

Georgia Department of Natural Resources

Environmental Protection Division, Watershed Protection Branch
4220 International Parkway, Suite 101, Atlanta, Georgia 30354
Permitting, Compliance and Enforcement Program
404/362-2680
FAX: 404/362-2691

file
copy

November 28, 2007

Mr. David Kubala, Environmental Manager
Cherokee County Water & Sewerage Authority
Post Office Box 5000
Canton, Georgia 30114

RE: Northeast Cherokee
Wastewater Treatment Facility
Draft NPDES Permit No. GA0038989

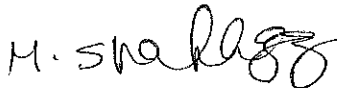
Dear Mr. Kubala:

The Environmental Protection Division (EPD) has received your application for a permit to discharge treated wastewater to the waters of the State of Georgia. We are processing your application and are considering the issuance of a National Pollutant Discharge Elimination System (NPDES) permit in accordance with the Georgia Water Quality Control Act and the Federal Clean Water Act.

Before issuing the permit, we require that you publish a public notice for one day in one or more newspapers of general circulation in Cherokee County. The cost of fulfilling this public notice requirement is the responsibility of the Cherokee County Water and Sewerage Authority (CCWSA). We also require that you post a public notice for 30 days in a conspicuous location at the main office of the CCWSA. Within ten days of receiving this draft permit, please send our office a copy of the published notice, along with a letter stating where and what date the notice was posted. The letter should be signed by an authorized representative of the CCWSA. At the end of the public notice comment period, EPD will make a determination on issuance of the NPDES permit.

Enclosed are copies of the public notice, fact sheet, and the draft NPDES permit. If you have any comments or questions concerning the permit or the public notice, please call Jill Bingham at 404/362-2680.

Sincerely,



Marzieh Shahbazaz
Acting Environmental Program Manager II
Permitting, Compliance and Enforcement Program

MS/jrb

PUBLIC NOTICE

NOTICE OF APPLICATION FOR A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT TO DISCHARGE TREATED WASTEWATER INTO THE WATERS OF THE STATE OF GEORGIA.

The Georgia Environmental Protection Division (EPD) is considering the issuance of an NPDES permit for the following applicant, subject to specific pollutant limitations and special conditions:

Cherokee County Water and Sewerage Authority, Post Office Box 5000, Canton, Georgia 30114, NPDES Permit No. GA0038989, for its Northeast Cherokee wastewater treatment facility located on 859 Cokers Chapel Road in Ball Ground, Georgia 30107. 2.0 MGD of treated wastewater is proposed to be discharged to the Etowah River in the Coosa River Basin. This permit includes expansions to 4.0 MGD and 8.0 MGD.

Persons wishing to comment on the proposed permit are invited to submit their comments in writing to the EPD address below, within 30 days of this notice. All comments received before or on that date will be considered in the formulation of final determinations for this permit. "Northeast Cherokee Wastewater Treatment Facility (Cherokee County)" should be placed at the top of the first page of comments. A public hearing may be held if the EPD Director finds a significant degree of public interest in the proposed permit. A public hearing may be requested, or additional information regarding public hearing procedures is available, by writing the EPD at the address noted below.

The permit application, draft permit, and other information are available for review at 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday and at the Cherokee County Water and Sewerage Authority office during normal business hours. For additional information contact: Marzieh Shahbazaz, Permitting, Compliance and Enforcement Program, Phone (404) 362-2680.

Please bring this to the attention of persons who you know will be interested in this matter.

Georgia Department of Natural Resources

Environmental Protection Division, Watershed Protection Branch
4220 International Parkway, Suite 101, Atlanta, Georgia 30354
Permitting, Compliance and Enforcement Program
404/362-2680
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November 28, 2007

MEMORANDUM

TO: Dr. Bert Langley
Mountain District - Cartersville Office

FROM: Jill R. Bingham *JRB*
Environmental Specialist
Permitting, Compliance and Enforcement Program

RE: Northeast Cherokee
Wastewater Treatment Facility
Draft NPDES Permit No. GA0038989

Enclosed are copies of the fact sheet and the draft permit for the referenced facility. Please review the permit and provide me with any comments you have concerning the draft. Below I have included a section to indicate whether the permit is acceptable as drafted or if you have comments. When your review of the draft permit is complete, please complete the section below, initial this memorandum and return it to this office. You may provide your comments through e-mail instead of returning this memo.

