled-in municipal wastes received.

4. Unanticipated Noncompliance or Potential Pollution Reporting

   a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code §§ 91.33 and 92a.41(b).

      (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

      (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.

      (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.

   b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:

      (i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph (40 CFR 122.41(l)(6)(ii)):

         (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

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

         (3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement.

      (ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

      (iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

5. Other Noncompliance

   The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BCW0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

PART B

I. MANAGEMENT REQUIREMENTS

A. Compliance

1. The permittee shall comply with all conditions of this permit. If a compliance schedule has been established in this permit, the permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit. (40 CFR 122.41(a)(1))

2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (25 Pa. Code § 92a.51(c), 40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with 25 Pa. Code § 92a.72 and 40 CFR 122.41(f).

2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))

3. In the absence of DEP action to modify or revoke and reissue this permit, 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 specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))

2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))

3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))

4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, required under the provisions of Title 25 Pa. Code Chapter 94:

   a. The requirements identified in 25 Pa. Code § 94.12.

   b. The identity of any indirect discharger(s) served by the POTW which are subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act; the POTW shall also specify the total volume of discharge and estimated concentration of each pollutant discharged into the POTW by the indirect discharger.

   c. A "Solids Management Inventory" if specified in Part C of this permit.

   d. The total volume of hauled-in residual and municipal wastes received during the year, by source.

   e. The Annual Report requirements for permittees required to implement an industrial pretreatment program listed in Part C, as applicable.

D. General Pretreatment Requirements

1. Any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 million gallons per day (MGD) and receiving from industrial users pollutants which pass through or interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards will be required to establish a POTW Pretreatment Program unless specifically exempted by the Approval Authority. A POTW with a design flow of 5 MGD or less may be required to develop a POTW Pretreatment Program if the Approval Authority finds that the nature or volume of the industrial influent, treatment process upsets, violations of effluent limitations, contamination of sludge, or other circumstances warrant in order to prevent interference or pass through. (40 CFR 403.8)

2. Each POTW with an approved Pretreatment Program pursuant to 40 CFR 403.8 shall develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b), and shall continue to develop these limits as necessary and effectively enforce such limits. This condition applies, for example, when there are planned changes to the waste stream as identified in Part A III.C.2. If the permittee is required to develop or continue implementation of a Pretreatment Program, detailed requirements will be contained in Part C of this permit.

3. For all POTWs, where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to ensure renewed or continued compliance with this permit or sludge use or disposal practices. Where POTWs do not have an approved Pretreatment Program, the permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code § 92a.47(d))

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§ 1001-1015.1).

2. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR 122.41(d))

G. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. (40 CFR 122.41(m)(2))

2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:

   a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))

b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))

c. The permittee submitted the necessary notice required in paragraph G.4 below. (40 CFR 122.41(m)(4)(i)(C))

3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in paragraph G.2 above. (40 CFR 122.41(m)(4)(ii))

4. Notice

a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))

b. Unanticipated Bypass – The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.4.b.

H. Sanitary Sewer Overflows (SSOs)

An SSO is an overflow of wastewater, or other untreated discharge from a separate sanitary sewer system (which is not a combined sewer system), which results from a flow in excess of the carrying capacity of the system or from some other cause prior to reaching the headworks of the sewage treatment facility. SSOs are not authorized under this permit. The permittee shall immediately report any SSO to DEP in accordance with Part A III.C.4 of this permit.

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

Any person violating Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act or any permit condition or limitation implementing such sections in a permit issued under Section 402 of the Act is subject to civil, administrative and/or criminal penalties as set forth in 40 CFR 122.41(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or

- 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 and/or imprisonment as set forth in 18 Pa.C.S.A § 4904 and 40 CFR 122.41(j)(5) and (k)(2).

C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the 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. (40 CFR 122.41(c))

III. OTHER RESPONSIBILITIES

A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92a and 40 CFR 122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To 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; (40 CFR 122.41(i)(1))

2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))

3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))

4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))

2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))

   b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))

   c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))

   d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits

has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code § 92a.51 (relating to schedules of compliance) and other appropriate Department regulations. (25 Pa. Code § 92a.71)

3. In the event DEP does not approve transfer of this permit, the new owner or operator must submit a new permit application.

C. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege. (40 CFR 122.41(g))

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. (40 CFR 122.41(b))

E. Other Laws

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

IV. ANNUAL FEE

Permittees shall pay an annual fee in accordance with 25 Pa. Code § 92a.62. Annual fee amounts are specified in the following schedule and are due on each anniversary of the effective date of the most recent new or reissued permit. All flows identified in the schedule are annual average design flows. (25 Pa. Code § 92a.62)

Small Flow Treatment Facility (SRSTP and SFTF)	$0
Minor Sewage Facility < 0.05 MGD (million gallons per day)	$250
Minor Sewage Facility ≥ 0.05 and < 1 MGD	$500
Minor Sewage Facility with CSO (Combined Sewer Overflow)	$750
Major Sewage Facility ≥ 1 and < 5 MGD	$1,250
Major Sewage Facility ≥ 5 MGD	$2,500
Major Sewage Facility with CSO	$5,000

As of the effective date of this permit, the facility covered by the permit is classified in the following fee category: **Major Sewage Facility >=1 and <5 MGD**.

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees. The fees identified above are subject to change in accordance with 25 Pa. Code § 92a.62(e).

Payment for annual fees shall be remitted to DEP at the address below by the anniversary date. Checks should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection
Bureau of Clean Water
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

PART C

I. OTHER REQUIREMENTS

A. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance or replacement of all sewers or sewerage structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.

B. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 271, 273, 275, 283, and 285 (related to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR 257, Pennsylvania Clean Streams Law, Pennsylvania Solid Waste Management Act of 1980, and the Federal Clean Water Act and its amendments. The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport, and disposal of solid waste materials generated as a result of wastewater treatment.

C. The permittee shall optimize chlorine dosages used for disinfection or other purposes to minimize the concentration of Total Residual Chlorine (TRC) in the effluent, meet applicable effluent limitations, and reduce the possibility of adversely affecting the receiving waters. Optimization efforts may include an evaluation of wastewater characteristics, mixing characteristics, and contact times, adjustments to process controls, and maintenance of the disinfection facilities. If DEP determines that effluent TRC is causing adverse water quality impacts, DEP may reopen this permit to apply new or more stringent effluent limitations and/or require implementation of control measures or operational practices to eliminate such impacts.

   Where the permittee does not use chlorine for primary or backup disinfection, but proposes the use of chlorine for cleaning or other purposes, the permittee shall notify DEP prior to initiating use of chlorine and monitor TRC concentrations in the effluent on each day in which chlorine is used. The results shall be submitted as an attachment to the DMR.

II. MAXIMIZING TREATMENT AT THE EXISTING POTW

A CSO-related bypass of the secondary treatment portion of the POTW treatment plant is authorized only when (1) the permittee is implementing Nine Minimum Controls and a Long Term Control Plan and the bypass is part of the operational plan for implementing Nine Minimum Controls and the Long Term Control Plan, (2) it is in accordance with the provision of 40 CFR 122.41 (m) and (3) the flow rate to the POTW treatment plant, as a result of a precipitation or snow-melt events, exceeds 3.5 MGD. Bypasses that occur when the flow at the time of the bypass is less than the above specified flow rate are not authorized under this condition.

In the event of a CSO-related bypass authorized under this condition, the permittee shall minimize the discharge of pollutants to the receiving water. At a minimum, the CSO-related bypass flows must receive primary clarification, solids and floatables removal, and disinfection. The bypass may not cause the effluent from the POTW either to exceed the effluent limits contained in its permit or to cause or contribute to a violation of water quality standards. The permittee shall report any substantial changes in the volume or character of pollutants being introduced into the POTW or that may be present in the CSO-related bypass. Authorization of CSO-related bypasses under this provision may be modified or terminated when there is a substantial change in the volume or character of pollutants being introduced to the POTW or in the bypassed flow. The permittee shall provide notice to the permitting authority of bypasses authorized under this condition on the monthly CSO Supplemental Reports.

III. SAMPLING WHEN BYPASSING

The Department requests that the effluent sampling requirements on pages 2-5 of this NPDES Permit be performed during bypass events, whenever possible and practical, to ensure the effluent is meeting the NPDES Permit limits during bypass events.

IV. COMBINED SEWER OVERFLOWS

A. Management and Control of Combined Sewer Overflows

1. Combined sewer overflows (CSOs) are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed the design capacity of the conveyance or treatment facilities of the system during or immediately after wet weather periods. Overflows that occur without an accompanying precipitation event or snow-melt are termed "dry weather overflows" and are prohibited. CSOs are point source discharges that must be provided with control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.

2. The point source discharge locations (outfalls) specifically identified in the application submitted by the permittee serve as known combined sewer overflow locations on the permittee sewer system.

B. Continued Implementation of Technology-Based Nine Minimum Controls

1. Upon issuance of this permit, the permittee shall continue the implementation of the NMCs, demonstrate system wide compliance with the NMCs and submit discharge monitoring reports and annual reports to the Department with appropriate documentation. The permittee's NMC documentation report is incorporated in this permit.

2. The Department will use the EPA guidance document entitled "Guidance For Nine Minimum Controls" (EPA 832-B-95-003), dated May 1995, and specific comments provided during review of the NMC documentation reports to determine continued compliance with the CSO permit requirements.

C. Implementation of Water Quality-Based Long Term Control Plan (LTCP)

1. The long term goal of the LTCP requirements in this permit is to achieve compliance with the state water quality standards upon completion of the LTCP implementation. The CSO discharge(s) shall comply with the performance standards of the selected CSO controls and shall comply with the water quality standards found in Chapter 93. When additional CSO-related information and data becomes available to revise water quality-based effluent limitations, the permit should be revised, as appropriate, to reflect the new effluent limitations.

2. The permittee shall continue the implementation of the approved LTCP, demonstrate system-wide compliance with the LTCP's installed alternatives and submit with the Annual Report referenced in paragraph D.2 below, annual progress reports on implementation.

3. The permittee shall continue to implement its approved long term control plan (LTCP). The LTCP, at a minimum, shall incorporate the following requirements:

   a. Continued implementation of the nine minimum controls;

   b. Protection of sensitive areas (recreation areas, public water supply, unique ecological habitat, etc.);

   c. Characterization, monitoring and modeling of overflows and assessment of water quality impacts;

   d. Evaluation and selection of control alternative - presumptive or demonstrative approach;

   e. Public participation in LTCP plan development and implementation;

   f. Implementation schedule and financing plan for selected control options;

   g. Maximizing treatment at the existing POTW treatment plant;

   h. The selected CSO controls should include a post-construction monitoring program plan adequate to verify compliance with water quality standards and protection of designated uses as well as to

ascertain the effectiveness of CSO controls. This water quality compliance monitoring program should include a plan to be approved by the Department that details the monitoring protocols to be followed; and,

i. CSO System Operational Plan.

4. The LTCP is described in the EPA's guidance document entitled "Guidance For Long Term Control Plan" (EPA 832-B-95-002), dated September 1995. Using a compliance monitoring program, the permittee shall periodically review the effectiveness of the LTCP and propose any changes or revisions to the LTCP to the Department for review and approval before its implementation.

5. The permittee shall implement, inspect, monitor and effectively operate and maintain the CSO controls identified in the LTCP pursuant to the LTCP implementation schedule, which is incorporated herein by reference.

D. Monitoring and Reporting Requirements

1. Discharge Monitoring Report (DMR) Supplemental Reports for Combined Sewer Overflows:

The permittee shall record data on CSO discharges in the format specified in DEP's DMR Supplemental Reports for CSOs attached to this permit. The data shall be submitted to the appropriate regional office of the Department within 28 days of the end of the month. For CSOs that are part of a permitted POTW, the DMR Supplemental Reports for CSOs must be submitted with the permittee's regular DMR. Copies of the DMR Supplemental Reports for CSOs must be retained at the Sewage Treatment Plant (STP) site for at least three (3) years.

2. Annual CSO Status Report

On March 31 of each year, an Annual CSO Status Report shall be submitted to the Department with the annual "Municipal Wasteload Management Report" required by 25 Pa. Code Chapter 94, Section 94.12. For a satellite CSO system, a copy of the annual report shall also be provided to the POTW providing treatment for its wastewater. DEP's Annual CSO Status Report template (3800-PM-BCW0076e) shall be used.

a. The Annual CSO Status Report shall:

(1) Provide a summary of the frequency, duration and volume of the CSO discharges for the past calendar year;

(2) Provide the operational status of overflow points;

(3) Provide an identification of known in-stream water quality impacts, their causes, and their effects on downstream water uses;

(4) Summarize all actions taken to implement the NMCs and the LTCP and their effectiveness; and,

(5) Evaluate and provide a progress report on implementing and necessary revisions to the NMC and LTCP.

b. Specifically, the following CSO-related information shall be included in the report:

(1) Rain gauge data - total inches (to the nearest 0.01 inch) that caused each CSO discharge being reported in the supplemental DMR Supplemental Reports for CSOs.

(2) Inspections and maintenance.

- Total number of permittee/owner inspections conducted during the period of the report (reported by drainage system).

- A list of blockages (if any) corrected or other interceptor maintenance performed, including location, date and time discovered, date and time corrected, and any discharges to the stream observed and/or suspected to have occurred.

(3) Dry weather overflows

Dry weather CSO discharges are prohibited. Immediate telephone notification to DEP of such discharge is required in accordance with 25 Pa. Code, Section 91.33. Indicate location, date and time discovered, date and time corrected/ceased, and action(s) taken to prevent their reoccurrence. A plan to correct this condition and schedule to implement the plan must be submitted with the DMR Supplemental Reports for CSOs.

(4) Wet weather overflows

- For all locations that have automatic level monitoring of the regulators, report all exceedances of the overflow level during the period of the report, including location, date, time, and duration of wet weather overflows.

- For all locations at which flows in the interceptors can be controlled by throttling and/or pumping, report all instances when the overflow level was reached or the gates were lowered. For each instance, provide the location, date, time, and duration of the overflow.

E. Area-Wide Planning/Participation Requirement

Where applicable, the permittee shall cooperate with and participate in any interconnected CSO system's NMCs and LTCP activities being developed and/or carried out by the operator(s) of these systems, and shall participate in implementing applicable portions of the approved NMC and LTCP for these systems.

F. Permit Reopener Clause

The Department reserves the right to modify, revoke and reissue this permit as provided pursuant to 40 CFR 122.62 and 124.5 and for the following reasons:

1. To include new or revised conditions developed to comply with any State or Federal law or regulation that addresses CSOs and that is adopted or promulgated subsequent to the effective date of this permit.

2. To include new or revised conditions if new information indicates that CSO controls imposed under the permit have failed to ensure the attainment of State Water Quality Standards.

3. To include new or revised conditions based on new information resulting from implementation of the LTCP or other plans or data.

G. Combined Sewer Overflow Compliance Schedule

The permittee shall complete the above CSO activities in accordance with the following compliance schedule:

Schedule Activity Description	**Compliance Due Date**
Continue Implementation of the NMCs	Permit effective date
Continue Implementation of the LTCP	Permit effective date

Submit Annual CSO Status Report to Department with Chapter 94 Report	March 31 of each year
Submit DMR Supplemental Reports for CSOs	Within 28 days of the end of a month

V. SOLIDS MANAGEMENT

A. The permittee shall manage and properly dispose of sewage sludge and/or biosolids by performing sludge wasting that maintains an appropriate mass balance of solids within the treatment system. The wasting rate must be developed and implemented considering the specific treatment process type, system loadings, and seasonal variation while maintaining compliance with effluent limitations. Holding excess sludge within clarifiers or in the disinfection process is not permissible.

B. The permittee shall submit the Supplemental Report entitled, "Supplemental Report – Sewage Sludge/Biosolids Production and Disposal" (Form No. 3800-FM-BCW0438) as an attachment to the DMR on a monthly basis. When applicable, the permittee shall submit the Supplemental Reports entitled, "Supplemental Report – Hauled In Municipal Wastes" (Form No. 3800-FM-BCW0437) and "Supplemental Report – Hauled In Residual Wastes" (Form No. 3800-FM-BCW0450), as attachments to the DMR.

C. By March 31 of each year, the permittee shall submit a "Sewage Sludge Management Inventory" that summarizes the amount of sewage sludge and/or biosolids produced and wasted during the calendar year from the system. The "Sewage Sludge Management Inventory" may be submitted with the Municipal Wasteload Management Report required by Chapter 94. This summary shall include the expected sewage sludge production (estimated using the methodology described in the U.S. EPA handbook, "Improving POTW Performance Using the Composite Correction Approach" (EPA-625/6-84-008)), compared with the actual amount disposed during the year. Sludge quantities shall be expressed as dry weight in addition to gallons or other appropriate units.

VI. TOXICS REDUCTION EVALUATION (TRE)

A. Water Quality Based Effluent Limitations (WQBELs)

1. Based on the discharge and stream data currently available to DEP, the WQBELs for Chlorodibromo-methane and Dichlorobromo-methane on Page 5 are necessary to protect the receiving stream uses designated in the DEP's Rules and Regulations.

2. Within 60 days following the permit effective date (PED), the permittee must submit notification to DEP verifying that <u>one</u> of the following options has been selected.

   a. The permittee accepts DEP's data, assumptions and water quality modeling which was the basis for the WQBELs and <u>will not</u> proceed with the <u>optional</u> site-specific data collection activities described in Section C of this condition. The WQBELs will be considered final and enforceable three years after the PED and should be used as the basis for Phase II of the TRE.

   b. During the period following permit issuance, and prior to the WQBELs becoming final, the permittee agrees to conduct site-specific discharge and/or stream data collection and provide DEP with data to verify or refine the WQBELs in accordance with the schedule in Section B.2, herein. If warranted, modified WQBELs will be established through a permit amendment. Any such permit amendment shall be considered a formal permitting action of DEP subject to applicable permit modification procedures.

