

Ohio EPA Permit No.: 0IF00003*HD
Application No: OH0006173

Action Date: December 24, 2025
Effective Date: February 1, 2026
Expiration Date: January 31, 2031

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

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

Austin Powder Company
Red Diamond Plant

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Austin Powder Company - Red Diamond Plant, located at 430 Powder Plant Road, State Route 667, McArthur, Ohio, Vinton County, and discharging to unnamed tributaries of Raccoon Creek and Elk Fork in accordance with the conditions specified in Parts I, II, and III of this permit.

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

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



John Logue
Director

Total Pages: 28

PART I, A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 0IF00003007. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 007 – Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/Week	24hr Total Estimate	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Week	Grab	All
00530 - Total Suspended Solids - mg/l	50	-	-	-	-	-	-	1/Month	Grab	All
00550 - Oil and Grease, Total - mg/l	10	-	-	-	-	-	-	1/Month	Grab	All

Notes for Station Number 0IF00003007:

- a. Sampling shall be performed when discharging as required in the above table.
- b. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

PART I, A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the effective date and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 0IF00003010. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 010 – Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Week	Grab	All
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/Day	Total Estimate	All
00300 - Dissolved Oxygen - mg/l	-	6.0	-	-	-	-	-	1/Week	Grab	All
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Week	Grab	All
00530 - Total Suspended Solids - mg/l	18	-	-	12	0.34	-	0.23	1/Month	Grab	All
00550 - Oil and Grease, Total - mg/l	10	-	-	-	0.19	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	1.5	-	-	1.0	0.028	-	0.019	1/Month	Grab	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	4.5	-	-	3.0	0.085	-	0.057	1/Month	Grab	Winter
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
31648 - E. coli - #/100 ml	284	-	126	-	-	-	-	1/Month	Grab	Summer
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
80082 - CBOD 5 day - mg/l	15	-	-	10	0.28	-	0.19	1/Month	Grab	All

Notes for Station Number 0IF00003010:

* Effluent loadings based on flow of 0.005 MGD.

a. Sampling shall be performed when discharging as required in the above table.

b. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

d. Quarterly-alt Sampling - samples are required to be collected and analyzed once per quarter. Samples may be collected in any month of the quarter. Sample results must be submitted in March, June, September, and December. If there is no discharge during the quarter, follow instructions above for 'no discharge'.

PART I, A. INITIAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date and lasting until the end of the 36th month, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 01F00003011. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 011 – Initial

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Week	Grab	All
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/Day	Total	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Week	Grab	All
00530 - Total Suspended Solids - mg/l	18	-	-	12	2.46	-	1.64	1/Month	24hr Composite	All
00550 - Oil and Grease, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	1.3	-	-	0.178	1/Month	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	7.6	-	-	1.04	1/Month	24hr Composite	Winter
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
50060 - Chlorine, Total Residual - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/6 Months	24hr Composite	Semi-annual
61444 - 48 Hour Acute Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	24hr Composite	June
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
80082 - CBOD 5 day - mg/l	15	-	-	10	2.05	-	1.37	1/Month	24hr Composite	All

Notes for Station Number 0IF00003011:

* Effluent loadings based on flow of 0.036 MGD.

a. Sampling shall be performed when discharging as required in the above table.

b. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

c. Total Residual Chlorine - See Part II, Item G.

d. Biomonitoring Requirements - See Part II, Item H.

e. Quarterly-alt Sampling - samples are required to be collected and analyzed once per quarter. Samples may be collected in any month of the quarter. Sample results must be submitted in March, June, September, and December. If there is no discharge during the quarter, follow instructions above for 'no discharge'.

f. Semi-annual Sampling shall be reported in the months of June and December.

g. Winter months are November through April.

h. Summer months are May through October.