JRB/jrb

REGIONAL OFFICE REVIEW COMMENTS:

ISSUE THE PERMIT AS DRAFTED, NO COMMENTS.

THE REGION HAS COMMENTS OR CONCERNS ON THE DRAFT PERMIT.

COMMENTS:

Georgia Department of Natural Resources

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November 28, 2007

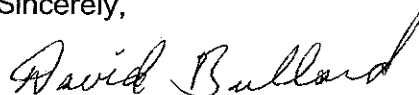
Mr. Wayne Aronson, Branch Chief
Surface Water Permits and Facilities Branch
Water Management Division
U.S. EPA, Region IV
The Sam Nunn Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

RE: Northeast Cherokee
Water Pollution Control Plant (WPCP)
Draft NPDES Permit No. GA0038989

Dear Mr. Aronson:

In accordance with the Memorandum Agreement, we are transmitting one copy of the referenced draft NPDES permit. The Cherokee County Water and Sewerage Authority has proposed a new discharge of 2.0 MGD of treated wastewater to the Etowah River in the Coosa River Basin. The permit also includes expansions to 4.0 MGD and 8.0 MGD.

Sincerely,



David L. Bullard
Environmental Program Manager I
Municipal Permitting Unit
Permitting, Compliance, and Enforcement Program

DLB/jrb

Georgia Department of Natural Resources

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November 28, 2007

Mr. Ted Martin
U.S. Fish & Wildlife Service
Coastal Section Supervisor
Ecological Services
4270 Norwich Street
Brunswick, Georgia 31520

RE: Northeast Cherokee
Wastewater Treatment Facility
Draft NPDES Permit No. GA0038989

Dear Mr. Martin:

We are transmitting one copy of the referenced draft NPDES permit. The Cherokee County Water and Sewerage Authority has proposed a new discharge of 2.0 MGD of treated wastewater to the Etowah River in the Coosa River Basin. The permit also includes expansions to 4.0 MGD and 8.0 MGD.

Sincerely,



David L. Bullard
Environmental Program Manager I
Municipal Permitting Unit
Permitting, Compliance, and Enforcement Program

DLB/jrb

National Pollutant Discharge Elimination System Waste Load Allocation Form

Part I: Background Information

WLA Request Type: Reissuance Expansion Relocation New Discharge
 Facility Name: Cherokee Northeast Etowah WWTP County: Cherokee
 NPDES Permit No.: New Discharge Expiration Date: NA WQMU: 1491
 Receiving Water: Etowah River River Basin: Coosa Outfall Number: 001
 Discharge Type: Domestic Industrial Both Proportion (D:I): Flow(s) Requested (MGD): 2.0, 4.0, 8.0
 Industrial Contributions Type(s):
 Treatment Process Description:
 Additional Information: (history, special conditions, other facilities):
 Requested by: Josh Welte Title: EE Program: ETSP
 Telephone: 404.675.1740 Date: 09/14/2006

Part II: Receiving Water Information

Receiving Water: Etowah River Designated Use Classification: Fishing
 Integrated 305(b)/303(d) List: Yes No Partial Support: Not Support: Criteria: Fecal Coliform Bacteria (FC)
 Total Maximum Daily Load: Yes No Parameter(s) FC WLA Complies with TMDL Yes No