   If the permittee fails to select one of these options within 60 days of permit effective date, option A.2.a. is selected by default. If the permittee selects option A.2.b, and conducts TRE actions within the schedule in Section B.2 of this condition of the permit, herein, DEP will issue a written decision by letter or permit amendment. The permittee will have 30 days from the date of receipt of the written decision to file an appeal of the final WQBELs.

3. In either case, the permittee must conduct a TRE as outlined below. Phase I of the TRE has both required and optional components.

B. TRE Submission Requirements

1. The TRE shall be developed to:

   a. Confirm and quantify the presence of the pollutants in the discharge with WQBELs.

   b. Verify or refine the modeling data and/or assumptions used to develop the WQBELs.

   c. Identify sources of the pollutants with final WQBELs.

   d. Recommend management practices, wastewater treatment technologies, or other control techniques to reduce or eliminate these pollutants.

2. The TRE and associated reports shall be completed and submitted in accordance with the following schedule:

a.	Submit notification specified in A.2 above	Within 60 days of PED
b.	Submit work plan for conducting Phase I	Within 90 days of PED
c.	Start Phase 1	Within 120 days of PED
d.	Submit complete Phase I report (3 copies)	Within 18 months of PED
e.	Start Phase II	Within 30 days of notice from DEP to proceed with Phase II
f.	Submit complete Phase II report	Within 180 days of notice to proceed with Phase II
g.	Progress reports	Every three months starting 120 days after PED

C. Phase I TRE Requirements

1. The Phase I TRE shall consist of the following components, at a minimum:

   a. Influent and effluent quality review;

   b. Source inventory and evaluation;

   c. Source reduction evaluation; and

   d. Implementation of pollution prevention, sound housekeeping practices, and other management practices.

2. The permittee selecting option A.2.b above has the option of providing all or some of the following site-specific data as part of Phase I for use in verifying and refining the WQBELs:

   - Discharge hardness
   - Discharge pollutant concentration and variability
   - Design discharge flow
   - Discharge mixing characteristics
   - Pollutant fate characteristics

- Stream width, depth and slope
- Stream velocity
- Ambient stream data for pollutants, pH, temperature
- Instream hardness
- Water intake quality and quantity
- Treatment plant influent pollutant concentrations
- Chemical translators
- Water Effects Ratio (WER)

The permittee should contact DEP for guidance in determining which of the above data will have a significant impact on the WQBELs and also for protocols on collecting and submitting the data. DEP will determine the adequacy of any site-specific data submitted and advise the permittee accordingly. If initial review of the submitted data suggests that additional data collection is necessary, DEP will so advise the permittee. DEP will notify the permittee what effect, if any, the data have on the WQBELs using the procedure outlined in A.2 above.

3. Site-Specific Criteria

The permittee may request an opportunity to demonstrate alternative, site-specific criteria for these pollutants. The procedures for carrying out such demonstrations must receive written approval in advance by DEP and must be in accordance with the requirements of Section 93.8 of DEP's Rules and Regulations.

If the permittee chooses this option, requests for alternative, site-specific criteria must be submitted to DEP as part of the Phase I TRE report. Where the demonstration results in more stringent limitations than those previously established by DEP, the more stringent limitation will apply. Any less stringent limitations which are approved by DEP shall not violate any other applicable water criteria.

4. Alternative Site Specific Method Detection Limits (MDL)

In some cases, the WQBEL may be less than the Method Detection Level (MDL) in 25 Pa. Code, Chapter 16. In this event, the permittee has the option to demonstrate alternative, facility-specific MDLs to account for analytical matrix interference associated with the wastewater in question. The procedures for determining MDLs, published as Appendix B in 40 CFR Part 136, must be followed and complete documentation provided. The request for approval of alternative facility-specific MDLs including all documentation required to support such a request must be submitted to DEP with the Phase I TRE report.

DEP may grant a facility-specific MDL by including the numeric alternate MDL value for compliance purposes through the permit modification or renewal process.

D. Phase II TRE Requirements

The permittee should not proceed with Phase II until notified by DEP to do so. Depending on the results of Phase I, the WQBELs may need to be modified or Phase II may not be necessary.

1. Source Reduction Evaluation

In addition to those items in C.1 above, as part of Phase II, the permittee must conduct source reduction evaluations including recycle, reuse, and process/chemical substitution. The intent of this portion of the TRE is to investigate and implement all low-cost, non-structural alternatives to reduce pollutants.

2. Final WQBEL Compliance Strategies and Schedule

A complete TRE report must consist of identification and assessment of all available pollution control options (Best Management Practices and/or treatment technologies and other structural alternatives) and their ability to comply with the final WQBELs or other WQBELs identified in response to Phase I.

The permittee must select a specific pollution control option that will achieve the applicable WQBELs and specify a schedule for the implementation of this option.

3. Section 95.4 Time Extension Request

In some cases, the final WQBEL may not be technologically achievable using any combination of control options. In this event, the permittee has the option of requesting an extension under the requirements contained in 25 Pa Code, Section 95.4 of DEP's Rules and Regulations. If the permittee elects to submit the 95.4 time extension request, the request must be submitted with Phase II of the TRE report. Form 3800-FM-BPNPSM0302 should be used for any such requests.

VII. WHOLE EFFLUENT TOXICITY (WET)

A. General Requirements

1. The permittee shall conduct Chronic WET tests as specified in this section. The permittee shall collect discharge samples and perform WET tests to generate chronic survival and reproduction data for the cladoceran, *Ceriodaphnia dubia* and chronic survival and growth data for the fathead minnow, *Pimephales promelas.*

2. Samples shall be collected at Outfall 001 in accordance with paragraph E.

3. The permittee shall perform testing using the following dilution series: 23%, 47%, 93%, 97%, and 100% effluent, with a control, where 93 is the facility-specific Target In-Stream Waste Concentration (TIWC).

4. The determination of whether a test endpoint passes or fails shall be made using DEP's WET Analysis Spreadsheet (available at www.dep.pa.gov/wett) by comparing replicate data for the control with replicate data for the TIWC dilution or any dilution greater than the TIWC.

5. The permittee shall submit only valid WET test results to DEP.

B. Test Frequency and Reporting

1. WET testing shall be conducted annually, at a minimum, during the period January 1 – December 31. Annual WET tests must be completed at least 6 months apart, and shall start in the year the permit becomes effective if the permit effective date is prior to October 1.

2. A complete WET test report shall be submitted to the DEP regional office that issued the permit within 45 days of test completion. A complete WET test report submission shall include the information contained in paragraph H, below. The permittee shall continue annual WET monitoring, at a minimum, during the permit renewal review period and during any period of administrative extension of this permit.

3. If a test failure is determined for any endpoint during annual monitoring, the permittee shall initiate a re-test for the species with the failure within 45 days of test completion. All endpoints for the species shall be evaluated in the re-test. The results of the re-test shall be submitted to the DEP regional office that issued the permit.

4. If a passing result is determined for all endpoints in a re-test, the permittee may resume annual monitoring.

5. If there is a failure for one or more endpoints in a re-test, the permittee shall initiate or continue quarterly WET testing for both species until there are four consecutive passing results for all endpoints. The results of all tests shall be submitted to the DEP regional office that issued the permit. In addition, the permittee shall initiate a Phase I Toxicity Reduction Evaluation (TRE) as specified in paragraph C, below.

6. The permittee shall attach the WET Analysis Spreadsheet for the latest four consecutive WET tests to the NPDES permit renewal application that is submitted to DEP at least 180 days prior to the permit expiration date.

C. Phase I Toxicity Reduction Evaluation (TRE)

1. The Phase I TRE trigger is one WET endpoint failure followed by a re-test that confirms the failure for the same species. When the TRE process is triggered, quarterly WET testing shall be initiated for both species until there are four consecutive passing results for all endpoints. The Phase I TRE may include a Toxicity Identification Evaluation (TIE) if the permittee cannot immediately identify the possible causes of the effluent toxicity and the possible sources of the causative agents.

2. The permittee shall, within one year following the Phase I TRE trigger, submit a Phase I TRE report to the DEP regional office that issued the permit. The Phase I TRE shall be conducted in accordance with EPA's guidance, "Toxicity Reduction Evaluation for Municipal Wastewater Treatment Plants" (EPA/833B-99/002), "Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations" (EPA/600/2-88/070), and other relevant EPA guidance, as applicable. If a TIE is conducted as part of the Phase I TRE, it shall conform to EPA's guidance, "Methods for Aquatic Toxicity Identification Evaluations Phase I" (EPA/600/6-91/003), "Phase II" (EPA/600/R-92/080), "Phase III" (EPA/600/R-92/081) and other relevant EPA guidance. The Phase I TRE report shall be submitted with the fourth quarterly WET test report that is completed following the Phase I TRE trigger. The TRE shall include all activities undertaken to identify the cause(s) and source(s) of toxicity and any control efforts.

3. If all four quarterly WET tests produce passing results for all endpoints during the Phase I TRE process, performance of a Phase II TRE is not required, and annual WET testing in accordance with paragraph B.1 may resume.

4. If the four WET tests produce at least one failing result during the Phase I TRE process, the permittee shall continue quarterly WETT monitoring for both species and initiate a Phase II TRE in accordance with paragraph D. In this case, the Phase I TRE must include a schedule for completion of the Phase II TRE. The schedule must include interim milestones and a final completion date not to exceed two years from the initiation of the Phase II TRE. The permittee shall implement the Phase II TRE in accordance with the schedule unless DEP issues written approval to modify the schedule or cease performance of the Phase II TRE.

5. Re-tests during the TRE process are required for invalid tests but are optional and at the discretion of the permittee for valid tests. The results of all re-tests must be submitted to the DEP regional office that issued the permit along with the required elements in paragraph H.

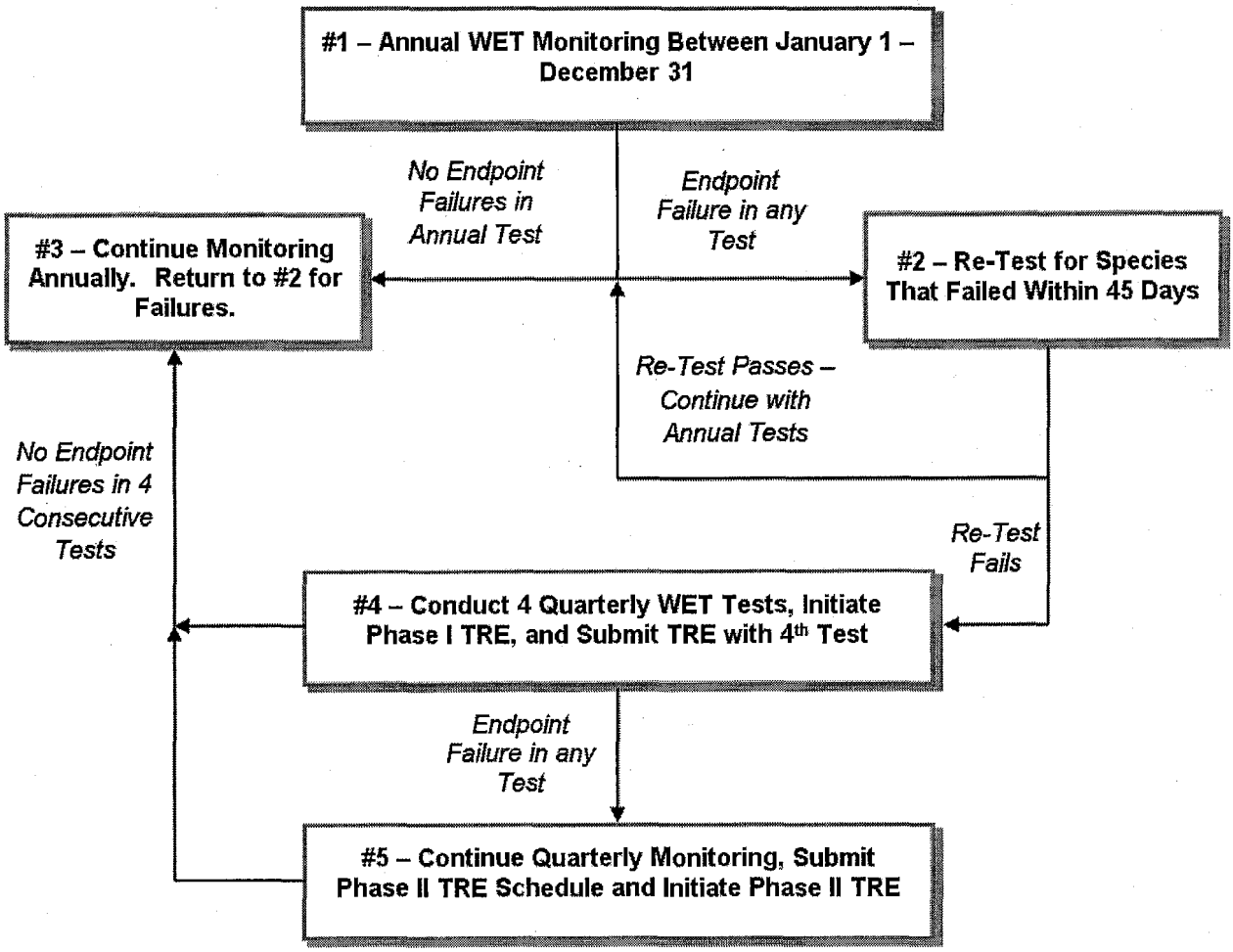
D. Phase II Toxicity Reduction Evaluation (TRE)

1. The Phase II TRE trigger is one WET endpoint failure during performance of the Phase I TRE. A Phase II TRE, if required, shall conform to EPA's guidance, "Toxicity Reduction Evaluation for Municipal Wastewater Treatment Plants" (EPA/833B-99/002), "Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations" (EPA/600/2-88/070), and other relevant EPA guidance, as applicable. A Phase II TRE evaluates the possible control options to reduce or eliminate the effluent toxicity and the implementation of controls.

2. Once initiated, the Phase II TRE must continue until the source(s) of toxicity are controlled as evidenced by four consecutive WET test passing results for all endpoints, and a final TRE report must be submitted on or before the date specified in the schedule, unless otherwise approved by DEP in writing.

3. If four consecutive quarterly WET tests produce passing results for all endpoints during the Phase II TRE process, annual WET testing in accordance with paragraph B.1 may be initiated or resume.

An overview of the process described in paragraphs B, C and D is presented below:



E. Sample Collection

For each acute testing event, a 24-hour flow-proportioned composite sample shall be collected. For each chronic testing event, three 24-hour flow-proportioned, composite samples shall be collected over a seven day exposure period. The samples must be collected at a frequency of not greater than every two hours and must be flow-proportioned. The samples must be collected at the permit compliance sampling location. Samples must be analyzed within 36 hours from the end of the compositing period and must be placed on ice and held at ≤ 6°C. Refer to the sample handling and preservation regulations set forth in 40 CFR 136, 25 Pa. Code Chapter 252, The NELAC Institute (TNI) Standard, and the appropriate EPA methods.

F. Test Conditions and Methods

Laboratories must be accredited by the DEP Laboratory Accreditation Program in order to perform and report WET tests for NPDES permit compliance. Laboratories must be either State or NELAP accredited.

1. Acute tests shall be completed in accordance with EPA's "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA-821-R-02-012, latest edition). Forty eight (48) hour static non-renewal tests shall be used.

2. Chronic tests shall be completed in accordance with EPA's "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" (EPA-821-R-02-013, latest edition). Seven (7) day tests shall be used with renewal every 24 hours.

3. The quality assurance and control (QA/QC) requirements and test acceptability standards specified in EPA's test methods and the requirements set forth in 25 Pa Code Chapter 252 or the TNI Standard must be followed.

4. If the permittee or its accredited laboratory determines that QA/QC requirements and/or test acceptability standards have not been met, a re-test shall be initiated within 45 days. Original test data must be maintained by the laboratory and be submitted to DEP upon request. The justification for a re-test must be clearly documented and kept on file with the sample results.

G. Chemical Analyses

Chemical analyses must follow the requirements of the EPA methods and applicable State and/or Federal regulations.

1. Chemical analysis on effluent samples shall include pH, Conductivity, Total Alkalinity, Total Hardness, Total Residual Chlorine, Total Ammonia (Unionized Ammonia), Dissolved Oxygen and temperature. Chemical analyses as described in the EPA Methods (above) shall be performed for each sampling event, including each new batch of dilution water and each testing event.

2. In addition to the chemical analyses required above, those parameters listed in Part A of the NPDES permit for the outfall(s) tested shall be analyzed concurrently with the WET test by using the method(s) specified in the permit.

H. WET Report Elements

WET test reports that are submitted to DEP must include the requirements identified in 25 Pa. Code § 252.401(j)(1) – (15) or in the TNI Standard, or equivalent, as well as the following information:

1. A general test description, including the origin and age of test organisms, dates and results of reference toxicant tests, light and temperature regimes, and other documentation that QA and test acceptability criteria as specified in EPA's methods and DEP's QA Summaries have been met.

2. A description of sample collection procedures and sampling location.

3. Name(s) of individual(s) collecting and transporting samples, including sample renewals, and the date(s) and time(s) of sample collection.

4. All chemical and physical data including laboratory quantitation limits and observations made on the species. The hardness shall be reported for each test condition.

5. Copies of raw data sheets and/or bench sheets with data entries and signatures.

6. When effluents are dechlorinated, dechlorination procedures must be described and if applicable a thiosulfate control used in addition to the normal dilution water control. If the thiosulfate control results are significantly different from the normal control, as determined using DEP's WET Analysis Spreadsheet, the thiosulfate control shall be used in the spreadsheet for comparison with the TIWC condition. The WET report must specify which control was used to determine whether the test result is pass or fail.