PART I, A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning 36 months after the effective date and lasting until the 59th month, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 01F00003011. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 011 – Interim

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Week	Grab	All
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/Day	Total	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Week	Grab	All
00530 - Total Suspended Solids - mg/l	18	-	-	12	2.46	-	1.64	1/Month	24hr Composite	All
00550 - Oil and Grease, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	1.3	-	-	0.178	1/Month	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	7.6	-	-	1.04	1/Month	24hr Composite	Winter
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
50060 - Chlorine, Total Residual - mg/l	0.019	-	-	-	-	-	-	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/6 Months	24hr Composite	Semi-annual
61444 - 48 Hour Acute Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	24hr Composite	June
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
80082 - CBOD 5 day - mg/l	15	-	-	10	2.05	-	1.37	1/Month	24hr Composite	All

Notes for Station Number 01F00003011:

* Effluent loadings based on flow of 0.036 MGD.

a. Sampling shall be performed when discharging as required in the above table.

b. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

c. Total Residual Chlorine - See Part II, Item G.

d. Biomonitoring Requirements - See Part II, Item H.

e. Quarterly-alt Sampling - samples are required to be collected and analyzed once per quarter. Samples may be collected in any month of the quarter. Sample results must be submitted in March, June, September, and December. If there is no discharge during the quarter, follow instructions above for 'no discharge'.

f. Semi-annual Sampling shall be reported in the months of June and December.

g. Winter months are November through April.

h. Summer months are May through October.

PART I, A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the period beginning 59 months after the effective date and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall OIF00003011. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 011 – Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Week	Grab	All
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/Day	Total	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Week	Grab	All
00530 - Total Suspended Solids - mg/l	18	-	-	12	2.46	-	1.64	1/Month	24hr Composite	All
00550 - Oil and Grease, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	1.3	-	-	0.178	1/Month	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	7.6	-	-	1.04	1/Month	24hr Composite	Winter
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
50060 - Chlorine, Total Residual - mg/l	0.019	-	-	-	-	-	-	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	1.0	-	-	-	-	-	-	1/6 Months	24hr Composite	Semi-annual
61444 - 48 Hour Acute Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	24hr Composite	June
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly - Alt.
80082 - CBOD 5 day - mg/l	15	-	-	10	2.05	-	1.37	1/Month	24hr Composite	All

Notes for Station Number 0IF00003011:

* Effluent loadings based on flow of 0.036 MGD.

a. Sampling shall be performed when discharging as required in the above table.

b. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

c. Total Residual Chlorine - See Part II, Item G.

d. Biomonitoring Requirements - See Part II, Item H.

e. Quarterly-alt Sampling - samples are required to be collected and analyzed once per quarter. Samples may be collected in any month of the quarter. Sample results must be submitted in March, June, September, and December. If there is no discharge during the quarter, follow instructions above for 'no discharge'.

f. Semi-annual Sampling shall be reported in the months of June and December.

g. Winter months are November through April.

h. Summer months are May through October.

PART I, A. INTERNAL LIMITATIONS AND MONITORING REQUIREMENTS

6. During the period beginning on the effective date and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 0IF00003601. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 601 – Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00335 - Chemical Oxygen Demand (Low Level) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Alt.

Notes for Station Number 0IF00003601:

a. Quarterly-alt Sampling - samples are required to be collected and analyzed once per quarter. Samples may be collected in any month of the quarter. Sample results must be submitted in March, June, September, and December. If there is no discharge during the quarter, follow instructions above for 'no discharge'.

PART I, B. UPSTREAM MONITORING REQUIREMENTS

1. Upstream Monitoring. During the period beginning on the effective date and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 0IF00003801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 – Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
61444 - 48 Hour Acute Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	Grab	June

Notes for Station Number 0IF00003801:

- a. Biomonitoring Requirements - See Part II, Item G.
- b. Permittee may elect not to collect an upstream sample. In such scenario, report the percent affected in the primary control.

PART I, C – SCHEDULE OF COMPLIANCE

Reports and notifications required under items in Part I, C. of this permit shall be submitted electronically using the STREAMS, which is available through the eBusiness Center.