Part III: Water Quality Model Review Information

Model Type: Uncalibrated Calibrated Verified Cannot be Modeled Model Length (mi): 64.8
 Field Data: None Fair Good Excellent
 Model and Field Data Description: Steady-state dissolved oxygen Georgia DOSAG model.
 Critical Water Temperature:(°C): 25 - 27 Drainage Area (mi²): 502 7Q10 streamflow at discharge (cfs): 194
 7Q10 Yield (cfs/mi²): 0.39 Velocity (range fps): 0.13 - 1.54 1Q10 streamflow at discharge (cfs): 175
 Effluent Flow Rate (cfs): 3.1, 6.2, 12.3 7Q10 IWC (%): 1.6, 3.1, 6.0 Mean annual streamflow at discharge (cfs): 1004
 Slope (range - fpm): 0.31 - 1.54 K1: 0.3 K3: 0.3 Escape Coef. (ft⁻¹): 0.054 - 0.08 K2 (range): 0.1 - 37
 SOD: Not Modeled f-Ratio (BOD_v/BOD₅): 4 Background Hardness (as CaCO₃)(mg/L): 25
 The predicted minimum dissolved oxygen concentration is 6.4 mg/L, occurring 21.3 miles downstream from the discharge for 2 MGD.
 The predicted minimum dissolved oxygen concentration is 6.4 mg/L, occurring 21.3 miles downstream from the discharge for 4 MGD.
 The predicted minimum dissolved oxygen concentration is 6.3 mg/L, occurring 21.3 miles downstream from the discharge for 8 MGD.

Part IV: Recommended Permit Limitations and Conditions (mg/L as a monthly average except as noted)

Rationale: Same as current Revised New

Effluent Flow Rate (MGD)	BOD ₅	NH ₃ -N	DO (minimum)	TRC (daily max.)	Total Phosphorus (as P)	Fecal Coliform (No./100ml)	TSS	pH (std. units)	Ortho Phosphorus (as P)
2.0	5.0	2.0	5.0	0.50	0.16	23	5.0	6.0 - 9.0	Monitor
4.0	5.0	2.0	5.0	0.35	0.16	23	5.0	6.0 - 9.0	Monitor
8.0	5.0	2.0	5.0	0.18	0.13	23	5.0	6.0 - 9.0	Monitor

Additional Comments:
 Priority pollutant permit limits and aquatic toxicity testing requirements are to be determined by PCEP.
 Municipalities requesting a new discharge are required to prepare a Watershed Assessment and a Watershed Protection Plan for the watersheds in their jurisdiction. The Watershed Assessment and Watershed Protection Plan must be reviewed and approved by the Georgia Environmental Protection Division prior to operating the proposed discharge.

Prepared by: Lucy Sun LS Date: 11/30/2006 Reviewed by: Paul Lamarre [Signature] Date: 11-30-2006

Part V: Branch Chief Comments

[Signature]

Date: 12/4/06

FACT SHEET

APPLICATION FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE TREATED WASTEWATER INTO WATERS OF THE STATE OF GEORGIA

Permit is:	<u>Date</u>	<u>Initials</u>	
<input checked="" type="checkbox"/> New issuance	11-27-07	JLB	Application on File & Reviewed for Completeness
<input type="checkbox"/> Reissuance of existing permit no modifications	11-27-07	JLB	Permit Drafted
<input type="checkbox"/> Reissuance of existing permit, with modifications	11-27-07	JLB	Draft Reviewed by U.C.
<input type="checkbox"/> Revocation/reissuance of existing permit	11-27-07	JLB	Draft Sent to Applicant
	_____	_____	Permit issued as drafted
	_____	_____	Original draft permit on file
	_____	_____	Draft Reviewed by ETSP

Facility Name: Northeast Cherokee Wastewater Treatment Facility

Application No.: GA0038989

1. SYNOPSIS OF APPLICATION

a. Name and Address of Applicant: Cherokee County Water and Sewerage Authority
Post Office Box 5000
Canton, Georgia 30114

Northeast Cherokee WWTF
859 Cokers Chapel Road
Ball Ground, Georgia 30107

b. Type of Facility: Activated Sludge

c. Design Capacity of Facility: 2.0 MGD initially with planned expansions to 4 MGD and 8 MGD.

d. Applicant's Receiving Water: Etowah to the Etowah River

e. Description of Wastewater Treatment Facilities:

Pump Station with 2 (2) MGD pumps with 16,500 ft. 12-inch diameter DIP FM modifications to Airport -1 PS. New 1 MGD pumps, reverse direction of flow in existing FM modification to Governors Preserve-2 PS. (2) new 2 MGD pumps. Mechanical step screen, manual bar screen, influent Parshall flume, plant drain PS, 2 aeration basins, 2 diameter clarifiers, 3 blowers with fine bubble diffusers, flocculation tanks, plate settling tank, upflow filter cell, sludge storage tanks, belt filter press, UV disinfection units, cascade aeration structure, lime storage tank, tablet chlorinator, chloride storage tank, polymer feed system.