7. A description of all observations or test conditions that may have affected the test outcome.

8. Control charts for the species tested regarding age, temperature test range, mortality data and all reference toxicant tests.

9. A completed WET test summary report (3800-FM-BCW0485).

10. A DEP WET Analysis Spreadsheet printout that provides control and TIWC replicate data and displays the outcome of the test (pass or fail) for each endpoint tested.

WETT reports shall be submitted to the DEP regional office that issued the permit and, for discharges to the Delaware River basin, the Delaware River Basin Commission (DRBC).

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

c. For **wastewater** system acquisitions, provide a copy of the Chapter 94 Municipal Wasteload Management Report that was most recently submitted to DEP.

RESPONSE:

c. Attached are copies of the Chapter 94 Municipal Wasteload Management Report, that were most recently submitted to DEP by the Borough of Kane for the Authority's two wastewater treatment plants which are located at Kinzua Road and Pine Street. These reports are attached as **Appendix A-20-c.**

BOROUGH OF KANE

Chapter 94 Municipal Wasteload Management Report
Kinzua Road Wastewater Treatment Plant
Operating Year 2018

KLH
ENGINEERS, INC
5173 CAMPBELLS RUN ROAD
PITTSBURGH, PA 15205-9733

BOROUGH OF KANE

McKean County, Pennsylvania

Kinzua Road Wastewater Treatment Plant

Chapter 94 – Municipal Wasteload Management Report
Operating Year 2018

TABLE OF CONTENTS

BOROUGH OF KANE

McKean County, Pennsylvania

Kinzua Road Wastewater Treatment Plant
Chapter 94 – Municipal Wasteload Management Report
Operating Year 2018

EXECUTIVE SUMMARY

In compliance with Section 94.12, of Chapter 94, Title 25 of the Pennsylvania Code and the Rules and Regulations of the Pennsylvania Department of Environmental Protection (PADEP), this report is submitted by the Borough of Kane (Borough) as a summary of the loadings and conditions existing at the Kinzua Road Wastewater Treatment Plant (WWTP) and its tributary conveyance sewer system during the operating year 2018. In addition, this report includes a projection of the anticipated loadings at the WWTP for the next five years (2019-2023). DEP forms and spreadsheets were utilized in order to complete the report.

The location of the Kinzua Road WWTP is shown in Figure 1. The WWTP is owned by the Kane Borough Authority and operated by the Borough of Kane. The Kinzua Road WWTP is operated under NPDES Permit No. PA0023175.

Figure 1: Kinzua Road WWTP Location

The Borough's collection system is divided into two major drainage basins: the Hubert Run Drainage Basin serviced by the Kinzua Road WWTP and the West Run Drainage Basin serviced by the Pine Street WWTP. The Hubert Run Drainage Basin collection system consists of approximately 52,100 linear feet of vitrified clay pipe, ductile iron pipe, and PVC pipe ranging from 8" to 36" in diameter. The West Run Drainage Basin collection system and the summary of the loadings at the Pine Street WWTP are described in a separate report.

The Borough's WWTPs service the Borough of Kane and portions of Wetmore Township. The Borough's collection system has been classified as a combined sewer system (CSS) and Wetmore Township has a separated sewer system (SSS). Wastewater is conveyed to both plants by gravity. There are eight (8) pumping stations in Wetmore Township, two (2) of which are a part of the Kinzua Road WWTP conveyance system.

The Kinzua Road WWTP operates in accordance with the NPDES Permit. The NPDES Permit allows for an average monthly flow of 1.50 mgd and an average organic loading of 2,189 lbs BOD5/day through the WWTP. The permit requires that the plant's effluent meets limits for the following:

- Flow
- Dissolved oxygen (DO)
- pH
- Total suspended solids (TSS)
- Ammonia-nitrogen (NH_3-N)
- Fecal coliform
- Carbonaceous biochemical oxygen demand ($CBOD_5$)
- Total residual chlorine (TRC)
- Total Nitrogen
- Total Phosphorous
- Total Lead
- Total Copper

The Kinzua Road WWTP employs biological and chemical treatment processes to attain an effluent quality which consistently meets NPDES Permit requirements. The wastewater process facilities at the Kinzua Road WWTP consists of preliminary treatment works, which includes a mechanically cleaned bar screen and a grit removal system, an activated sludge secondary treatment system (four tank sequencing batch reactor (SBR) activated sludge process), two

chlorine contact tanks, sodium bisulfite dechlorination system and an effluent water tank. Treated effluent from the Kinzua Road WWTP is discharged to Hubert Run.

The following laboratories are used to test samples from the Kinzua Road WWTP with methods consistent with the lab accreditation act:

- Mountain Research, LLC, 110 McCracken Run Road, Dubois, PA 15801
- Kinzua Road WWTP – in house, 42-1382

Influent samples are taken from preliminary treatment processes before the bar screen. The samples are handled in the same manner as effluent samples, meeting permit requirements. The samples are analyzed using the methods that are specified in 40 CFR136. There are no other sampling points within the system. The flow meter used by the Borough of Kane Authority is an ultrasonic flow meter located before the bar screen in the preliminary treatment building. The flow meter utilizes a Chessell chart recorder. Flow meter calibration records can be found in Attachment [6].

The facility was not hydraulically overloaded in 2018, and is not projected to be overloaded in the next five years. The facility was not organically overloaded in 2018, and is not projected to be overloaded in the next five years.

The methodology used to calculate the historical and projected organic loadings is similar to the procedure used for hydraulic loadings with the exception that maximum month organic loadings are used in place of the maximum 3-month average loadings. The Chapter 94 regulations define the organic design capacity of a treatment plant as the highest daily organic load at which the facility is expected to provide a specified level of treatment. The regulations define organic overload as occurring when the monthly average daily organic load exceeds the organic design capacity. Any monthly average daily load exceeding the design organic capacity would indicate the facility was operating in an overloaded condition.

The maximum month average BOD5 load during the operating year 2015 was 3,368 lbs/day, above the permitted organic capacity of 2,189 lbs/day. The exceedance was originally reported to PADEP and investigated by the Kane WWTP Manager. Upon further inspection the influent sampling tube was found to be malfunctioning. A letter to DEP explaining the incident can be found in attachment [8]. Attachment [2] provides the average BOD5 from the operating year 2015 displayed in June, the month of the 3,368 lbs/day overload. This table displays that the plant is not projected to be overloaded in the next five years. Therefore KLH does not believe

that the Kinzua Road WWTP was organically overloaded in the operating year 2015, and is not projected to be overloaded in the next five years.

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

CHAPTER 94 MUNICIPAL WASTELOAD MANAGEMENT ANNUAL REPORT

For Calendar Year: 2018

☒ Permittee is owner and/or operator of a POTW or other sewage treatment facility
☐ Permittee is owner and/or operator of a collection system tributary to a POTW not owned/operated by permittee

GENERAL INFORMATION			
Permittee Name:	**Kane Borough - Kinzua Road WWTP**	Permit No.:	**PA0023175**
Mailing Address:	**112 Bayard St.**	Effective Date:	**02/01/2017**
City, State, Zip:	**Kane, PA 16735**	Expiration Date:	**01/31/2022**
Contact Person:	**Phil Lingenfelter**	Renewal Due Date:	**07/30/2021**
Title:	**Plant Manager**	Municipality:	**Kane Borough**
Phone:	**814-837-6201**	County:	**McKean**
Email:	**pinestreetkane@verizon.net**	Consultant Name:	**KLH Engineers, Inc.**

CHAPTER 94 REPORT COMPONENTS

1. Attach to this report a line graph depicting the monthly average flows (expressed in MGD) for each month for the past 5 years and projecting the flows for the next 5 years. The graph must also include a line depicting the hydraulic design capacity per the WQM permit. (25 Pa. Code § 94.12(a)(1))

   Check the appropriate boxes:
   ☒ Line graph for flows attached (**Attachment 1b**)
   ☒ DEP Chapter 94 Spreadsheet used (**Attachment 1a**)
   ☐ Section 1 is not applicable (report is for a collection system).

2. Attach to this report a line graph depicting the monthly average organic loads (express as lbs BOD5/day) for each month for the past 5 years and projecting the organic loads for the next 5 years. The graph must also include a line depicting the organic design capacity of the treatment plant per the WQM permit. (25 Pa. Code § 94.12(a)(2))

   Check the appropriate boxes:
   ☒ Line graph for organic loads attached (**Attachment 1c**)
   ☒ DEP Chapter 94 Spreadsheet used (**Attachment 1a**)
   ☐ Section 2 is not applicable (report is for a collection system).

3. If the DEP Chapter 94 Spreadsheet was not used to determine projections, discuss the basis for the hydraulic and organic projections. In all cases, include a description of the time needed to expand the plant to meet the load projections, if necessary, and data used to support the projections should be included in an appendix to this report. (25 Pa. Code § 94.12(a)(3))

   The DEP Chapter 94 Spreadsheet was used. The facility was not hydraulically overloaded in 2018, and is not projected to be overloaded in the next five years. The facility was not organically overloaded in 2018, and is not projected to be overloaded in the next five years.

4. Attach a map showing all sewer extensions constructed within the past calendar year, sewer extensions approved or exempted in the past year in accordance with Act 537 and Chapter 71, but not yet constructed, and all known proposed projects which require public sewers but are in the preliminary planning stages. The map must be accompanied by a list summarizing each extension or project and the population to be served by the extension or project. If a sewer extension approval or proposed project includes schedules describing how the project will be completed over time, the listing should include that information and the effect this build-out-rate will have on populations served. (25 Pa. Code § 94.12(a)(4))

Check the appropriate boxes:

☐ Map showing sewer extensions constructed, approved/exempted but not yet constructed, and proposed projects attached (**Attachment**)

☐ List summarizing each extension or project attached (**Attachment**)

☐ Schedules describing how each project will be completed over time and effects attached (**Attachment**)

Comments:

There were no sewer extensions in the Kinzua Road WWTP sewerage system during the operating year 2018.

5. Discuss the permittee's program for sewer system monitoring, maintenance, repair and rehabilitation, including routine and special activities, personnel and equipment used, sampling frequency, quality assurance, data analyses, infiltration/inflow monitoring, and, where applicable, maintenance and control of combined sewer regulators during the past year. Attach a separate sheet if necessary. (25 Pa. Code § 94.12(a)(5))

See Attachment [3]

6. Discuss the condition of the sewer system including portions of the system where conveyance capacity is being exceeded or will be exceeded in the next 5 years and portions where rehabilitation or cleaning is needed or is underway to maintain the integrity of the system and prevent or eliminate bypassing, CSOs, SSOs, excessive infiltration and other system problems. Attach a separate sheet if necessary. (25 Pa. Code § 94.12(a)(6))

Check the appropriate boxes:

☐ System experienced capacity-related bypassing, SSOs or surcharging during the report year. On a separate sheet, list the date, location, and reason for each bypass, SSO or surcharge event.

☒ System did not experience capacity-related bypassing, SSOs or surcharging during the report year.

Comments:

The general condition of the collector and interceptor sewers owned and maintained by the Borough of Kane is fair to good. Sewers are under constant inspection and maintenance. Much of the sewers were built before the advent of present day construction materials and techniques and several sewersheds have substantial quantities of infiltration and inflow.

7. Attach a discussion on the condition of sewage pumping (pump) stations. Include a comparison of the maximum pumping rate with present maximum flows and the projected 2-year maximum flows for each station. (25 Pa. Code § 94.12(a)(7))

Check the appropriate boxes:

☐ The collection system does not contain pump stations
☒ The collection system does contain pump stations (Number – **8**)
☒ Discussion of condition of each pump station attached (**Attachment 3**)

8. If the sewage collection system receives industrial wastes (i.e., non-sanitary wastes), attach a report with the information listed below. (25 Pa. Code § 94.12(a)(8))

a. A copy of any ordinance or regulation governing industrial waste discharges to the sewer system or a copy of amendments adopted since the initial submission of the ordinance or regulation under Chapter 94, if it has not previously been submitted.

b. A discussion of the permittee's or municipality's program for surveillance and monitoring of industrial waste discharges into the sewer system during the past year.

c. A discussion of specific problems in the sewer system or at the plant, known or suspected to be caused by industrial waste discharges and a summary of the steps being taken to alleviate or eliminate the problems. The discussion shall include a list of industries known to be discharging wastes which create problems in the plant or in the sewer system and action taken to eliminate the problem or prevent its recurrence. The report may describe pollution prevention techniques in the summary of steps taken to alleviate current problems caused by industrial waste dischargers and in actions taken to eliminate or prevent potential or recurring problems caused by industrial waste dischargers.

Check the appropriate boxes:

☒ Industrial waste report as described in 8 a., b. and c. attached (**Attachment 5**)
☐ Industrial pretreatment report as required in an NPDES permit attached (**Attachment**)

9. Existing or Projected Overload.

Check the appropriate boxes:

☐ This report demonstrates an existing hydraulic overload condition.
☐ This report demonstrates a projected hydraulic overload condition.
☐ This report demonstrates an existing organic overload condition.
☒ This report demonstrates a projected organic overload condition.

If one or more boxes above have been checked, attach a Corrective Action Plan (CAP) to reduce or eliminate present or projected overloaded conditions under §§ 94.21 and/or 94.22 (relating to existing overload and projected overload). (25 Pa. Code § 94.12(a)(9))

☒ Corrective Action Plan attached (**Attachment 9**)

10. Where required by the NPDES permit, attach a Sewage Sludge Management inventory that demonstrates a mass balance of solids coming in and leaving the facility over the previous calendar year.

☒ Sewage Sludge Management Inventory attached (**Attachment 6**)

11. For facilities with CSOs and where required by the NPDES permit, attach an Annual CSO Report (including satellite combined sewer systems).

☒ Annual CSO Report attached (**Attachment 8**)

12. For POTWs, attach a calibration report documenting that flow measuring, indicating and recording equipment has been calibrated annually. (25 Pa. Code § 94.13(b))

☒ Flow calibration report attached (**Attachment 7**)

RESPONSIBLE OFFICIAL 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 knowledge of violations. See 18 Pa. C.S. § 4904 (relating to unsworn falsification).

Phil Lingenfelter
Name of Responsible Official

Philip A Lingenfelter
Signature

814-837-6201
Telephone No.

3-25-19
Date

PREPARER CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared by me or otherwise under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. 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 knowledge of violations. See 18 Pa. C.S. § 4904 (relating to unsworn falsification).

Craig Bauer
Name of Preparer

Signature

412-494-0510
Telephone No.

3/25/2019
Date

ATTACHMENT 1

PADEP Chapter 94 Spreadsheet

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PADEP Chapter 94 Spread:
Sewage Treatment Pl

Reporting Year: 2018

Facility Name: Kinzua Road Wastewaster Treatment Plant

Permit No.: PA0023175

Persons/EDU: 3.5

Existing Hydraulic Design Capacity: 1.5 MGD
Upgrade Planned in Next 5 Years? NO **Year:**
Future Hydraulic Design Capacity: MGD

Existing Organic Design Capacity: 2,189 lbs BOD5/day
Upgrade Planned in Next 5 Years? NO **Year:**
Future Organic Design Capacity: lbs BOD5/day

Monthly Average Flows for Past Five Years (MGD)

Month	2014	2015	2016	2017	2018
January	0.66	0.486	0.559	0.82	0.691
February	0.42	0.35	0.835	0.731	0.85
March	0.69	0.905	0.642	0.692	0.64
April	0.87	1.15	0.713	0.839	0.766
May	0.86	0.444	0.455	0.689	0.614
June	0.79	0.616	0.458	0.559	0.473
July	0.56	0.637	0.283	0.392	0.462
August	0.8	0.438	0.392	0.278	0.444
September	0.42	0.444	0.301	0.282	0.585
October	0.49	0.521	0.528	0.392	0.669
November	0.52	0.545	0.41	0.77	0.865
December	0.68	0.831	0.644	0.462	0.751
Annual Avg	0.65	0.614	0.518	0.576	0.651
Max 3-Mo Avg	0.84	0.833	0.742	0.754	0.762
Max : Avg Ratio	1.29	1.36	1.43	1.31	1.17
Existing EDUs	1,233.0	1,233.0	1,233.0	1,233.0	1,240.5
Flow/EOU (GPD)	527.2	498.0	420.1	467.2	524.8
Flow/Capita (GPD)	150.6	142.3	120.0	133.5	149.9
Exist. Overload?	NO	NO	NO	NO	NO

Monthly Average BOD5 Loads for Past Five Years (lbs/day)

Month	2014	2015	2016	2017	2018
January	1,030	1,009	776	2,031	1,478
February	941	1,160	980	1,104	1,285
March	1,767	1,595	960	1,623	1,115
April	1,900	3,638	715	1,338	1,251
May	1,334	1,098	821	1,082	1,812
June	1,017	1,087	802	624	1,293
July	1,392	1,118	847	906	1,313
August	2,354	1,369	872	731	1,524
September	985	706	1,365	1,045	1,737
October	1,128	770	1,067	1,312	1,665
November	1,412	797	1,049	1,354	1,385
December	1,463	1,142	2,093	979	847
Annual Avg	1,394	1,291	1,029	1,177	1,392
Max Mo Avg	2,354	3,638	2,093	2,031	1,812
Max : Avg Ratio	1.69	2.82	2.03	1.72	1.30
Existing EDUs	1,233	1,233	1,233	1,233	1,241
Load/EDU	1.130	1.047	0.834	0.955	1.122
Load/Capita	0.323	0.299	0.238	0.273	0.321
Exist. Overload?	YES	YES	NO	NO	NO

Projected Flows for Next Five Years (MGD)

	2019	2020	2021	2022	2023
New EDUs	5.0	5.0	5.0	5.0	5.0
New EDU Flow	0.0024	0.0024	0.0024	0.0024	0.0024
Proj. Annual Avg	0.604	0.6064	0.6088	0.6112	0.6136
Proj. Max 3-Mo Avg	0.793	0.796	0.799	0.802	0.805
Proj. Overload?	NO	NO	NO	NO	NO