WET Limits Schedule

1. Whole Effluent Toxicity Limits and Toxicity Reduction Evaluation

As soon as possible, the permittee shall attain compliance with new effluent limits for whole effluent toxicity (WET) of 1.0 TUa at outfall 011. The permittee shall conduct a Toxicity Reduction Evaluation (TRE) as expeditiously as practicable, but not later than the dates in the following schedule:

- a. No later than 12 months from the effective date of the permit, the permittee shall submit an initial report detailing the progress of achieving compliance with the final WET limit. This report shall include any biomonitoring results and other relevant information that has been obtained. (Event code 34099)
- b. No later than 24 months from the effective date of the permit, the permittee shall submit a 2nd status report detailing the progress of achieving compliance with the final WET limit. This report shall include any biomonitoring results and other relevant information that has been obtained. (Event code 61099)
- c. No later than 36 months from the effective date of the permit, the permittee shall submit a 3rd status report detailing the progress of achieving compliance with the final WET limit. (Event code 61099)
- d. No later than 48 months from the effective date of the permit, the permittee shall submit a 4th status report detailing the progress of achieving compliance with the final WET limit. This report shall include any biomonitoring results and other relevant information that has been obtained. (Event code 61099)
- e. No later than 59 months after the effective date of the permit, the permittee shall attain compliance with the final WET limits of 1.0 TUa at outfall 011. (Event code 5699) At any time prior to the 59th month after the effective date of the permit, the permittee shall submit a final report documenting the results of the TRE study, including any measures to control acute toxicity. The permittee may submit a permit modification to Ohio EPA to remove the limit for *Ceriodaphnia dubia*, Acute Toxicity, after completion of the TRE study, submittal of the final report, and the semi-annual results indicate no reasonable potential for toxicity.

New Effluent Limit Schedule

2. New Final Effluent Limits for Total Residual Chlorine at outfall 011.

The permittee shall attain compliance with the new final effluent limits for Total Residual Chlorine as soon as practicable but not later than the dates in the following schedule.

- a. No later than 12 months after the permit effective date, the permittee shall submit to Ohio EPA Southeast District Office a report on the progress toward attaining compliance with the final effluent limits for Total Residual Chlorine. (Event code 90199)
- b. No later than 24 months after the permit effective date, the permittee shall submit to Ohio EPA Southeast District Office a report on the progress toward attaining compliance with the final effluent limits for Total Residual Chlorine. (Event code 90299)
- c. No later than 36 months after the permit effective date, the permittee shall attain compliance with the final Total Residual Chlorine limits at outfall 011. (Event code 5699)

PART II - OTHER REQUIREMENTS

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

Sampling Station	Description of Location
0IF00003007	Final effluent of treated vehicle wash water at the Office Pond. At a point after discharge from the overflow but prior to discharge to unnamed tributary of Elk Fork (Lat/Long: 39 15.392 N, 82 25.860 W)
0IF00003010	Final effluent at New Booster Line. Sample to be collected at a point after discharge from the last treatment unit of the treatment plant and prior to discharge to natural drainage way (Lat/Long: 39 15.263 N, 82 25.0555 W)
0IF00003011	Final effluent from new PETN Process Area after treatment prior to discharge to unnamed tributary of Elk Fork (Lat/Long: 39 15.108 N, 82 25.921 W)
0IF00003601	Internal monitoring station of flow from carbon filtration unit before treatment works associated with outfall 010
0IF00003801	Upstream monitoring of unnamed tributary of outfall 0IF00003011 prior to any influence of the discharge from outfall 011
	Stormwater discharges associated with industrial activity are covered under 0GR00583

B. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved.