f. Description of Discharges (as reported by applicant)

<u>Effluent Characteristic</u>	<u>Reported Value</u>
Flow (highest 30-day average)	New Discharge -NA
BOD ₅	New Discharge -NA
TSS	New Discharge -NA
Fecal Coliform (highest 30-day average)	New Discharge -NA
See attached location map	

FACT SHEET

APPLICATION FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE TREATED WASTEWATER INTO WATERS OF THE STATE OF GEORGIA

2. PROPOSED EFFLUENT LIMITATIONS

See attached draft permit.

3. BASIS FOR FINAL EFFLUENT LIMITS AND PERMIT CONDITIONS

Wasteload allocation (WLA) dated November 30, 2006.

An approved Design Development Report (DDR) dated October 9, 2007.

EPD conducted an audit of the Cherokee County Water & Sewerage Authority (CCWSA) to determine compliance with the North Georgia Water Planning Districts Watershed Management Plan, Long-Term Wastewater Management Plan and Water Supply and Water Conservation Plan. A letter dated September 28, 2007 verifies the CCWSA is making good faith efforts to comply with the three District Plans.

The Etowah River is listed on the Georgia's 2004 303(d) list as partially supporting designated uses.

The Etowah River is designated as a Major Lake Tributary in the standard and has an annual total phosphorus loading limit that affects the WLA for this proposed facility.

Since the proposed facility will discharge to the Lake Allatoona watershed, it is subject to the interim and long term permitting strategy for Lake Allatoona watershed. The proposed facility is located in Cherokee County and is therefore a participant in the Lake Allatoona/Upper Etowah River Watershed Protection Project.

Calculations used to determine limits include:

$$\text{lb/day} = \text{MGD} \times \text{mg/l} \times 8.34$$

$$\text{kg/day} = (\text{lb/day})/2.2$$

4. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

Not applicable

5. EFFECTIVE DATE OF PROPOSED EFFLUENT LIMITS AND COMPLIANCE SCHEDULE (if applicable)

The following effluent limitations will become effective on the date the permittee requests and receives EPD written approval of completion of construction of the specified upgrade and written authorization to commence operation has been provided:

B.1. – 2 MGD

B.2. – 4 MGD

B.3. – 8 MGD

Priority pollutants – The permittee must conduct three priority pollutant scans during the first year of receiving EPD written approval at each flow increase (i.e., 2 MGD, 4 MGD and 8 MGD).

Chronic Whole Effluent Toxicity (WET) – The permittee must conduct four quarterly WET tests during the first year after receiving EPD written approval at each flow increase (i.e., 2 MGD, 4 MGD and 8 MGD).

FACT SHEET

**APPLICATION FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
TO DISCHARGE TREATED WASTEWATER INTO WATERS OF THE STATE OF GEORGIA**

6. WATER QUALITY STANDARDS AND EFFLUENT STANDARDS APPLIED TO THE DISCHARGE

Fishing

1. Dissolved Oxygen - A daily average of 6.0 mg/l and no less than 5.0 mg/l at all times for water designated as trout streams by the Game and Fish Division. A daily average of 5.0 mg/l and no less than 4.0 mg/l at all times for waters supporting warm water species of fish.
2. pH - Within the range of 6.0 to 8.5.
3. Bacteria - For the months of May through October, when water contact recreation activities are expected to occur, fecal coliform not to exceed a geometric mean of 200 per 100 ml based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours. Should water quality and sanitary studies show fecal coliform levels from non-human sources exceed 200/100 ml (geometric mean) occasionally, then the allowable geometric mean fecal coliform shall not exceed 300 per 100 ml in lakes and reservoirs and 500 per 100 ml in free flowing freshwater streams. For the months of November through April, fecal coliform not to exceed a geometric mean of 1,000 per 100 ml based on at least four samples collected from a given sampling site over a 30-day period at intervals not less than 24 hours and not to exceed a maximum of 4,000 per 100 ml for any sample.
4. Temperature - Not to exceed 90°F. At no time is the temperature of the receiving waters to be increased more than 5°F above intake temperature except that in estuarine waters the increase will not be more than 1.5°F.
5. Toxic Wastes, Other Deleterious Materials - None in concentrations that would harm man, fish, and game or other beneficial aquatic life.

7. PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

a. Comment Period

The Georgia Environmental Protection Division (EPD) proposes to issue an NPDES permit to this applicant subject to the effluent limitations and special conditions outlined above. These determinations are tentative.

Georgia Department of Natural Resources
Environmental Protection Division
Water Protection Branch, Permitting, Compliance and Enforcement Program
4220 International Parkway, Suite 101
Atlanta, Georgia 30354

Persons wishing to comment upon or object to the determinations are invited to submit same in writing to the EPD address above, within 30 days of the fact sheet date. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit application number should be placed on the envelope next to the above address and also at the top of the first page of comments.

FACT SHEET

APPLICATION FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE TREATED WASTEWATER INTO WATERS OF THE STATE OF GEORGIA

b. Public Hearing

Any applicant, affected state or interstate agency, the Regional Administrator of the U.S. Environmental Protection Agency (EPA) or any other interested agency, person or group of persons may request a public hearing with respect to an NPDES permit application if such request is filed within thirty (30) days following the date of the public notice for such application. Such request must indicate the interest of the party filing the request, the reasons why a hearing is requested, and those specific portions of the application or other NPDES form or information to be considered at the public hearing. The Director shall hold a hearing if it is determined that there is sufficient public interest in holding such a hearing. If a public hearing is held, notice of same shall be provided at least thirty (30) days in advance of the hearing date.

The permit application, draft permit; comments received and other information are available for review at the Permitting, Compliance and Enforcement Program, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354 between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday.

In the event that a public hearing is held, both oral and written comments will be accepted; however, for the accuracy of the record, written comments are encouraged. The Director or a designee reserves the right to fix reasonable limits on the time allowed for oral statements and such other procedural requirements as deemed appropriate.

Following a public hearing, the Director, unless it is decided to deny the permit, may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue the permit. Notice of issuance or denial will be circulated to those persons or groups who participated in the hearing; to those persons or groups who submitted written comments to the Director on the proposed permit within thirty (30) days from the date of the public notice of the application for permit; and to all persons or groups included on the EPD mailing list.

c. Contested Hearings

Any person who is aggrieved or adversely affected by the issuance or denial of a permit by the Director of EPD may petition the Director for a hearing if such petition is filed in the office of the Director within thirty (30) days from the date of notice of such permit issuance or denial. Such hearing shall be held in accordance with the EPD Rules, Water Quality Control, subparagraph 391-3-6-.01.

Petitions for a contested hearing must include the following:

1. The name and address of the petitioner;
2. The grounds under which petitioner alleges to be aggrieved or adversely affected by the issuance or denial of a permit;
3. The reason or reasons why petitioner takes issue with the action of the Director;
4. All other matters asserted by petitioner which are relevant to the action in question.

d. Issuance of the Permit When No Public Hearing is Held

If no public hearing is held, and, after review of the written comments received, the Director determines that a permit should be issued and that the determinations set forth in the proposed permit are substantially unchanged, the permit will be issued and will become final in the absence of a

FACT SHEET

APPLICATION FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE TREATED WASTEWATER INTO WATERS OF THE STATE OF GEORGIA

request for a Contested hearing. Notice of issuance or denial will be circulated to those persons who submitted written comments to the Director on the proposed permit within thirty (30) days from the date of the public notice of such proposed permit; and to all persons or groups included on the EPD mailing list.

If no public hearing is held, but the Director determines, after a review of the written comments received, that a permit should be issued but that substantial changes in the proposed permit are warranted, public notice of the revised determinations will be given and written comments accepted in the same manner as the initial notice of application was given and written comments accepted pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.06(7)(b). The Director shall provide an opportunity for public hearing on the revised determinations. Such opportunity for public hearing and the issuance or denial of a permit thereafter shall be in accordance with the procedures as are set forth above.