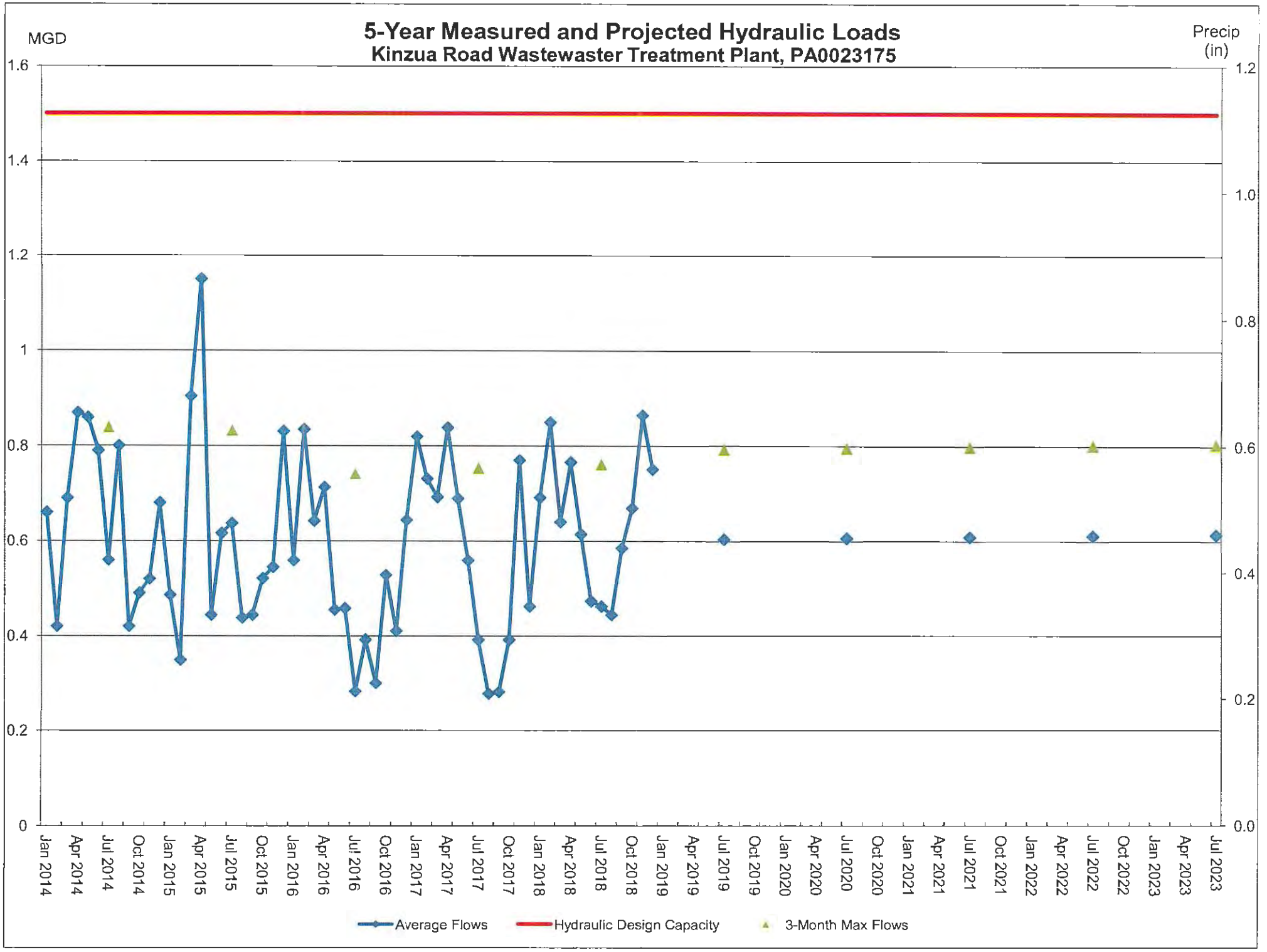
Projected BOD5 Loads for Next Five Years (lbs/day)

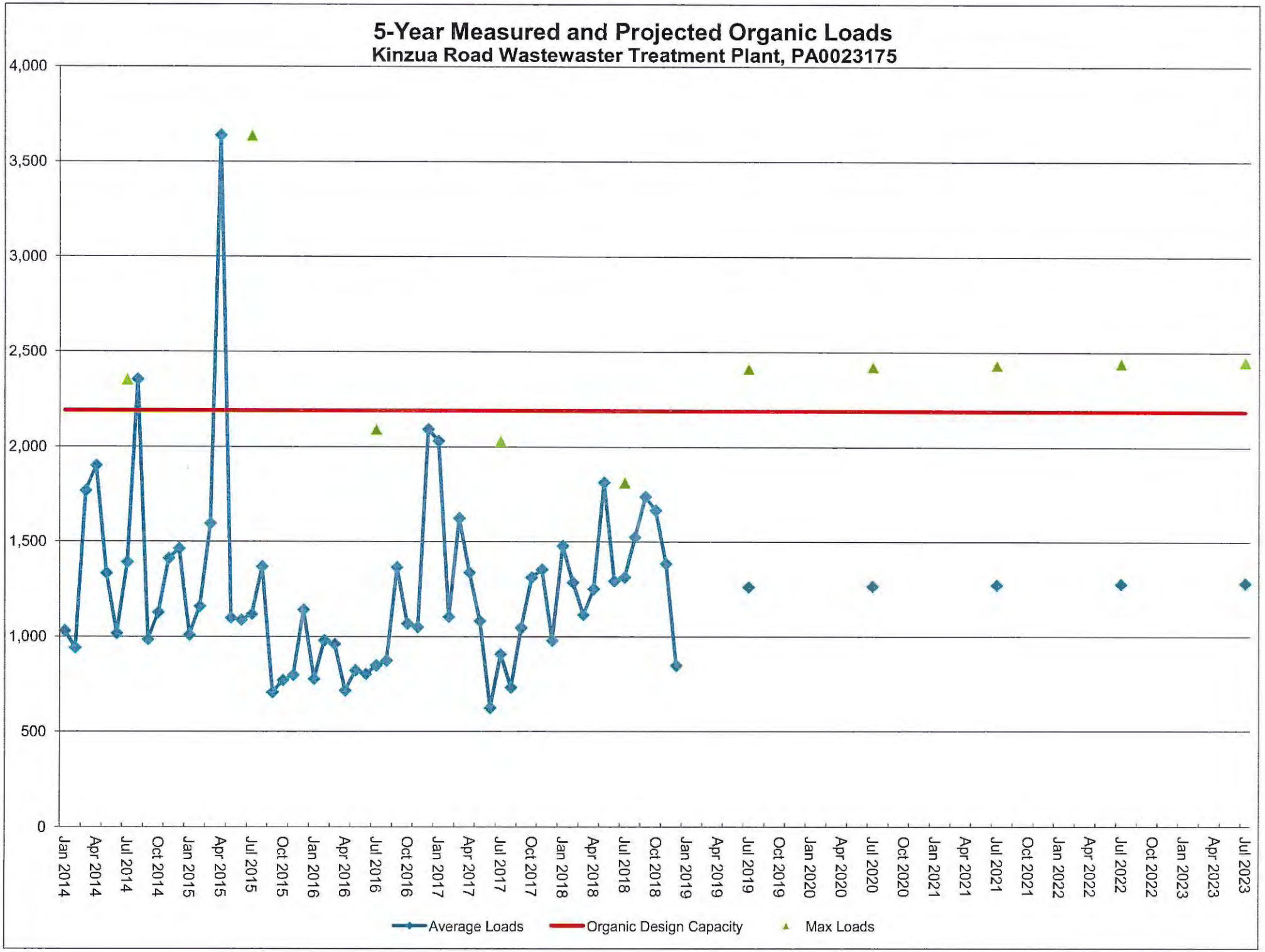
	2019	2020	2021	2022	2023
New EDUs	5	5	5	5	5
New EDU Load	5.089	5.089	5.089	5.089	5.089
Proj. Annual Avg	1,262	1,267	1,272	1,277	1,282
Proj. Max Avg	2,414	2,424	2,434	2,444	2,453
Proj. Overload?	YES	YES	YES	YES	YES

Show Precipitation Data on Hydraulic Graph?

Total Monthly Precipitation for Past Five Years (Inches)

Month	2014	2015	2016	2017	2018
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					


5-Year Measured and Projected Hydraulic Loads
Kinzua Road Wastewaster Treatment Plant, PA0023175
MGD
Precip (in)
1.6
1.4
1.2
1
0.8
0.6
0.4
0.2
0
1.2
1.0
0.8
0.6
0.4
0.2
0.0
Jan 2014
Apr 2014
Jul 2014
Oct 2014
Jan 2015
Apr 2015
Jul 2015
Oct 2015
Jan 2016
Apr 2016
Jul 2016
Oct 2016
Jan 2017
Apr 2017
Jul 2017
Oct 2017
Jan 2018
Apr 2018
Jul 2018
Oct 2018
Jan 2019
Apr 2019
Jul 2019
Oct 2019
Jan 2020
Apr 2020
Jul 2020
Oct 2020
Jan 2021
Apr 2021
Jul 2021
Oct 2021
Jan 2022
Apr 2022
Jul 2022
Oct 2022
Jan 2023
Apr 2023
Jul 2023
Average Flows
Hydraulic Design Capacity
3-Month Max Flows


5-Year Measured and Projected Organic Loads
Kinzua Road Wastewaster Treatment Plant, PA0023175
4,000
3,500
3,000
2,500
2,000
1,500
1,000
500
0
Jan 2014
Apr 2014
Jul 2014
Oct 2014
Jan 2015
Apr 2015
Jul 2015
Oct 2015
Jan 2016
Apr 2016
Jul 2016
Oct 2016
Jan 2017
Apr 2017
Jul 2017
Oct 2017
Jan 2018
Apr 2018
Jul 2018
Oct 2018
Jan 2019
Apr 2019
Jul 2019
Oct 2019
Jan 2020
Apr 2020
Jul 2020
Oct 2020
Jan 2021
Apr 2021
Jul 2021
Oct 2021
Jan 2022
Apr 2022
Jul 2022
Oct 2022
Jan 2023
Apr 2023
Jul 2023
Average Loads
Organic Design Capacity
Max Loads

ATTACHMENT 2

PADEP Chapter 94 Spreadsheet (Updated)

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PADEP Chapter 94 Spreadsheet
Sewage Treatment Plant

Reporting Year: 2018

Facility Name: Kinzua Road Wastewater Treatment Plant

Permit No.: PA0023175

Persons/EDU: 3.5

Existing Hydraulic Design Capacity: 1.5 MGD
Upgrade Planned in Next 5 Years? NO Year:
Future Hydraulic Design Capacity: MGD

Existing Organic Design Capacity: 2,189 lbs BOD5/day
Upgrade Planned in Next 5 Years? NO Year:
Future Organic Design Capacity: lbs BOD5/day

Monthly Average Flows for Past Five Years (MGD)

Month	2014	2015	2016	2017	2018
January	0.66	0.486	0.559	0.82	0.691
February	0.42	0.35	0.835	0.731	0.85
March	0.69	0.905	0.642	0.692	0.64
April	0.87	1.15	0.713	0.839	0.766
May	0.86	0.444	0.455	0.689	0.614
June	0.79	0.616	0.458	0.559	0.473
July	0.56	0.637	0.283	0.392	0.462
August	0.8	0.438	0.392	0.278	0.444
September	0.42	0.444	0.301	0.282	0.585
October	0.49	0.521	0.528	0.392	0.669
November	0.52	0.545	0.41	0.77	0.865
December	0.68	0.831	0.644	0.462	0.751
Annual Avg	0.65	0.614	0.518	0.576	0.651
Max 3-Mo Avg	0.84	0.833	0.742	0.754	0.762
Max : Avg Ratio	1.29	1.36	1.43	1.31	1.17
Existing EDUs	1,233.0	1,233.0	1,233.0	1,233.0	1,240.5
Flow/EDU (GPD)	527.2	498.0	420.1	467.2	524.8
Flow/Capita (GPD)	150.6	142.3	120.0	133.5	149.9
Exist. Overload?	NO	NO	NO	NO	NO

Monthly Average BOD5 Loads for Past Five Years (lbs/day)

Month	2014	2015	2016	2017	2018
January	1,030	1,009	776	2,031	1,478
February	941	1,160	980	1,104	1,285
March	1,767	1,595	960	1,623	1,115
April	1,900	1,077	715	1,338	1,251
May	1,334	1,098	821	1,082	1,812
June	1,017	1,087	802	624	1,293
July	1,392	1,118	847	906	1,313
August	2,354	1,369	872	731	1,524
September	985	706	1,365	1,045	1,737
October	1,128	770	1,067	1,312	1,665
November	1,412	797	1,049	1,354	1,385
December	1,463	1,142	2,093	979	847
Annual Avg	1,394	1,077	1,029	1,177	1,392
Max Mo Avg	2,354	1,595	2,093	2,031	1,812
Max : Avg Ratio	1.69	1.48	2.03	1.72	1.30
Existing EDUs	1,233	1,233	1,233	1,233	1,241
Load/EDU	1.130	0.874	0.834	0.955	1.122
Load/Capita	0.323	0.250	0.238	0.273	0.321
Exist. Overload?	YES	NO	NO	NO	NO

Projected Flows for Next Five Years (MGD)

	2019	2020	2021	2022	2023
New EDUs	10.0	10.0	10.0	10.0	10.0
New EDU Flow	0.0049	0.0049	0.0049	0.0049	0.0049
Proj. Annual Avg	0.607	0.6119	0.6168	0.6217	0.6266
Proj. Max 3-Mo Avg	0.796	0.803	0.809	0.816	0.822
Proj. Overload?	NO	NO	NO	NO	NO

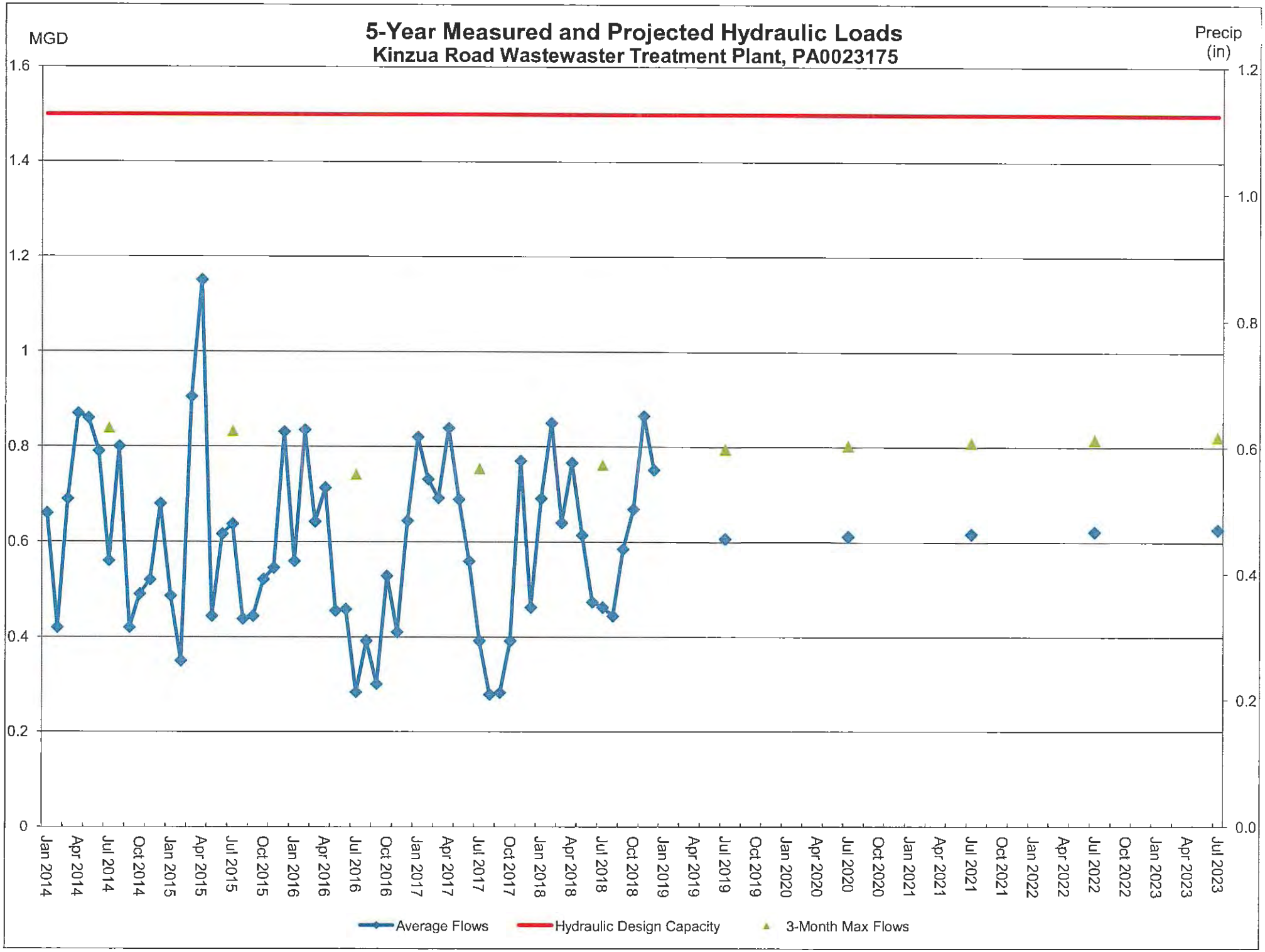
Projected BOD5 Loads for Next Five Years (lbs/day)