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
2. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

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

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

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

F. Treatment Additives

Written permission must be obtained from the director of the Ohio EPA prior to the use of any treatment additives discharged to waters of the state, except for those exempt in rule. If additives are being used that have not previously been approved, an approval must be obtained for continued use. Discharges of these additives must meet Ohio Water Quality Standards and shall not be harmful or inimical to aquatic life. Request for approvals shall be filed in accordance with OAC 3745-33-03(G) and should be filed at least forty-five days prior to use or immediately if the additive is currently being used. Application forms are

available for download on the DSW website: <https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/individual-wastewater-discharge-permit-applications-industrial-and-municipal-discharges->

G. Limits Below Quantification

The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the approved analytical procedure promulgated at 40 CFR 136. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML). Compliance with an effluent limit that is below the OEPA QL is determined in accordance with ORC Section 6111.13 and OAC Rule 3745-33-07(C). For maximum effluent limits, any value reported below the OEPA QL shall be considered in compliance with the effluent limit. For average effluent limits, compliance shall be determined by taking the arithmetic mean of values reported for a specified averaging period, using zero (0) for any value reported at a concentration less than the OEPA QL, and comparing that mean to the appropriate average effluent limit. An arithmetic mean that is less than or equal to the average effluent limit shall be considered in compliance with that limit.

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters.

REPORTING:

All analytical results, even those below the OEPA QL (listed below), shall be reported. Analytical results are to be reported as follows:

1. Results above the QL: Report the analytical result for the parameter of concern.
2. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
3. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

The following table of quantification levels will be used to determine compliance with NPDES permit limits:

<u>Parameter</u>	<u>PQL</u>	<u>ML</u>
Chlorine, tot. res.	0.050 mg/l	–

This permit may be modified, or, alternatively, revoked and reissued, to include more stringent effluent limits or conditions if information generated as a result of the conditions of this permit indicate the presence of these pollutants in the discharge at levels above the water quality based effluent limit (WQBEL).

H. Biomonitoring Program Requirements

General Requirements

All toxicity testing conducted as required by this permit shall be done in accordance with "Reporting and Testing Guidance for Biomonitoring Required by the Ohio Environmental Protection Agency" (hereinafter, the "biomonitoring guidance"), Ohio EPA, July 1998 (or current revision). The Standard Operating Procedures (SOP) or verification of SOP submittal, as described in Section 1.B. of the biomonitoring guidance shall be maintained. If the laboratory performing the testing has modified its protocols, a new SOP submittal is required.

Testing Requirements

1. Acute Bioassays

For the duration of this permit, the permittee shall conduct annual acute toxicity screening tests using fathead minnows (*Pimephales promelas*) and semi-annual definitive acute test on water flea (*Ceriodaphnia dubia*) on effluent samples from outfall 0IF00003011. These tests shall be conducted as specified in Section 2 of the biomonitoring guidance.

2. Testing of Ambient Water

In conjunction with the 0IF00003011 acute toxicity screening tests, additional acute toxicity screening tests shall be performed on upstream collected at a point prior to discharge interaction with receiving waters. The permittee may elect not to sample upstream if collection of the sample is not practical. Testing of ambient waters shall be done in accordance with Sections 2 of the biomonitoring guidance.

3. Data Review

a. Reporting

Following completion of each semi-annual bioassay requirement, the permittee shall report results of the tests in accordance with Sections 2.H.1., 2.H.2.a of the biomonitoring guidance, including reporting the results on the monthly DMR and submitting a copy of the complete test report to Ohio EPA, Division of Surface Water. The test report may be submitted electronically using the acute NPDES Biomonitoring Report Form available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

Alternatively, the permittee may submit a hard copy of the report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

Based on Ohio EPA's evaluation of the results, this permit may be modified to require additional biomonitoring, require a toxicity reduction evaluation, and/or contain whole effluent toxicity limits.

b. Definitions

TU_a = Acute Toxicity Units = 100/LC₅₀

I. Outfall Signage

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

PART III - GENERAL CONDITIONS

A. Definitions

"#/100 ml" means the number of bacteria per 100 milliliters of sample.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

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

"Act" means the federal Water Pollution Control Act (commonly referred to as the "Clean Water Act" or "CWA"), 33 U.S.C. sections 1251 to 1387 as amended through November 27, 2023.

"Biosolids" means sewage sludge or mixtures containing sewage sludge that have been treated for beneficial use.