JRB/jrb

PERMIT NO. GA0038989

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

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

Cherokee County Water and Sewerage Authority
Northeast Cherokee Wastewater Treatment Facility
Post Office Box 5000
Canton, Georgia 30114

is authorized to discharge from a facility located at

859 Cokers Chapel Road
Ball Ground, Georgia 30107
(Cherokee County)

to receiving waters

Etowah River in the Coosa River Basin

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

This permit shall become effective on,

This permit and the authorization to discharge shall expire at midnight,



Signed this ___ day of

DRAFT

Director,
Environmental Protection Division

PART

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

The Federal Act referred to is The Clean Water Act.

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

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

A. SPECIAL CONDITIONS

1. MONITORING

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

- a. For 5 day biochemical oxygen demand (BOD₅) and total suspended solids (TSS), the arithmetic mean of the values of the effluent samples collected during a month shall not exceed 15 percent of the arithmetic mean of values for influent samples collected at approximately the same times (85 percent removal). For water pollution control plants followed by a polishing pond or consisting of a waste stabilization pond, the 85 percent removal for TSS is not applicable.
- b. The monthly average, other than for fecal coliform bacteria, is the arithmetic mean of values obtained for samples collected during a calendar month.
- c. The weekly average, other than for fecal coliform bacteria, is the arithmetic mean of values obtained for samples collected during a 7 day period. The week begins 12:00 midnight Saturday and ends at 12:00 midnight the following Saturday. To define a different starting time for the sampling period, the permittee must notify the EPD in writing. For reporting required by I.C.2. of this permit, a week that starts in one month and ends in another month shall be considered part of the second month. The permittee may calculate and report the weekly average as a 7 day moving average.
- d. Fecal coliform bacteria will be reported as the geometric mean of the values for the samples collected during the time periods in I.A.1.b. and I.A.1.c.
- e. Untreated wastewater influent samples required by I.B. shall be collected before any return or recycle flows. These flows include returned activated sludge, supernatants, centrates, filtrates, and backwash.
- f. Effluent samples required by I.B. of this permit shall be collected after the final treatment process and before discharge to receiving waters. Composite samples may be collected before chlorination with written EPD approval.
- g. Upon operation under the B.1 effluent limitations (i.e., 2.0 MGD) a composite sample shall consist of a minimum of 5 subsamples collected at least once every 2 hours for at least 8 hours and shall be composited proportionately to flow. Upon operation under the B.2 and B.3 effluent limitations (i.e., 4.0 or 8.0 MGD), a composite sample shall consist of a minimum of 13 subsamples collected at least once every 2 hours for at least 24 hours and shall be composited proportionately to flow.

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

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

Records of the calibration checks shall be maintained.

- i. If secondary flow instruments malfunction or fail to maintain calibration as required in I.A.1.h., the flow shall be computed from manual measurements taken at the times specified for the collection of composite samples.
- j. Quarterly analyses required in I.B. shall be performed in March, June, September, and December. Analyses required twice per year will be performed in June and December. Analyses required annually will be performed in June.
- k. Some parameters must be analyzed to the detection limits specified by the EPD. These parameters will be reported as "not detected" when they are below the detection limit and will then be considered in compliance with the effluent limit. The detection limit will also be reported.

2. SLUDGE DISPOSAL REQUIREMENTS

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

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

3. SLUDGE MONITORING REQUIREMENTS

The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor and maintain records documenting the quantity of sludge removed from the facility. Records shall be maintained documenting that the quantity of solids removed from the facility equals the solids generated on an average day. The total quantity of sludge removed from the facility during the reporting period shall be reported each month with the

Discharge Monitoring Reports as required under Part I.C.2. of this permit. The quantity shall be reported on a dry weight basis.

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

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

The permittee must notify EPD of:

- a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the Federal Act if the pollutants were directly discharged to a receiving stream; and
- b. Any substantial change in the volume or character of pollutants from a source that existed when the permit was issued.