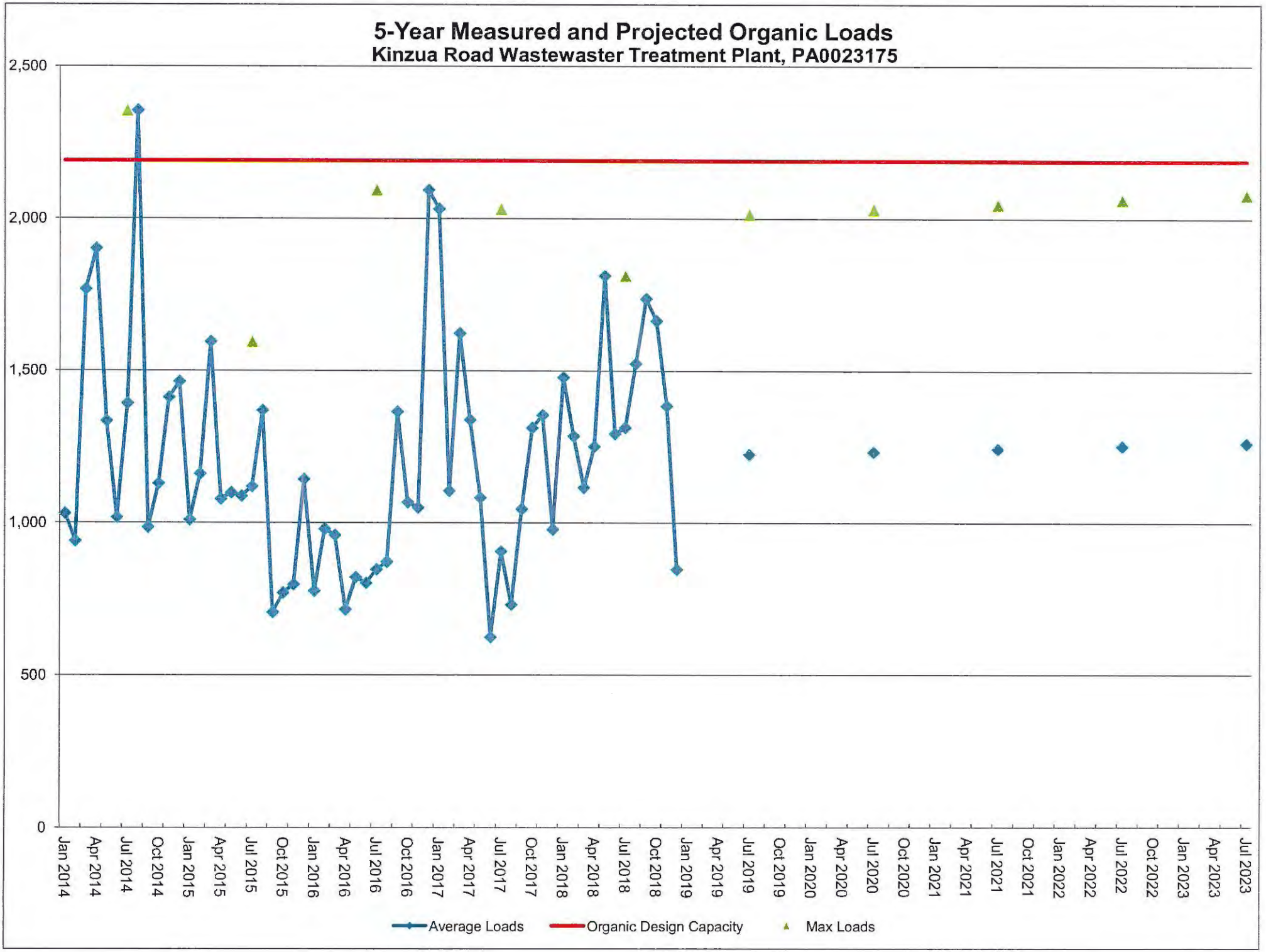
	2019	2020	2021	2022	2023
New EDUs	10	10	10	10	10
New EDU Load	9.831	9.831	9.831	9.831	9.831
Proj. Annual Avg	1,224	1,234	1,243	1,253	1,263
Proj. Max Avg	2,014	2,031	2,047	2,063	2,079
Proj. Overload?	NO	NO	NO	NO	NO

Show Precipitation Data on Hydraulic Graph?

Total Monthly Precipitation for Past Five Years (Inches)

Month	2014	2015	2016	2017	2018
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					


5-Year Measured and Projected Hydraulic Loads
Kinzua Road Wastewaster Treatment Plant, PA0023175
MGD
Precip (in)
1.6
1.4
1.2
1
0.8
0.6
0.4
0.2
0
1.2
1.0
0.8
0.6
0.4
0.2
0.0
Jan 2014
Apr 2014
Jul 2014
Oct 2014
Jan 2015
Apr 2015
Jul 2015
Oct 2015
Jan 2016
Apr 2016
Jul 2016
Oct 2016
Jan 2017
Apr 2017
Jul 2017
Oct 2017
Jan 2018
Apr 2018
Jul 2018
Oct 2018
Jan 2019
Apr 2019
Jul 2019
Oct 2019
Jan 2020
Apr 2020
Jul 2020
Oct 2020
Jan 2021
Apr 2021
Jul 2021
Oct 2021
Jan 2022
Apr 2022
Jul 2022
Oct 2022
Jan 2023
Apr 2023
Jul 2023
Average Flows
Hydraulic Design Capacity
3-Month Max Flows


5-Year Measured and Projected Organic Loads
Kinzua Road Wastewaster Treatment Plant, PA0023175
2,500
2,000
1,500
1,000
500
0
Jan 2014
Apr 2014
Jul 2014
Oct 2014
Jan 2015
Apr 2015
Jul 2015
Oct 2015
Jan 2016
Apr 2016
Jul 2016
Oct 2016
Jan 2017
Apr 2017
Jul 2017
Oct 2017
Jan 2018
Apr 2018
Jul 2018
Oct 2018
Jan 2019
Apr 2019
Jul 2019
Oct 2019
Jan 2020
Apr 2020
Jul 2020
Oct 2020
Jan 2021
Apr 2021
Jul 2021
Oct 2021
Jan 2022
Apr 2022
Jul 2022
Oct 2022
Jan 2023
Apr 2023
Jul 2023
Average Loads
Organic Design Capacity
Max Loads

ATTACHMENT 3

Sewer System Monitoring, Maintenance, Repair, and Rehabilitation

SEWER SYSTEM MONITORING, MAINTENANCE, REPAIR, AND REHABILITATION
In accordance with § 94.12(a)(5)

The Borough of Kane has an extensive sewer system program to maintain the integrity of both WWTPs and their tributary conveyance sewer systems. Various personnel help to monitor and maintain the systems. The following is a list of the certified operators responsible for the sanitary system.

- Philip G. Lingenfelter T4090
- Todd Meserole T2835
- Jason Giordano S17275

In an effort to understand the hydraulic and organic loading on the treatment facilities, grab samples of the influent wastewater are taken daily. Composite samples are taken twice a week using an Hach Sampler. The samples are taken at the headworks of the plant inside the Preliminary Treatment System (P.T.S.) Building. The samples are collected in a refrigerated composite sampler, carried to the lab and bottled. The samples are analyzed using the same approved methods as the effluent samples, which is critical in an effort to maintain quality assurance. Influent loading is calculated by using the following equation:

Loading = mg/L x 8.34 x Flow Rate

Quality assurance is provided by monitoring the WWTP and its operational performance. Various meters have been installed including gas detectors, a pH meter, a chlorine meter, a DO meter and flow meters. The Borough also owns portable flow meters which may be used if a permanent flow meter is functioning improperly. The Borough contracts with Tri-State Instruments for calibration of the meters. The flow meter calibration records are included in Attachment [7].

The Borough owns equipment for the operation, maintenance and repair of the sewer system. General heavy equipment used for maintenance of the system includes a 1996 Ford F150 pickup truck, a 2017 Ford F350 pickup truck, a front end loader (Street Department), and Vactor trucks (Street Department).

The sewer system program includes both routine and special activities. These activities include efforts to identify problems within the sewer system. The Borough conducts periodic televising to identify problems within the system. The Borough contracts the local Roto Rooter or Tim's Plumbing & Heating for camera work, Bio Blocks (odor control), and flushing. The Borough cleans manholes on an as needed basis that includes approximately 500 manholes. The

Borough staff utilizes a Vac Truck to clear any reported blockages in the system. In addition, smoke testing is utilized for problem identification, with use of a Borough-owned smoke machine. Repairs are made as necessary.

The Borough has also continued with identification of inflow and infiltration (I/I) sources within the collection system. The Borough has developed an ongoing I/I mitigation plan for Kinzua Road WWTP. This plan has two major components:

1. Continue to survey the collection system and identify sources of I/I.
2. Initiate a program to make minor repairs to remove sources of inflow.

The Borough of Kane has made additional arrangements with contractors for operation/maintenance/repair. They include the following:

1. Atlantic Eastern Electrical for major electrical work.
2. Walker Electric for major electrical work
3. Hickory Electric for residential grinder pump electrical work.
4. Allied Systems for heating.
5. Allied Systems for Backflow Preventer Testing.
6. SimplexGrinnell for fire alarms.
7. Keyless and Camera for pump station monitoring.

ATTACHMENT 4

Pumping Stations

PUMPING STATIONS
In accordance with § 94.12(a)(7)

There are a total of eight (8) pump stations used in the Borough of Kane service area (all located in Wetmore Township); six (6) of which convey sewage to the Pine Street WWTP and two (2) to the Kinzua Road WWTP. All pump stations are monitored weekly to verify proper operation. In 2010, seven (7) of the eight (8) pump stations were converted from standard telephone lines to radio frequency signals for remote communication.

The present maximum flow, maximum pumping rate, and projected two-year maximum flow for each pump station in the Kinzua Road WWTP conveyance system are shown in Table 1.

Table 1: Pumping Stations

Location	Present Max Flow (gpm)	Maximum Pumping Rate (gpm)	Projected 2-Year Maximum Flow (gpm)
Pond Street Pump Station	100	180	115
SR 321 Pump Station	30	80	35

The pumps utilized by the Borough include the following:

- K.S.B. Submersible Pumps
- PumpEx Submersible Pumps
- A.B.S. Submersible Pumps
- E-One Grinder Pumps
- Penn Valley Positive Displacement Pumps
- Portable Submersible Pumps
- 4" Whacker Pumps (2)

The Borough keeps spare grinder pumps available for residential replacement. Maintenance on grinder pumps is performed by Trombold Equipment Co.

ATTACHMENT 5

Industrial Waste

INDUSTRIAL WASTE

In accordance with § 94.12(a)(8)

There are no significant industries within the watershed for either WWTP in the Borough of Kane Authority service area. However, as part of everyday operations, the WWTP staff monitors the quality of the wastewater. If industrial waste flows are present, the Borough will identify them in grab and composite samples, or on their pH chart recorder. Any significant change in its characteristics that could be caused by a non-domestic source would trigger the implementation of the proper steps for tracing the contamination to the source and taking the proper steps for bringing the discharger into compliance with the existing sewer use ordinance adopted by the Borough on March 9, 1998.

ATTACHMENT 6

Sewage Sludge Management Inventory

SEWAGE SLUDGE MANAGEMENT INVENTORY

Sludge produced at both WWTPs is dewatered at the Kinzua Road WWTP. In addition, the Borough receives and processes sludge from the Kane Pennsylvania American Water Company plant. The WWTP maintains manifest forms on all sludge received at the Kinzua Road WWTP for processing. Sludge is disposed of at the Casella McKean County Landfill, Sergeant TWP, PA (Permit No. 100361). 36.65 dry tons of sludge was removed from the Kinzua Road WWTP in 2018.

Table 2: Sludge Inventory

Month	Dry Tons
January	-
February	-
March	-
April	-
May	5.64
June	18.89
July	5.97
August	3.03
September	3.11
October	-
November	-
December	-
Total	**36.65**

Solids Management (Sludge) Calculator

This worksheet calculates the expected sludge volume that should be produced by various treatment processes over a one-year period. Enter data into green cells - hit the Tab key to move between cells. Red cells are calculated.

Facility Name: **Kinzua Road WWTP** Permit No.: **PA0023175**

Enter Date *Enter Date*

Evaluation Period: **1/1/2018** to **12/31/2018**

Design Flow: **1.5** MGD Actual Annual Average Flow: **0.651** MGD

Type of Biological Treatment Process: **Sequencing Batch Reactor** Treatment Factor: **0.65**

Type of Digestion Process: **Aerobic Digestion, HDT= >30** Digestion Factor: **0.65**

Total Population Served by Treatment Plant: **2,727**

Average Annual Influent BOD5 Load (per Ch. 94 Report):	**1,392.0**	lbs/day	
Average Annual Influent BOD5 Load (Expected based on Population):	**463.6**	lbs/day	*(Population x 0.17)*
% of Influent BOD5 Load per Ch. 94 Report / Influent Load Expected:	**300.3%**		*(Influent Load per Ch. 94 Report / Influent Load based on Population)*
Average Annual Effluent Concentration of **CBOD5** :	**2.33**	mg/L	***Assume 2.796 mg/L BOD5***
Average Annual Pounds (lbs) of BOD5 Discharged:	**15.18**	lbs/day	*(Actual Flow x Effluent BOD5 Concentration x 8.34)*
Influent BOD5 Load per Person per Day (based on Ch. 94):	**0.510**		*(Influent BOD5 Load per Ch. 94 Report / Population - 0.17 to 0.22 is typical)*
Pounds of BOD5 Removed (based on Ch. 94):	**1,376.8**	lbs/day	*(Influent BOD5 Load per Ch. 94 Report - BOD5 Discharged)*
Pounds of BOD5 Removed (based on Population):	**448.4**	lbs/day	*(Influent BOD5 Load Expected based on Population - BOD5*
Sludge Removed from Treatment Plant (Previous Year):	**33.7** Dry Tons	=	**67,340** Dry lbs

Sludge Production and Wasting Calculations

Based on Chapter 94 Report		***Based on Population***	
1,376.8	BOD5 Removed / Day (lbs)	**448.4**	BOD5 Removed / Day (lbs)
X **0.65**	Treatment Factor	X **0.65**	Treatment Factor
894.93	Daily Solids Production (lbs)	**291.47**	Daily Solids Production (lbs)
X **0.65**	Digestion Factor	X **0.65**	Digestion Factor
581.71	Daily Digested Solids (lbs)	**189.45**	Daily Digested Solids (lbs)
X **365**	Days per Year	X **365**	Days per Year
212,323	Solids Generated / Year (lbs)	**69,150**	Solids Generated / Year (lbs)
- **67,340**	Solids Actually Wasted / Year (lbs)	**67,340**	Solids Actually Wasted / Year (lbs)
144,983	Difference (lbs)	***1,810***	Difference (lbs)
32%	% of Expected Volume Wasted *(85 - 115% is generally acceptable)*	**97%**	% of Expected Volume Wasted *(85 - 115% is generally acceptable)*
1.5%	Percent Solids of Wasted Solids	**18.0%**	Percent Solids of Removed Solids
1,697,225	Volume of Solids to Remove Annually (gallons)	**46,063**	Volume of Solids to Remove Annually (gallons)
- **538,289**	Volume of Solids Actually Removed Annually (gallons)	- **44,857**	Volume of Solids Actually Removed Annually (gallons)
1,158,935	Difference (gallons)	***1,206***	Difference (gallons)

ATTACHMENT 7

Flow Meter Calibration Certificate

ROBERT E. BECK
3657 W. 26TH STREET
ERIE, PA 16506
(814) 833-3261

TRI-STATE INSTRUMENTS

FOR ALL YOUR PROCESS CONTROL NEEDS!

CUSTOMER SERVICE INVOICE

INVOICE # 2777 DATE: 2/20/18

PERIOD OR DATE WORK PERFORMED: 1/29/18

CUSTOMER: KANE BOROUGH P.O.#:
112 BRADDOCK
KANE, PA 16735

JOB SITE: WWTP SITE 1+2

WORK DESCRIPTION: SEE ATTACHED

SERVICE REPRESENTATIVE: ROBERT E. BECK

TOTAL HOURS (REG.)	8.5	@ $80 PER HOUR	$ 680.00
TOTAL HOURS (O.T.)		@ PER HOUR	$
TOTAL PARTS			$
TOTAL MILES	202	@ .80 PER MILE	$ 161.60
EXPENSES (TOLLS, ROOM, MEALS)			$
SHIPPING OR MISCELLANEOUS			$
SALES TAX (EXEMPTION NO.)			$
TOTAL AMOUNT DUE			$ 841.60

TERMS: NET PAYABLE 30 DAYS

THANK YOU: Robert E Beck
ROBERT BECK

ROBERT E. BECK
3657 W. 26TH STREET
ERIE, PA 16506
(814) 833-3261

TRI-STATE INSTRUMENTS

FOR ALL YOUR PROCESS CONTROL NEEDS!

CUSTOMER SERVICE REPORT

CUSTOMER: BOROUGH OF KANE JOB SITE: WWTP SITE 1 & 2

P.O. #

INST. SER. NO.

INST. MODEL NO.