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

"CFR" means the Code of Federal Regulations as published in the Federal Register.

"Critical value" means the most extreme result of multiple grab sampling or continuous monitoring in a 24-hour period. For parameters with a maximum limit, the critical value is the highest result. For parameters with a minimum limit, the critical value is the lowest result.

"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.

"DMR" means Ohio EPA Discharge Monitoring Report (DMR) form.

"eBusiness Center" (also known as "eBiz") means the Ohio EPA Division of Surface Water Electronic Business Center, an online platform for submission of data, applications, reports, fee payments, etc. The eBusiness Center is available at: <https://ebiz.epa.ohio.gov>. Guidance and instructions for access and completing tasks in the eBusiness Center are available at: <https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>

"e-DMR" means electronic Discharge Monitoring Report, an online platform for reporting required

monitoring data. e-DMR is accessible through the Ohio EPA eBusiness Center.

"Maximum limitations" means compliance with limitations having descriptions of "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Minimum limitations" means compliance with limitations having descriptions of "minimum" shall be determined from any single value for effluent samples and/or measurements collected.

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

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

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

"OAC" means the Ohio Administrative Code.

"ORC" means the Ohio Revised Code.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Quarterly-Alt (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, September, and December, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

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

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

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

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in ORC 6111.01. Sewage sludge includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage

sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

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

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

"STREAMS" means the Surface Water Tracking, Reporting, and Electronic Application Management System, an online application for submission of reports, applications, and other required forms, which is available through the eBusiness Center.

"Summer" means the period from May 1 through October 31.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

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

"Winter" means the period from November 1 through April 30.

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

B. Reserved

C. Facility Operation and Quality Control

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

1. At all times, the permittee maintains in good working order and operates as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.

2. The permittee effectively monitors the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
3. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in Part III, Item M.

D. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of ORC 6111.07(A) and the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit application.

E. Duty to Reapply

To continue the permitted activity, the permittee shall submit a complete renewal application, on a form provided by the Director, no later than 180 days prior to the expiration date of the permit. An expired permit continues in force and effect until the Director acts on a timely renewal application.

F. Reporting

1. All reports required by this permit shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:
 - a. In the case of a corporation, by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - i. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - ii. The manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. In the case of a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
 - c. In the case of a municipal, state, or other public facility, by either the principal executive officer, the ranking elected official or other duly authorized representative. A person is a duly authorized representative only if:
 - i. The authorization is made in writing by a person described in OAC 3745-33-03(F).
 - ii. The authorization specifies either an individual or a position having responsibility for the overall

operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

2. Monitoring data required by this permit shall be submitted on a monthly frequency using Ohio EPA Discharge Monitoring Report (DMR) forms and submitted through the e-DMR platform, which is accessible through the Ohio EPA eBusiness Center.

Delegated Responsible Officials must be delegated by the Responsible Official using the eBusiness Center's delegation function. For e-DMR, any person signing and submitting the DMR must have an eBusiness Center account and Personal Identification Number (PIN). More information on e-DMR submission or the PIN and delegation processes, please view the following web page:

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

3. DMRs shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest.

4. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Part III, Item G, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

5. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Part III, Item I.

G. Sampling and Analytical Method

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

2. The permittee shall use test procedures from the methods cited above that are sufficiently sensitive for the pollutant parameter being analyzed. Methods are sufficiently sensitive when any of the following conditions are met:

a. The method quantification level (QL) is at or below the level of the applicable water quality criterion for the measured pollutant or pollutant parameter;

b. The method QL is above the applicable water quality criterion, but the amount of pollutant or pollutant parameter in the permittee's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

c. The method has the lowest QL of the analytical methods approved under 40 CFR 136 or required under 40 CFR subchapter N or O for the measured pollutant or pollutant parameter.

H. Recording of Results

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

1. The date, time, and precise location of sampling or measurements;
2. The person(s) who performed the sampling or measurements;
3. The date(s) the analyses were performed on those samples;
4. The person(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of all analyses and measurements.

I. Records Retention

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to the treatment, storage, transfer, or disposal, and the beneficial use of biosolids, which shall be kept for a minimum of five years (or longer as required by 40 CFR Part 503), including:

1. All sampling and analytical records (including internal sampling data not reported);
2. All original recordings for any continuous monitoring instrumentation;
3. All instrumentation, calibration and maintenance records;
4. All treatment works operation and maintenance records;
5. All reports required by this permit; and
6. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge or biosolids, from the date of the sample, measurement, report, or application.
7. All records associated with professional operators shall be maintained in accordance with OAC 3745-7-09.

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

J. Availability of Reports

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

K. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, reissuing, or terminating the

permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be maintained by this permit.

L. Right of Entry

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

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

M. Unauthorized Discharges

1. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part III, Items M.2 and M.3.

2. Notice

a. Unanticipated Bypass - The permittee shall submit notice as required in Part III, Item N.3.

b. Anticipated Bypass - The permittee shall submit notice as required in Part III, Item N.5.

3. Prohibition of Bypass

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

i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

iii. The permittee submitted notices as required under Part III, Item M.2.

b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in Part III, Item M.3.a.

N. Noncompliance Notification

1. Spills or Discharges that may Endanger Human Health or the Environment

a. Any spill or discharge (other than an SSO) that may endanger human health or the environment must be reported within thirty (30) minutes of discovery by calling the Ohio EPA 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee must also, within twenty-four (24) hours, complete a 24 Hour Spill Notification report, available in and submitted to STREAMS through the eBusiness Center.

b. Any sanitary sewer overflow (SSO) that may endanger human health or the environment must be reported within twenty-four (24) hours by calling the Ohio EPA Emergency Hotline toll-free at (800) 282-9378, and calling the local Board of Health. The permittee must also complete a SSO - 5 Day Notification report, available in and submitted to STREAMS through the eBusiness Center.

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

- i. The name of the permittee, and a contact name and telephone number;
- ii. The time(s) at which the discharge occurred, and was discovered;
- iii. The approximate amount and the characteristics of the discharge;
- iv. The stream(s) affected by the discharge;
- v. The circumstances which created the discharge, and a name and telephone number of the person(s) who have knowledge of these circumstances;
- vi. What remedial steps taken or planned, and a name and telephone number of the person(s) responsible for such remedial steps;
- vii. If the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- viii. If applicable, the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combine sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather.

2. Exceedance of a Daily Maximum Discharge Limit

The exceedance of a daily maximum discharge limit for any of the pollutants listed in the permit shall be reported within twenty-four (24) hours of discovery by submitting a Daily Max Limit Exceedance report, available in and shall be submitted to STREAMS through the Ohio EPA eBusiness Center.

3. Limit Exceedance due to Unanticipated Bypass

The exceedance of any discharge limit for any of the pollutants listed in the permit that is the result of an unanticipated bypass shall be reported within twenty-four (24) hours of discovery. The occurrence of an unanticipated bypass that does not result in exceedance of a discharge limit shall be reported at the time monitoring reports are submitted. In either instance, notification shall be provided by submitting an Unanticipated Bypass Notification report, available in and shall be submitted to STREAMS through the Ohio EPA eBusiness Center.

4. Limit Exceedance due to Upset

The exceedance of any discharge limit for any of the pollutants listed in the permit that is the result of an upset shall be reported within twenty-four (24) hours of discovery. The occurrence of an upset that does not result in exceedance of a discharge limit shall be reported at the time monitoring reports are submitted. In either instance, notification shall be provided by submitting an Upset Notification Report, available in and shall be submitted to STREAMS through the Ohio EPA eBusiness Center.

5. Anticipated Bypass

If the permittee knows in advance of the need for a bypass, the permittee shall, whenever possible, provide notification at least ten (10) days beforehand by submitting an Anticipated Bypass Report, which is available in and shall be submitted to STREAMS through the eBusiness Center.