****

PARTS DESCRIPTION	PART NUMBER	QUANTITY	AMOUNT

WORK DESCRIPTION
CHECKED CAL OF RECORDERS, TOTALIZERS FLOWMETERS & PH METER @ BOTH SITES, ALL OK

PARTS TOTAL

TOTAL HRS (REG) 8.5 @ 80 PER HR 680.00
TOTAL HRS (O.T.) @ PER HR
TOTAL MILES 202 @ 1.81 PER MILE 161.60
EXPENSES (TOLLS, RM, MEALS)
SHIPPING OR MISCELLANEOUS
SALES TAX

TOTAL AMOUNT DUE $ 841.60

SERVICE REPRESENTATIVE: Robert E Beck
DATE WORK PERFORMED: 1/29/18
CUSTOMER VERIFICATION:

ATTACHMENT 8

CSO Report

BOROUGH OF KANE – PINE STREET WWTP

McKean County, Pennsylvania

Annual Combined Sewer Overflow Status Report
Operating Year 2018

1.0 Introduction

The Borough of Kane, Pine Street Wastewater Treatment Plant (WWTP) is operated under National Pollutant Discharge Elimination System (NPDES) Permit No. PA0023167. As required by the NPDES Permit, the Borough is required to submit an Annual Combined Sewer Overflow (CSO) Status Report to the Pennsylvania Department of Environmental Protection (PADEP) on March 31 of each year with the annual Municipal Wasteload Management Report required by 25 PA Code Chapter 94, Section 94.12. This report is intended to meet those requirements.

The Borough owns and maintains three (3) CSO outfalls which serve as combined sewer overflows necessitated by storm water entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. The permitted CSO outfalls and their locations are listed as follows:

- 001 – Pine Street WWTP
- 002 – Kinzua Road WWTP
- 003 – Bayard-Dawson

2.0 Summary of CSO Discharges for 2018

During the operating year 2018, CSO discharges occurred within the Borough of Kane – Pine Street WWTP combined sewer system. Each discharge is monitored for cause, frequency, duration and quantity of flow. The data is recorded and reported as an attachment to the monthly discharge monitoring report (DMR) using the Department-provided DMR for CSOs. Monitoring is performed in compliance with the requirements of the NPDES Permit. A summary of the total monthly and annual wet weather CSO discharges for each outfall is included in this Attachment.

3.0 Water Quality Impacts

CSOs contain untreated domestic, commercial and industrial wastes, as well as surface runoff. Thus, many different types of contaminants may be present in the discharges. Contaminants may include pathogens, oxygen-demanding pollutants, suspended solids, nutrients, toxics and floatable matter. The presence of such contaminants in CSOs can cause a variety of adverse impacts on the physical characteristics of surface water, impair the viability of aquatic habitats, and pose a potential threat to drinking water supplies.

4.0 Implementation of the Nine Minimum Controls

The Nine Minimum Controls (NMCs) are identified in the Environmental Protection Agency (EPA) CSO Control Policy as minimum technology-based controls that can be used to address CSO problems

without extensive engineering studies or significant construction costs, prior to the implementation of long-term control measures.

The Borough continues its efforts to implement the NMCs and these efforts are outlined as follows:

1. Proper operation and regular maintenance programs for the sewer system and the CSOs

   The intent of this control is to establish written procedures for CSO operation and maintenance (O&M) management activities throughout the entire collection system and to incorporate those procedures into a CSS Operation and Maintenance Program. Maintenance and repair of the sewer system is carried out under the supervision of the Wastewater Treatment Plant Supervisor. A portion of the Authority's efforts for this control involve regular inspection and maintenance of the CSOs.

2. Maximum use of the collection system for storage

   Maximum use of the collection system means making simple modifications to the CSS to enable the system to store more wet weather flows until downstream treatment facilities can handle them. The Authority's staff continuously monitors and inspects all the regulator structures. These inspections enable them to identify any physical deficiencies that restrict the use of the system's available storage capacity. The Authority also conducts inspections and cleaning of the collection system. The Authority makes every effort possible to maximize storage within the collection system. The regulator gates are set to achieve maximum storage.

3. Review and modification of pretreatment requirements to assure CSO impacts are minimized

   No heavy industries discharge into the sewer system. However, as part of everyday operations, the WWTP staff monitors the quality of the wastewater. If any industrial waste flows are present, the Borough will identify them in grab and composite samples, or on their pH chart recorder.

4. Maximization of flow to the publicly owned treatment works for treatment

   The intent of this control is to implement practices, procedures and minor modifications to the CSS and wastewater treatment plant to enable as much wet weather flow as possible to reach the treatment facilities for proper treatment. The Authority makes all efforts possible to maximize flow to the treatment plant. The regulator gates are adjusted as necessary to maximize this effort.

5. Prohibition of CSOs during dry weather

   This measure's intent in accordance with the "Guidance for Nine Minimum Controls" is to closely monitor overflows and implement all measures necessary to ensure that there are no

CSOs occurring during dry weather periods. In accordance with the CSS O&M Program, the Authority's staff conducts scheduled and non-scheduled inspections of all CSS facilities. Dry weather CSO discharges are prohibited, and none were experienced during the operating year 2018.

6. Control of solid and floatable materials in CSOs

   The intent of this measure is to reduce solids and floatables using relatively simple methods. The Pine Street WWTP regulator contains a screen which collects solids. The solids are then removed by Authority personnel. These efforts help to control solids and floatables in the CSO.

7. Pollution prevention

   The objective of this control is to reduce to the greatest extent possible the amount of contaminants that may enter the sewer system. The screens in the CSO regulators collect solids and floatables that make it into the sewer system. Authority personnel clean the regulators on a routine basis.

8. Public notification to ensure that the public receives adequate notification of CSO occurrences and CSO impacts

   The public should be notified of CSO occurrences and CSO impacts as they may cause harm, particularly in sensitive areas. Public notifications are reported in The Borough's newspaper; The Kane Republican. Public education is also initiated through Sewer Authority Meetings and Borough Council Meetings.

9. Monitoring to effectively characterize CSO impacts and the efficacy of CSO controls

   This control involves visual inspection or other simple methods to determine the occurrence and apparent impact of a CSO. The Borough has installed flow meters to monitor overflows at each outfall. Total daily rainfall is monitored using a rain gauge.

January-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	12-Jan	Rain/Snow Melt 2.99"	17.33	*4.25
002	Kinzua Road WWTP	11-Jan	Rain/Snow Melt 0.75"	11.25	1.932
		12-Jan	Rain/Snow Melt 2.24"	11.83	0.414
		23-Jan	Rain/Snow Melt 0.32"	0.66	0.007
003	Bayard - Dawson	11-Jan	Rain/Snow Melt 0.75"	11.25	U
		12-Jan	Rain/Snow Melt 2.24"	11.83	U

February-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	25-Feb	Rain/Snow Melt 0.59"	1	*3.7
002	Kinzua Road WWTP	25-Feb	Rain/Snow Melt 0.59"	1.25	**U
003	Bayard - Dawson	No Overflows Recorded			

** A loose sensor bracket caused erroneous readings problem repaired 2/28

March-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	1-Mar	Heavy Rain 1.79"	6.75	*4.20
002	Kinzua Road WWTP	1-Mar	Heavy Rain 1.79"	10.5	0.626
003	Bayard - Dawson	1-Mar	Heavy Rain 1.79"	10.5	U

April-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	4-Apr	Heavy Rain 0.50"	0.5	*3.9
		16-Apr	Heavy Rain 1.65"	3.75	4.1
002	Kinzua Road WWTP	4-Apr	Heavy Rain 0.50"	0.8	0.034
		16-Apr	Heavy Rain 1.65"	8.75	0.297
003	Bayard - Dawson	No Overflows Recorded			

May-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	12-May	Heavy Rain 2.09"	5.25	*4.25
		21-May	Heavy Rain 0.91	1.25	*4.05
002	Kinzua Road WWTP	12-May	Heavy Rain 2.09"	9.66	0.783
		19-May	Heavy Rain 0.44"	0.33	0.014
		22-May	Heavy Rain 0.61"	0.5	0.03
		31-May	Heavy Rain .72"	0.25	0.004
003	Bayard - Dawson	12-May	Heavy Rain 2.09"	9.66	U

June-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	18-Jun	Heavy Rain: 1.00"	15.33	*3.75
002	Kinzua Road WWTP	18-Jun	Heavy Rain: 0.96"	0.75	0.053
		24-Jun	Heavy Rain: 0.44"	0.165	0.003
		28-Jun	Heavy Rain: 1.01"	0.5	0.019
003	Bayard - Dawson	No Overflows Recorded			

July-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	5-Jul	Heavy Rain: 1.14"	1.75	0.112
002	Kinzua Road WWTP	5-Jul	Heavy Rain: 0.85"	4.25	0.504
		22-Jul	Heavy Rain: 1.6"	1.5	0.039
		25-Jul	Heavy Rain: 0.67"	0.33	0.017
003	Bayard - Dawson	No Overflows Recorded			

August-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	21-Aug	Heavy Rain: 1.93"	2.15	0.063
002	Kinzua Road WWTP	17-Aug	Heavy Rain: 0.41"	0.12	0.001
		21-Aug	Heavy Rain: 1.75"	4.83	0.365
		22-Aug	Heavy Rain: 0.60"	0.33	0.005
003	Bayard - Dawson	No Overflows Recorded			

September-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	10-Sep	Heavy Rain: 1.5"	2.75	0.175
002	Kinzua Road WWTP	10-Sep	Heavy Rain: 0.86"	5.6	0.422
		21-Sep	Heavy Rain: 0.46"	0.33	0.022
		26-Sep	Heavy Rain: 0.89"	1	0.012
003	Bayard - Dawson	10-Sep	Heavy Rain: 0.86"	5.6	U

October-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	6-Oct	Heavy Rain: 0.70"	1	0.044
		27-Oct	Heavy Rain: 1.74"	2.33	0.019
002	Kinzua Road WWTP	2-Oct	Heavy Rain: 0.97"	0.5	0.008
		4-Oct	Heavy Rain: 0.48"	0.75	0.029
		6-Oct	Heavy Rain: 0.76"	1.75	0.147
		27-Oct	Heavy Rain: 1.81"	6	0.201
003	Bayard - Dawson	27-Oct	Heavy Rain: 1.81"	6	U

November-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measured Flow (mg)
001	Pine Street WWTP	26-Nov	Heavy Rain/ Snow Melt: 0.83"	6.15	0.111
002	Kinzua Road WWTP	6-Nov	Heavy Rain: 0.66"	1.25	0.013
		26-Nov	Heavy Rain/Snow Melt: 0.83"	8.75	0.349
003	Bayard - Dawson	26-Nov	Heavy Rain/ Snow Melt: 0.83"	8.75	U

December-18					
Outfall Number	Location	Date	Cause	Duration (hours)	Measuerd Flow (mg)
001	Pine 5treet WWTP	21-Dec	Snow Melt/Heavy Rain: 1.48"	0.75	0.007
		31-Dec	5now Melt/Heavy Rain: 1.12"	1.75	0.073
002	Kinzua Road WWTP	21-Dec	Snow Melt/Heavy Rain: 1.48"	2.5	0.076
		31-Dec	Snow Melt/Heavy Rain: 1.12"	4	0.19
003	Bayard - Dawson	31-Dec	Snow Melt/Heavy Rain: 1.12"	4	U

U= Unmeasured

*Peak flow through PTS was recorded above. Overflow is blended in cCT, discharged w/001. The Sigma flow meter was malfunctioning during overflow events and was replaced in July 2018.

ATTACHMENT 9

Organic Overload Explanation Letter

KLH

September 3, 2015
Ref. No. 242-02

Mr. Eric Kicher
Water Quality Specialist Supervisor
Clean Water Program
The Pennsylvania Department of Environmental Protection
230 Chestnut Street
Meadville, PA 16335

Annual Chapter 94 Wasteload Management Report
Organic Overload Corrective Action Plan and Schedule
Kane Borough Kina Road WWTP
NPDES Permit # PA0023175

Mr. Kicher,

Please accept this letter and the attached as the Kane Borough Authority's written Corrective Action Plan and Schedule to address the reported organic overload documented in the 2014 Chapter 94 Annual Wasteload Management Report for the Kinzua Road WWTP.

KLH Engineers Inc. prepared the 2014 Chapter 94 Wasteload Management Report for the Kane Borough Authority's Kinzua Road Sewage Treatment Plant. During the preparation of the Ch 94 report we noticed the loading data for the month of August 2014 at the Kinzua Road WWTP exceeded the existing organic design capacity of 2,189 lbs BOD5/day monthly average for the system.

A review of the data for August 2014 identified high BOD5 influent loads on three separate dates. Please see the attached Kinzua WWTP August 2014 Influent Summary and the 2014 Chapter 94 Spreadsheet. The observed concentrations of influent BOD5 on August 4, August 11 and August 13 all exceeded 345 mg/l, with flows exceeding 1.2 MGD. The highest concentration of 493 mg/l observed on August 13, 2014 at an influent flow of 1.301 MGD. It should be noted that on each day that an organic overload condition was indicated during August 2014 the effluent testing indicates the Kinzua WWTP was in compliance with the NPDES Permit limits for CBOD5, TSS and NH3-N. This can be seen on the attached supplemental effluent report form submitted with the August 2014 DMR reports.

A review of these concentrations and the associated lbs/day influent loadings of BOD5 indicate influent BOD5 loadings that are not supportable by the population of Kane Borough. The Kane Borough Authority serves an approximate population of 3,700 persons. The Borough utilizes two wastewater treatment plants to meet their sewage treatment requirements. The plants are of equal size and each serves approximately half of the Borough's population or approximately 1850 persons. Assuming the maximum BOD5 loading per PADEP's wastewater facilities Design Manual (0.22 lbs/day/capita BOD5) was observed at the Kinzua Road STP it would take a population of 24,313 persons to generate the BOD5 loading of 5,349 lbs/day calculated for August 13, 2014. For this reason we began to investigate the sampling procedures and techniques utilized to collect the August 2014 influent samples.

Utilizing the Borough's current population estimates and PADEP Loading criteria estimates for BOD5, the organic loading expected at the Kinzua Road WWTP is:

1,850 persons x 0.22 lbs BOD5/Day/Capita = 407 lbs/day BOD5

It is therefore proposed that the August 2014 calculated BOD5 loading and the tested influent BOD5 concentrations which indicate that an organic overload exists at the Kinzua WWTP are a misrepresentation of the actual influent loadings at the Kinzua WWTP.

Upon receiving the PADEP notice on June 5, 2015 a review of the influent sampling procedures, equipment, and sampling location was undertaken. Problems with the influent sampling were identified during this review. The primary problem identified in the influent sampling was the location of the influent sampler intake tubing. The intake tubing which was originally suspended in the middle of the influent flow stream was found to be on the bottom of the influent trough in a thick layer of septic/anoxic sludge. It was further determined that the sampler was drawing heavy solids not representative of typical domestic sewage suspended solids levels into the sampler causing the addition of BOD5 loading that was neither representative or indicative of the actual influent sewage. This condition was corrected by plant operations and maintenance personnel in mid June 2015. We believe accurate sampling of the influent sewage flow moving forward will be more representative of actual influent BOD and TSS loadings and that these numbers will be more in line with realistic guidelines and planning estimates. I have attached the supplemental influent and process control reports for the Kinzua WWTP for the months of June 2014 and July 2014. Both months indicate much more realistic concentrations for BOD5 after the sampler intake tubing was corrected. The concentration monthly averages for BOD5 for June 2015 and July 2015 were measured as 207 mg/l and 230 mg/l respectively.

To comply with PADEP rules regarding reported organic overloads, we are proposing to eliminate all new connections to the sanitary sewer system of the Kinzua WWTP for 2015, and continue to closely monitor the WWTP influent sampling and the associated BOD5 and TSS concentrations and loadings for 2015. We believe with proper influent sampling that the perceived Organic Overload will be determined to be a result of misrepresentative influent samples. We expect the WWTP to be in full compliance with the requirements of Chapter 94 both hydraulically and organically for the remainder of 2015

If the WWTP does not experience an organic overload during the remainder of 2015 and the WWTP is in full compliance with the discharge limitations of the NPDES Permit then the Borough will submit to the PADEP for removal of the imposed tap restriction at the Kinzua WWTP.

If there is an organic overload during the remainder of 2015 that results in effluent violations, the Borough will move to complete system improvements in order to expand the treatment capacity of the WWTP to eliminate the organic overload condition.

Your letter also asked to identify any specific maintenance and I&I projects that were completed during 2014 for the Kinzua WWTP system. There were no specific non-routine maintenance items or I&I projects completed during 2014.

I have attached for your review the Borough's Sewer Use Ordinance (pertaining to industrial waste) as requested. The full Sewer Use Ordinance as well as the Boroughs Rules and Regulations for sewer service are available on the Boroughs website: www.kinzuawwtp.org .

I hope this Corrective Action Plan and the supporting documentation meets with the Departments approval.

If you have any questions please feel free to contact me directly at (412)-494-0510, extension 116.

Sincerely,

KLH ENGINEERS, INC.

Michael C. Sherrieb

Encls.