6. Noncompliance with Part I,C Schedule of Compliance Event

If the permittee is unable to meet any date for achieving a compliance event, as specified in Part I,C, notification shall be provided by submitting a Permit Compliance Schedule Update report, available in and shall be submitted to STREAMS through the Ohio EPA eBusiness Center, within fourteen (14) days of becoming aware of such a situation. The notification shall include the following:

- a. The Schedule of Compliance event which has been or will be violated;
- b. The cause of the violation;
- c. The remedial action being taken;
- d. The probable date by which compliance will occur; and
- e. The probability of complying with subsequent and final events as scheduled.

7. All other permit violations

The permittee shall electronically report all other instances of noncompliance that are not covered by reports required in Items N.1 through N.6 at the time monitoring reports are submitted, by submitting a Noncompliance (Miscellaneous) report, which is available in and shall be submitted to STREAMS through the eBusiness Center.

O. Duty to Mitigate

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

P. Authorized Discharges

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in CWA Section 309, 40 CFR 122.41(a), and ORC 6111.09 and 6111.99.

Q. Discharge Changes

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

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

2. For publicly owned treatment works (POTW):

- a. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
- b. The addition of any new pollutants into the POTW from an indirect discharger which would be subject to CWA Sections 301 or 306 if it were directly discharging those pollutants; and
- c. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.
- d. Notice in Part III, Item Q.2 shall include the following:
 - i. The name of the permittee, a contact name, an email address, and telephone number;
 - ii. The relevant change(s) outlined in Part III, Items Q.2.a, Q.2.b, or Q.2.c;
 - iii. The quality and quantity of effluent introduced into POTW;
 - iv. Any anticipated impact of the change(s) on the quantity or quality of effluent to be discharged.

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

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. ORC 6111.44 and 6111.45 require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

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

- a. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR 122.42(a)(1)(i) through 122.42(a)(1)(iv).
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 40 CFR 122.42(a)(2)(i) through 122.42(a)(2)(iv).

R. Toxic Pollutants

The permittee shall comply with effluent standards or prohibitions established under CWA Section 307(a) for toxic pollutants and with standards for sewage sludge use or disposal established under CWA Section 405(d) within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

S. Permit Modification or Revocation

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

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

2. Pursuant to OAC 3745-33-04, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received at least ninety days before the date on which it is desired that the modification become effective. Application forms are available and shall be submitted through STREAMS, available in the Ohio EPA eBusiness Center.

T. Transfer of Ownership or Control

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

1. No later than 60 days prior to the date of the transfer, the applicant shall submit a complete and acceptable application for permit transfer. Failure to complete the application and follow the associated instructions may result in the application being returned to the applicant. The transfer application is available in and shall be submitted through STREAMS, available on the Ohio EPA eBusiness Center
2. At any time during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, the permit will be modified to reflect the new owner.

U. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under CWA Section 311.

V. Solids Disposal

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

W. Construction Affecting Navigable Waters

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

X. Civil and Criminal Liability

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

Y. State Laws and Regulations

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by CWA Section 510.

Z. Property Rights

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

AA. Upset

The provisions of 40 CFR 122.41(n), relating to "Upset," are incorporated herein by reference in their entirety. For definition of "upset," see Part III, Item A. For reporting of upsets, see Part III, Item N.4

AB. Severability

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

AC. Signatory Requirements

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22 and OAC 3745-33-03.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22 and OAC 3745-33-08.

AD. Other Information

1. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
2. ORC 6111.07(C) provides no person knowingly shall submit false information or records or fail to submit information or records pertaining to discharges of sewage, industrial wastes, or other wastes or to sludge management required as a condition of a permit or knowingly render inaccurate any monitoring device or other method required to be maintained by the director.
3. ORC 6111.99 provides that any person who purposely or knowingly violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be subject to fines and/or imprisonment.

AE. Need to Halt or Reduce Activity

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

AF. Applicable Federal Rules

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

AG. Availability of Public Sewers

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