Cc: Christine Nagy, PADEP Compliance Section, w/ enclosures
Don Payne, Manager, Kane Borough, w/ enclosures
Phil Lingenfelter, Chief Operator, Kane Borough, w/ enclosures
Craig J. Bauer, P.E. KLH Engineers, Inc., w/o enclosures

Kinzua WWTP August 2014 Influent Summary:

	Flow MGD	TSS (mg/l)	TSS (lb/day)	BOD5 (mg/l)	BOD5 (lb/day)
8/4/2014	1.245	708	7351.38	367	3810.67
8/6/2014	0.889	204	1512.51	166	1230.77
8/11/2014	1.409	620	7285.66	347	4077.62
8/13/2014	1.301	258	2799.39	493	5349.22
8/18/2014	0.642	320	1713.37	286	1531.32
8/20/2014	0.558	316	1470.58	325	1512.46
8/25/2014	0.477	404	1607.18	213	847.35
8/27/2014	0.499	500	2080.83	110	457.78
Avg.		**416.25**	**3227.61**	**288.38**	**2352.15**

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PADEP Chapter 94 Spread
Sewage Treatment P

Reporting Year: 2014

Facility Name: Kinzua Road Wastewater Treatment Plant

Permit No.: PA0023175

Persons/EDU: 3.5

Existing Hydraulic Design Capacity: 1.6 MGD

Upgrade Planned in Next 5 Years? Year: 2014

Future Hydraulic Design Capacity: MGD

Existing Organic Design Capacity: 3,189 lbs BOD5/day

Upgrade Planned in Next 5 Years? Year: 2014

Future Organic Design Capacity: lbs BOD5/day

Monthly Average Flows for Past Five Years (MGD)

Month	2010	2011	2012	2013	2014
January	0.632	0.47081	0.778	0.69755	0.66
February	0.338	0.64244	0.515	0.44271	0.42
March	0.646	1.261	0.618	0.62184	0.69
April	0.351	1.3838	0.344	0.739	0.87
May	0.443	0.94794	0.568	0.46319	0.86
June	0.387	0.43407	0.374	0.61417	0.79
July	0.356	0.266	0.344	0.459	0.56
August	0.375	0.42745	0.374	0.41761	0.8
September	0.359	0.40863	0.367	0.37467	0.42
October	0.456	0.74342	0.45	0.44945	0.49
November	0.583	0.62127	0.431	0.60657	0.52
December	0.668	0.69339	0.736	0.74661	0.68
Annual Avg	0.478	0.6072536	0.49	0.5526977	0.65
Max 3-Mo Avg	0.606	1.19317849	0.698	0.62540089	0.84
Max / Avg Ratio	1.25	1.71	1.42	1.13	1.29
Existing EDUs	1,225.0	1,225.0	1,233.0	1,233.0	1,233.0
Flow/EDU (GPD)	388.6	589.5	397.4	448.3	527.2
Flow/Capita (GPD)	111.0	162.6	113.5	128.1	150.6
Exist. Overload?	NO	NO	NO	NO	NO

Monthly Average BOD5 Loads for Past Five Years (lbs/day)

Month	2010	2011	2012	2013	2014
January	880	715	939	1,287	1,030
February	709	896	1,383	776	941
March	1,039	632	1,327	1,137	1,767
April	623	905	804	673	1,900
May	701	905	999	687	1,334
June	952	730	1,069	1,040	1,017
July	1,170	954	1,196	1,687	1,392
August	905	903	1,131	1,597	2,354
September	1,126	1,125	1,070	2,147	986
October	1,304	1,863	1,122	2,199	1,128
November	1,183	1,110	1,366	1,442	1,412
December	1,054	902	1,653	1,345	1,463
Annual Avg	990	954	1,171	1,335	1,384
Max Mo Avg	1,394	1,663	1,653	2,199	2,354
Max / Avg Ratio	1.41	1.74	1.41	1.65	1.70
Existing EDUs	1,225	1,225	1,233	1,233	1,233
Load/EDU	0.804	0.779	0.950	1.083	1.120
Load/Capita	0.230	0.222	0.271	0.309	0.320
Exist. Overload?	NO	NO	NO	YES	YES

Projected Flows for Next Five Years (MGD)

	2015	2016	2017	2018	2019
New EDUs	10.0	10.0	10.0	10.0	10.0
New EDU Flow	0.0047	0.0047	0.0047	0.0047	0.0047
Proj. Annual Avg	0.57789	0.58259	0.58729	0.59199	0.59669
Proj. Max 3-Mo Avg	0.78704	0.79344	0.79985	0.80625	0.81265
Proj. Overload?	NO	NO	NO	NO	NO

Projected BOD5 Loads for Next Five Years (lbs/day)

	2015	2016	2017	2018	2019
New EDUs	10	10	10	10	10
New EDU Load	9.492	9.492	9.492	9.492	9.492
Proj. Annual Avg	1,177	1,187	1,196	1,206	1,215
Proj. Max Avg	1,561	1,576	1,591	1,606	1,621
Proj. Overload?	NO	NO	NO	NO	NO

Show Precipitation Data on Hydraulic Graph?

Total Monthly Precipitation for Past Five Years (Inches)

Month	2010	2011	2012	2013	2014
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					

pennsylvania

3800-FM-BPNPSM0435 3/2012

SUPPLEMENTAL REPORT
DAILY EFFLUENT MONITORING

Facility Name: Kinzua Road WWTP-Kane Borough
Municipality: Wetmore TWP
County: McKean
Watershed: 16-B
Laboratories: ML Research, In-House

Month: 8 (select number)
Year: 2014
Permit No.: PA0023175
Outfall: 001
Renewal application due 180 days prior to expiration.
This permit will expire on: March 31, 2015

Parameter			Flow	Fecal Coliform		CBOD5		TSS		NH3-N		pH	Dissolved Oxygen		TRC	
Stage			1	1		1		1		1		1	1		1	
Week	Day	Date	MGD	Q	CFU/100 ml	Q	mg/L	Q	mg/L	Q	mg/L	Q	S.U.	Q	mg/L	Q	mg/L
	Fri	8/1/14	0.468										6.95		7.59		0.02
	Sat	8/2/14	1.568										7.03		7.78		0.02
1	Sun	8/3/14	1.779										6.78		8.21		0.04
	Mon	8/4/14	1.245			<	2.4		4.0	<	0.5		6.66		7.5		0.02
	Tue	8/5/14	1.016		688.0								6.71		8.1		0.02
	Wed	8/6/14	0.880			<	2.0		3.0	<	0.5		6.74		7.98		0.05
	Thu	8/7/14	0.755		199.0								6.6		6.75	<	0.02
	Fri	8/8/14	0.707										6.63		6.63		0.02
	Sat	8/9/14	0.594										6.7		7.22		0.03
2	Sun	8/10/14	0.566										6.64		6.42		0.04
	Mon	8/11/14	1.409				2.0		2.67	<	0.5		6.66		6.31	<	0.02
	Tue	8/12/14	1.975		291.0								6.51		6.61		0.02
	Wed	8/13/14	1.381				3.0	<	2.0	<	0.5		6.67		7.03	<	0.02
	Thu	8/14/14	0.893		1733.0								6.67		7.45	<	0.02
	Fri	8/15/14	0.739										6.61		7.19		0.02
	Sat	8/16/14	0.775										6.61		6.8	<	0.02
3	Sun	8/17/14	0.687										6.58		7.27	<	0.02
	Mon	8/18/14	0.642				8.0		2.67	<	0.5		6.59		6.81	<	0.02
	Tue	8/19/14	0.588		368.0								6.55		6.11		0.02
	Wed	8/20/14	0.556				10.0	<	2.0	<	0.5		6.63		6.48		0.03
	Thu	8/21/14	0.581		57.0								6.61		6.55		0.02
	Fri	8/22/14	0.561										6.74		8.62		0.02
	Sat	8/23/14	0.523										6.79		7.2		0.03
4	Sun	8/24/14	0.482										6.86		7.6		0.03
	Mon	8/25/14	0.477				6.1		3.33	<	0.5		6.88		7.83		0.02
	Tue	8/26/14	0.468		328.0								6.78		7.43		0.02
	Wed	8/27/14	0.400				9.0	<	2.0	<	0.5		6.77		7.02		0.02
	Thu	8/28/14	0.477		150.0								6.89		7.5		0.03
	Fri	8/29/14	0.36										6.92		8.08		0.04
	Sat	8/30/14	0.431										6.72		8.0	<	0.02
5	Sun	8/31/14	0.653										6.89		7.03		0.03
Statistics for DMR																	
Daily Minimum (Conc.)					57	<	2	<	2	<	0.5		6.51		6	<	0.02
Daily Maximum (Conc.)					1733		10		4	<	0.5		7.03		8.62		0.05
Max Avg Weekly (Conc.)							9		3.5	<	0.5				7.48	<	0.03
Avg Monthly (Conc.)						<	5	<	3	<	0.5				7.2	<	0.02
Geometric Mean (Conc.)					298												
Max Avg Weekly (Load)			1.094				45		32	<	6				64	<	0.2
Avg Monthly (Load)			0.795			<	31	<	20	<	4				48	<	0.2
Total Monthly (Load)			24.656			<	957	<	628	<	113				1484	<	5
Daily Minimum (Load)			0.35			<	15	<	8	<	2				22	<	0.07
Daily Maximum (Load)			1.975				47		42	<	6				122		0.6

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. See 18 Pa. C.S. § 4904 (relating to unsworn falsification).

Prepared By: Philip Lingenfelter
Title: WWTP Foreman
License No.: T 4090
Date: 9/18/2014

Average Weekly Statistics												
Week 1 (Conc)				<	2.2		3.5	<	0.5		7.48	< 0.03
Week 2 (Conc)					2.5	<	2.34	<	0.5		6.83	< 0.02
Week 3 (Conc)					9	<	2.34	<	0.5		7.01	< 0.02
Week 4 (Conc)					7.6	<	2.67	<	0.5		7.35	< 0.03
Week 5 (Conc)												
Week 1 (Load)	0.909			<	10.0		31.89	<	4.4		63.5	< 0.2
Week 2 (Load)	1.094				28	<	26.54	<	5.7		81.9	< 0.2
Week 3 (Load)	0.591				44.7	<	11.8	<	2.5		34.5	< 0.1
Week 4 (Load)	0.455				30.9	<	10.78	<	2		27.9	< 0.1
Week 5 (Load)												

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SUPPLEMENTAL REPORT - INFLUENT & PROCESS CONTROL

3800-FM-BPNPSM0436 3/2012

Facility Name: Kane Borough Kinzua Road WWTP
Municipality: Wetmore Twp County: McKean
Watershed: 16-B

Month: June Year: 2015
NPDES Permit No.: PA0023175
Renewal application due 180 days prior to expiration.
This permit will expire on: March 31, 2015

	Influent					Process Control				
Day	Flow (MGD)	BOD_5 (mg/l)	BOD_5 (lbs)	TSS (mg/l)	TSS (lbs)	Aeration MLSS (mg/l)	Aeration DO (mg/l)	Sludge Wasted (gallons)		
1	0.477	246.0	979	390.0	1,551					
2	0.401									
3	0.386	156.0	502	354.0	1,140					
4	0.387									
5	0.464									
6	0.41									
7	0.362									
8	0.543	226.0	1,023	464.0	2,101					
9	0.869									
10	0.572	218.0	1,040	230.0	1,097					
11	0.332									
12	0.54									
13	0.407									
14	0.975									
15	0.504	100.0	420	212.0	891					
16	1.031									
17	0.561	171.0	800	316.0	1,478					
18	0.606									
19	0.658									
20	0.653									
21	0.471									
22	0.763	325.0	2,068	552.0	3,513					
23	0.756									
24	0.579	224.0	1,082	287.0	1,386					
25	0.499									
26	0.477									
27	1.164									
28	0.884									
29	0.874	242.0	1,764	444.0	3,236					
30	0.881	162.0	1,190	240.0	1,763					
31										
Avg	0.616	207	1,087	349	1,816					
Max	1.164	325	2,068	552	3,513					

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. See Pa. C.S. § 4904 (relating to unsworn falsification).

Prepared By: _____ License No.: _____
Title: _____ Date: _____

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SUPPLEMENTAL REPORT - INFLUENT & PROCESS CONTROL

3800-FM-BPNPSM0436 3/2012

Facility Name: Kane Borough Kinzua Road WWTP
Municipality: Wetmore Twp County: McKean
Watershed: 16-B

Month: July Year: 2015
NPDES Permit No.: PA0023175
Renewal application due 180 days prior to expiration.
This permit will expire on: March 31, 2015

	Influent					Process Control				
Day	Flow (MGD)	BOD_5 (mg/l)	BOD_5 (lbs)	TSS (mg/l)	TSS (lbs)	Aeration MLSS (mg/l)	Aeration DO (mg/l)	Sludge Wasted (gallons)		
1	0.838									
2	0.629									
3	0.69									
4	0.654									
5	0.565									
6	0.596	271.0	1,347	376.0	1,869					
7	1.196									
8	0.693	145.0	838	421.0	2,433					
9	0.749									
10	0.7									
11	0.644									
12	0.608									
13	0.672	298.0	1,670	501.0	2,808					
14	1.151									
15	0.83	77.0	533	122.0	845					
16	0.593									
17	0.638									
18	0.628									
19	0.604									
20	0.61	210.0	1,068	274.0	1,394					
21	0.562									
22	0.483	134.0	540	278.0	1,120					
23	0.464									
24	0.5									
25	0.463									
26	0.538									
27	0.41	333.0	1,139	482.0	1,648					
28	0.467									
29	0.581	374.0	1,812	1,010.0	4,894					
30	0.47									
31	0.523									
Avg	0.637	230	1,118	433	2,126					
Max	1.196	374	1,812	1,010	4,894					

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. See Pa. C.S. § 4904 (relating to unsworn falsification).

Prepared By: _____ License No.: _____
Title: _____ Date: _____

Article III: Industrial Waste Rules and Regulations

[Adopted 1-9-1980 by Ord. No. A 869]

§ 205-15 Definitions.

A. As used in this article, the following terms shall have the meanings indicated:

ABNORMAL WASTES

Any waste having a suspended solids content or BOD in excess of that normally found in municipal sewage. For the purpose of this article, a waste containing more than 250 mg/l of suspended solids, or having a BOD in excess of 250 mg/l, shall be considered abnormal waste.

ACT or THE ACT

The Federal Water Pollution Control Act, also known as the "Clean Water Act," as amended.

AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER

An authorized representative of industrial user may be:

(1) A principal executive officer of at least the level of vice president if the industrial user is a corporation;

(2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or

(3) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the discharge originates.

BIOCHEMICAL OXIDATION DEMAND (BOD)

The quantity of the oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure after five days at 20° C., expressed in milligrams per liter (mg/l).

BOROUGH

The Borough of Kane, County of McKean, Kane, Pennsylvania.

BOROUGH ENGINEER

The firm of Hill Engineering, Inc., of North East Pennsylvania, or such other engineering firm or engineer as may at the time be duly appointed by the borough.

BUILDING SEWER

The private sewer between a point five feet outside the exterior wall of an occupied building and the service tap provided at the public sanitary sewer and all private extensions thereof.

CATEGORICAL STANDARDS or NATIONAL CATEGORICAL PRETREATMENT STANDARDS

Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with § 307(b) and (c) of the Act which applies to a specific category of industrial users.

CONTAMINATE

To change the characteristics of the waste to the extent that normal POTW effluent, sludge, and/or gaseous emissions qualities are no longer acceptable for discharge or cause interference with normal POTW processes or performance.

COUNCIL

The Borough Council of the Borough of Kane.

DISCHARGE

The introduction of nondomestic pollutants from any source into the POTW.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

The U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the administrator of said agency.

EQUALIZATION

The on-site storage of wastewaters and the controlled rate of discharge of the same to the public system.

GARBAGE

Solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

INDUSTRIAL USER

A source of discharge to the POTW.

INDUSTRIAL WASTE

The liquid waste streams from industrial manufacturing, trade, or commercial business processes as distinct from sanitary sewage.

INTERFERENCE

The inhibition or disruption of the POTW treatment processes or operations which causes or significantly contributes to a violation of a requirement of the borough's NPDES permit (including an increase in the magnitude or duration of a violation). The term includes prevention of sewage sludge use or disposal by the POTW in accordance with § 405 of the Act, or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria applicable to the method of disposal or use employed by the POTW.

MANAGER

The chief administrative officer of the borough responsible for local administration of Council regulations.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM or NPDES PERMIT

A permit issued pursuant to § 402 of the Act.

OCCUPIED BUILDING

Any structure erected and intended for continuous or intermittent habitation, occupancy or use by human beings or animals and from which structure, as a result of such occupancy, sanitary sewage and/or industrial wastes may be discharged.

PERMIT

Any contract or agreement between the borough and the user of the POTW which establishes allowable limits and source specific regulations developed from the general requirements defined herein.

PERSON

Any individual, partnership, copartnership, firm, company, corporation, association, or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

pH

The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in equivalent moles per liter of solution.

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged to the POTW.

POLLUTION

The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

POTW PRETREATMENT PROGRAM

That program described in the U.S. Environmental Protection Agency's General Pretreatment Regulations (40 CFR 403).

PRETREATMENT or TREATMENT

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to discharging to the POTW.

PUBLICLY OWNED TREATMENT WORKS (POTW)

A treatment works as defined by § 212 of the Act, which is owned and/or operated by the borough. This definition includes any publicly owned sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to the facility providing treatment. For the purposes of this article, "POTW" shall also include publicly owned sewers that convey wastewaters to the POTW from persons outside the Borough of Kane who are by contract, or agreement, users of the POTW.

SLUG

Any discharge of water, sewage, industrial waste, or combination thereof, which in concentration of any given constituent or quantity of flow exceeds, for any period of duration longer than 15 minutes, more than five times the average strength or flow rate during normal operations.

STANDARD INDUSTRIAL CLASSIFICATION (SIC)

A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget 1972.

STATE

Commonwealth of Pennsylvania.

STORMWATER

Any flow occurring during or following any form of natural precipitation and resulting therefrom.

SUSPENDED SOLIDS

The suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering according to standard approved methods.

UPSET

An exceptional incident in which a user unintentionally and temporarily is in a state of noncompliance with the standards set forth hereto due to factors beyond the reasonable control of the user, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

USER

Any person who contributes, causes or permits the contribution of wastewater into the borough's POTW.

WASTEWATER

The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water and stormwater which is permitted to enter the POTW.

WATERS OF THE STATE

All streams, lakes, ponds, marshes, watercourses, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

TOWNSHIP

The Township of Wetmore, Pennsylvania, agencies thereof or other municipal jurisdictions on a regional basis who utilize public sewer/treatment facilities of the borough, now or in the future, are required to adopt, administer and enforce general sewer use regulations and industrial waste regulations comparable to those now or hereinafter in effect in the borough.

B. Shall is mandatory; may is permissive.

§ 205-16 Industrial user requirements.

A. Application. Subject to the availability of reserve POTW capacities for industrial waste use, proposals to discharge industrial wastes to the public sewers at Kane shall be reviewed pursuant to the provisions of these industrial waste rules and regulations hereinafter referred to as the "regulation." The potential benefits of treating certain compatible industrial wastes in combination with domestic wastes are well documented. The borough's public sewer system customer base is primarily residential, however, and no industrial wastes are to be discharged to the public sewers on and after the effective date of this regulation without due process. Such processes and procedures prerequisite to discharge of any industrial waste or abnormal waste, as distinct, involve service of written notice of request to discharge to the POTW by the industrial user to the borough. On receipt of such written notice, the borough shall advise the authorized representative of the industrial user of data required to facilitate municipal review of the potential to receive such industrial wastes with or without pretreatment and/or equalization by the industrial user and the impacts to result therefrom. All such data required by the borough including, but not necessarily limited to, Standard Industrial Classification (SIC), description of the process(es) producing the industrial waste, quantification of the volume of wastes involved, and independent laboratory analyses to confirm quantitative chemical composition of the industrial waste stream, shall be acquired by and at the sole expense of the industry proposing to discharge and filed with subsequent application for permit to discharge.

(1) On and after the effective date of this regulation, a special industrial waste discharge permit is required for all industrial establishments discharging or proposing to discharge industrial process wastewaters to the public sanitary sewer system. No industrial waste may be discharged to the public sewer system unless an industrial waste discharge permit has been duly issued by the borough. Specifically, no industrial establishment shall discharge industrial wastes to the public system of sanitary sewers until written application for a permit to discharge industrial wastes has been filed with and duly approved by the Borough Council and permit/conditional discharge agreement has been issued and duly executed between the borough and the industrial user's authorized representative.

(2) Applications for an industrial waste discharge permit shall be in typewritten form and shall contain the following information as a minimum:

(a) Name of owner.

(b) Name and address of industrial facility producing the wastes and SIC designation(s).

(c) Description of process(es) producing the waste stream.

(d) Plot plan to scaled dimensions showing on-site plumbing in relation to process facilities and proposed connection to public sanitary sewer system.

(e) Volume, constituents, and chemical characteristics of the proposed waste including average daily volume and peak rates of flow to the public system. All wastewater characteristics shall be established by independent laboratory analyses conducted in accordance with Standard Methods procedures.

(f) Detailed plan and mode of operation to be employed to prevent accidental spills or discharge of prohibited materials including elimination of or protection of potential entry points under a Preparedness, Prevention and Contingency (PPC) Plan to be adopted, implemented and practiced by the industry.

(3) To expedite permit review/approval, industrial users are encouraged to coordinate development of application data with the borough's consulting engineers. Upon review of the application, the borough may request additional information or approve or disapprove the application. All borough decisions will be forwarded to the applicant in writing. Where borough refusal of permit request is indicated, an explanation of the conditions leading to such decision will be given the applicant, as well as an opportunity for the applicant to file additional data for borough review and/or to request a hearing before the Borough Council, provided that written request for a hearing is filed by the applicant/industry within 30 days of the date of decision notice as issued by the borough. Any disagreements between the borough and any industrial user which cannot be resolved locally to the satisfaction of either party may be referred to the Pennsylvania Department of Environmental Resources for review.

(4)

Upon receipt of adequate waste stream documentation, the borough, with the advice of its consulting engineers, shall notify the industrial establishment of borough decision to:

(a) Reject the waste discharge.

(b) Conditionally allow the waste discharge as proposed.

(c) Conditionally allow the waste discharge subject to on-site rate of flow control (equalization), monitoring, and/or pretreatment by and at the industrial user's expense.

(5) Borough Council decisions to approve any application for industrial waste discharge(s) are directly dependent on numerous factors, including but not necessarily limited to reliable, comprehensive, and timely documentation of waste characteristics by the industrial purveyor; determinations by the borough that such wastes, with or without pretreatment and/or flow equalization, are amenable to treatment in combination with domestic wastes at the receiving POTW; that adequate surplus capacities are available in the public sanitary sewer system or that the permittee will pay the capital value of required POTW additions; and that the waste purveyor is a reliable entity prepared to acquire on-site monitoring or other facilities at its expense and pay its fair share of public sewer system operating and maintenance costs. Additionally, wastes or establishments falling within categorical standards as now or hereinafter promulgated by the U.S. Environmental Protection Agency under 40 CFR 403 or statewide pretreatment regulations as may be developed by the State of Pennsylvania will require the purveyor of the proposed industrial waste to comply with all such federal/state regulations and procedures prior to discharge to the borough's public sanitary sewer system. Compliance with such federal/state regulations will be viewed as a prerequisite to borough action to authorize any industrial waste discharge from establishments subject to categorical pretreatment standards. All such compliance actions including, but not necessarily limited to, baseline reports, schedule development, design and construction of pretreatment facilities, etc., will be accomplished by and at the sole expense of the industry and without cost or obligation whatsoever unto the borough.

B. Authorization. In any instance where the borough allows an industrial waste discharge, such authorization for discharge will he issued in the form of a conditional discharge agreement drawn by the borough with the advice of its solicitor and consulting engineers and executed by the purveyor of the industrial waste and the borough. The conditional aspect of any such industrial waste discharge agreement(s) shall reserve solely unto the borough the right to terminate the offering of public sewer service to the industrial establishment at any time upon determination of just cause and with reasonable advance notice of intent to terminate.

(1) By such agreement(s), the industrial discharger shall assume the full burden and responsibility of and pay all costs related to acquisition of regulatory agency support approvals, on-site pretreatment and/or flow monitoring/regulating (equalization) facilities, independent laboratory sampling, testing, and analyses services, source composite sampling/testing equipment and systems, Preparedness, Prevention and Contingency (PPC) Plan development and administration, and related features or facilities as may be required by the borough or any state/federal agency of jurisdiction. In addition, but not necessarily limited hereto, agreement(s) for conditional discharge of industrial wastes shall set sewer service charges and may impose special capital contribution levies to be paid by the industrial user. Special capital contribution levies, if any, against industrial establishments connecting after the effective date of this regulation shall, subject to final determination by the borough, be equivalent to the proportional principal amount of debt redemption prepaid by the borough on the POTW capacity component to be now obligated to and assumed by the industrial discharger, such proportional factor to be the ratio of industry obligated flow and/or organic capacity to the total design flow/organic capacities of the receiving POTW. Sewer service charges will, in consideration of industrial waste volumes and strengths, be set so as to adequately compensate the borough for the industrial waste stream specific service rendered to the industrial discharger in proportion to sewer service charges then or thereafter in effect for domestic customers on the borough's public sewer system. Capital contribution levies, if any, are payable in full to the borough by the industrial user on or before the date of first discharge to POTW pursuant to discharge agreement terms, while industrial user charges are payable in accordance with terms of billing and collecting in effect for all customers. The industrial discharger shall own, operate, maintain, and pay all costs relating to on-site facilities including pretreatment systems as required. In addition, the industrial discharger shall be assessed and required to pay the capital costs of expanded POTW facilities or special process equipment/systems to the extent that the same are required in order to provide capacity and capability within the POTW to accommodate and treat the proposed industrial waste stream.

(2) Industrial waste permits/agreements will be issued conditionally for a two-year period subject to rights of cancellation unto the borough at any time upon 10 days' advance notice of noncompliance with permit limitations and/or conditions, and further subject to revision or modification of permit terms or conditions at the borough's option where required to reasonably protect the waters of the state.

(3) Under any notification of noncompliance, the borough may require immediate cessation of the industrial waste discharge or portions thereof determined to be in violation, and/or the borough may require the industry to submit a schedule for achievement of compliance including steps or modifications to be taken to prevent recurrence. Under conditions of noncompliance, continuance of discharge on a temporary basis would be allowed by the borough only if the industry is actively pursuing and making reasonable progress towards full compliance achievement. Any borough notices hereunder shall be filed in writing and the industrial establishment shall have 10 days from date of personal service of such notice(s) to respond to the noted conditions of noncompliance. Where industrial response is not received, public sewer service shall be terminated.

(4) Industrial waste permits/agreements, if issued by the Borough Council, shall detail the requirements for on-site monitoring, allowable flow/strength limitations, source pretreatment and/or flow equalization prior to discharge to the public system of sanitary sewers, procedures for notification and compliance, permit term and procedures for renewal/revocation, and penalties for noncompliance. Any permit so issued shall not be assigned, transferred, or sold without the concurrence of the Borough Council. Each industrial discharger is required to file for a permit modification prior to altering the waste discharge characteristics or exceeding limitation imposed by permit of record.

(5) In addition, permits/agreements with industries shall stipulate the specific amount of treatment plant hydraulic and organic capacity allocated to the specific industrial waste source. Each permit shall also require industrial establishment notification of the borough immediately upon the accidental upset, spill, or discharge of wastes in violation of permit or document limitations. The initial notice of noncompliance shall be followed within 10 days of the date of occurrence by a detailed written industry statement describing the cause(s) and measures being taken to prevent recurrence. Such notifications shall not, however, relieve the industrial account from full responsibility for all damages or claims of any kind arising out of such noncompliance. All industrial establishments shall conspicuously post throughout their plant facilities notices advising employees of those persons and/or agencies to contact in case of accidental discharge in violation of this document or industrial waste discharge permits or agreements, as applicable.

C. Maintenance. Where pretreatment, flow equalization, composite sampling, and/or flow metering facilities are required by the borough in conjunction with granting of a permit for any industrial waste stream, they shall be acquired, operated, and maintained continuously in satisfactory and effective working order by and at the sole expense of the owner of the industrial premises served.

D. Control structure. The owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole or structure together with such necessary meters and other appurtenances in the building sewer as will be required by the borough to facilitate observation, composite sampling, and flow measurement of wastes. Such control structure and metering facilities shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Borough Engineer. The control structure and metering facilities shall be installed by the industrial user at his expense, and shall be maintained by him so as to be safe, accessible, and in good operating condition at all times.

E. Violation. On and after the effective date of this regulation, the discharge of industrial waste to the public sanitary sewer system without a borough-issued permit/agreement authorizing the same and state/federal regulatory agency approvals, as applicable, shall constitute a violation hereof. Any such violation shall be processed for remedy pursuant to the provisions hereof and penalty/damage assessments as stipulated herein. Existing industrial establishments now connected to the public sewer system and discharging untreated wastes without having in place an agreement with the borough to do so shall within 90 days of the effective date of this article file a written request to discharge with the borough, including all support documentation required by the provisions of this regulation.

§ 205-17 General discharge prohibitions.

A. Quantities. No user shall discharge or cause to be discharged any pollutant or wastewater in such quantities which will interfere with the operations and performance of the POTW. These general prohibitions apply to all users of the POTW whether or not the user is subject to National Categorical Pretreatment Standards.

B. Waters not to be discharged to POTW. A user shall not discharge any of the following described waters or wastes to the POTW:

(1) Any unpolluted stormwater, surface water, groundwater, roof runoff, drainage, uncontaminated cooling water, or other unpolluted industrial process waters.

(2) Any liquids, solids, or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or the processes of the POTW.

(3) Any gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, undistilled alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, and any other substances which the borough, the state, or the EPA has notified the user is a flammable and/or explosive liquid, solid, or gas fire hazard to the POTW.

(4) Any waters or wastes containing toxic or poisonous solids, liquids, or gaseous pollutants in sufficient quantity, either singly or by interaction with other pollutant wastes, to: significantly impair or interfere with any wastewater treatment process; constitute a hazard to humans or animals; create a public nuisance, toxic effect, or hazard in the receiving waters of the sewage treatment plant; exceed a specified pollutant limitation in the wastes as discharged to the public sewer; exceed a limitation set forth in Categorical Pretreatment Standards; or be classified as a hazardous waste (unless approved by contract).

(5) Any waters or wastes having a pH lower than 6.0 or higher than 9.0 or displaying any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the plant.

(6) Any water or wastes at a flow rate and/or pollutant level which is excessive over relatively short periods or classified as a slug load, which are sufficient in the opinion of the borough with advice of its consulting engineers to cause hydraulic overload, interference and/or loss of treatment efficiency in the POTW.

(7) Solid or viscous substances capable of impairing the hydraulic capacity of the sewer system, or causing interference with the proper operation of the POTW, such as, but not limited to: grease, garbage with particles greater than 1/2 inch in any dimension, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, wood, unground garbage, whole blood, paunch manure, hair and fleshing, animal entrails or tissues, paper dishes, cups, milk containers, plastics, inert materials, garden refuse, spent lime, grass clippings, asphalt residues, and polishing wastes.

(8) Any noxious or malodorous liquids, gases, or solids which either singly or by interactions with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the public sewers for normal maintenance and repair purposes.

(9) Any substances which may cause the POTW effluent or any other product of the POTW, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse, or to detrimentally affect solids processing or interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act and criteria, guidelines, or regulations affecting sludge use or disposal development pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management methods being utilized or implemented.

(10) Any liquid or vapor having a temperature higher than 150° F. (65° C.) or in such quantity that the temperature of influent at the sewage treatment plant exceeds 104° F. (40° C.).

(11) Any water or wastes containing fats, wax, grease, or oils in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.)

(12) Any liquid containing strong acid iron or similar pickling wastes, or concentrated plating or stripping solutions and residues.

(13) Any waters or wastes containing iron, chromium, copper, nickel, zinc, and similar heavy metals, phenols, or toxic/hazardous substances as defined in Section 311(b)(4) of the Act, similar substances subject to EPA toxicity testing procedures, and/or those which may be subsequently declared for mandatory exclusion or pretreatment via State of Pennsylvania Department of Environmental Resources pretreatment regulations or Categorical Standards,

promulgated by the EPA in accordance with Section 307(b) and (c) of the Act, pursuant to federal regulation 40 CFR 403 in quantities exceeding values experienced with normal domestic sewage.

(14) Any water or wastes containing color in excess of 150 true color units; subject, however, to limits of direct dilution capabilities of the public sewer system as the borough may determine with the advice of the Borough Engineer and the State of Pennsylvania Department of Environmental Resources in order to protect the receiving waters.

(15) Any waters or wastes exceeding the average strengths and composition of sanitary sewage as defined herein, except by borough-issued permit.

(16) Any waters or wastes containing radioactive materials or isotypes of such half-life or concentration as may exceed limits set by the borough in compliance with applicable state/federal regulations as now, or hereinafter, in effect.

(17) Waters or wastes containing any substances which are not amenable to treatment or biological reduction by the POTW process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of regulatory agencies having jurisdiction for establishment and enforcement of effluent quality limitations for POTW discharges to receiving waters.

(18) Any waters or wastes specifically or categorically:

(a) 25.0 mg/l Aluminum (total).

(b) 5.0 mg/l Arsenic (total).

(c) 100.0 mg/l Barium (total).

(d) 1.3 mg/l Cadmium (total).

(e) 4.0 mg/l Chrome (total).

(f) 3.0 mg/l Copper (total).

(g) 5.0 mg/l Cyanide (total).

(h) 5.0 mg/l Iron (total).

(i) 2.0 mg/l Lead (total).

(j) 1.0 mg/l Mercury (total).

(k) 4.0 mg/l Nickel (total).

(l) 15.0 mg/l Phenolic compounds which cannot be removed by the borough's wastewater treatment processes.

(m) 15.0 mg/l Phosphates.

(n) 1.0 mg/l Selenium (total).

(o) 5.0 mg/l Silver (total).

(p) 2.0 mg/l Tin (total).

(q) 3.0 mg/l Zinc (total).

(r) 100.0 mg/l fats, oils and grease.

§ 205-18 Special agreements and waivers.

A. Special agreements. No statement contained in these regulations shall be construed as preventing any special agreement or arrangement between the borough and any industrial user whereby compatible industrial waste discharges of unusual strength or character may be accepted by the borough for treatment, subject to borough-stipulated capital and usage changes by the industrial user. However, in no instance will a waiver be granted by the borough which would result in a

violation of any federal, general, or categorical pretreatment standard or prohibition then in effect or subsequently promulgated.

B. Waivers. The borough does reserve the right to grant a waiver to any person for any specific limit contained in § 205-17B (1) through (18), when it can be demonstrated by the industrial user to the satisfaction of state/federal regulatory agencies of jurisdiction that such waiver will not result in contravention of state receiving water quality standards, violation of any of the remaining prohibited discharges as set forth in said § 205-17B(1) through (18), cause interference of the borough's POTW facilities, or adversely impact on borough sludge disposal. The following factors may be used in granting waivers:

(1) Compliance with the limit would result in a removal cost wholly out of proportion to the environmental benefits achieved.

§ 205-19 Powers and authority of personnel.

Representatives of the Commonwealth of Pennsylvania Department of Environmental Resources, United States Environmental Protection Agency and the borough's designated agents, manager, employees, building sewer inspector(s) and/or borough engineers, bearing proper credentials and identification, shall be permitted to enter all properties for purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this regulation. However, no state, federal, or borough representative is with authorization to inquire into any proprietary processes including, but not necessarily limited to, metallurgical, chemical, oil refining, ceramic, fruit processing, paper, or other industries, beyond that point having a direct bearing on the kind, source, quantity, and qualities of waste discharges to the public sanitary sewers for waste treatment by the borough POTW.

§ 205-20 Violations and penalties.

Any person or party violating any of the provisions of this regulation shall, upon conviction before a District Magistrate having jurisdiction, be subject to a fine or penalty of not less than $25 nor more than $500 for each offense, to be collected as fines or penalties as recoverable by law, and whenever such person or party shall have been notified in writing by the borough or by the service of a summons in a prosecution that they are violating a provision of this regulation, each day that such person or party will continue such violation after such notice shall constitute a separate offense punishable by a like fine or penalty. In addition to fines or penalties imposed, persons or parties violating any provision of this regulation shall pay attorneys' fees and related expenses of litigation incurred by the borough in conjunction with appropriate suit(s) at law against such persons or parties found to have violated this regulation or any provision hereof.