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

5. EFFLUENT TOXICITY AND BIOMONITORING REQUIREMENTS

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

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

- a. Acute biomonitoring tests;
- b. Chronic biomonitoring tests;
- c. Stream studies;
- d. Priority pollutant analyses;
- e. Toxicity reduction evaluations (TRE); or
- f. Any other appropriate study.

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

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

B.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The discharge from the water pollution control plant shall be limited and monitored by the permittee as follows effective on the date the EPD provides written approval of completion of construction and written authorization to commence operation has been provided:

Parameter	Discharge Limitations mg/l (kg/day) unless otherwise specified		Monitoring Requirements		
	Monthly Avg.	Weekly Avg.	Measurement Frequency	Sample Type	Sample Location
Flow-m ³ /day (MGD)	7570 (2.0)	9463 (2.5)	Seven Days/Week	Continuous Recording	Effluent
Biochemical Oxygen Demand (5-day)	5.0 (38)	7.5 (47.4)	Three Days/Week	Composite	Influent and Effluent
Total Suspended Solids (TSS)	5.0 (38)	7.5 (47.4)	Three Days/Week	Composite	Influent and Effluent
Fecal Coliform Bacteria (#/100 ml)	23/100 ml	23/100 ml	Two Days/Week	Grab	Effluent
Ammonia (as N)	2.0 (15)	3.0 (19)	Three Days/Week	Composite	Effluent
Total Phosphorus (as P)	0.16 (1.2)	0.24 (1.5)	Three Days/Week	Composite	Effluent
Total Residual Chlorine	0.50 ¹	0.50 ¹	Seven Days/Week	Grab	Effluent
Ortho-Phosphorus (as P) ²	Report	Report	Three Days/Week	Composite	Effluent
Priority Pollutant Scan ³	Report mg/l	--	--	Grab	Effluent
Chronic Whole Effluent Toxicity (WET) Testing ⁴	Report NOEC	--	--	Composite	Effluent

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

The minimum effluent dissolved oxygen shall be 5.0 mg/l or higher and shall be monitored on the final effluent by analyzing grab samples taken seven days per week.

¹ This is a daily maximum limitation for TRC.

² Refer to Section I.C.9

³ Refer to Section I.C.10

⁴ Refer to Section I.C.11.

B.2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The discharge from the water pollution control plant shall be limited and monitored by the permittee as follows effective on the date the EPD provides written approval of completion of construction of the 4.0 MGD upgrade and written authorization to commence operation has been provided:

Parameter	Discharge Limitations mg/l (kg/day) unless otherwise specified		Monitoring Requirements		
	Monthly Avg.	Weekly Avg.	Measurement Frequency	Sample Type	Sample Location
Flow-m ³ /day (MGD)	15140 (4.0)	18925 (5.0)	Seven Days/Week	Continuous Recording	Effluent
Biochemical Oxygen Demand (5-day)	5.0 (75.8)	7.5 (94.8)	Three Days/Week	Composite	Influent and Effluent
Total Suspended Solids (TSS)	5.0 (75.8)	7.5 (94.8)	Three Days/Week	Composite	Influent and Effluent
Fecal Coliform Bacteria (#/100 ml)	23/100 ml	23/100 ml	Two Days/Week	Grab	Effluent
Ammonia (as N)	2.0 (30.3)	3.0 (38)	Three Days/Week	Composite	Effluent
Total Phosphorus (as P)	0.16 (2.4)	0.24 (3.0)	Three Days/Week	Composite	Effluent
Total Residual Chlorine	0.35 ¹	0.35 ¹	Seven Days/Week	Grab	Effluent
Ortho-Phosphorus (as P) ²	Report	Report	Three Days/Week	Composite	Effluent
Priority Pollutant Scan ³	Report mg/l	--	--	Grab	Effluent
Chronic Whole Effluent Toxicity (WET) Testing ⁴	Report NOEC	--	--	Composite	Effluent

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

The minimum effluent dissolved oxygen shall be 5.0 mg/l or higher and shall be monitored on the final effluent by analyzing grab samples taken seven days per week.

¹ This is a daily maximum limitation for TRC.

² Refer to Section I.C.9.

³ Refer to Section I.C.10.

⁴ Refer to Section I.C.11.

B.3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The discharge from the water pollution control plant shall be limited and monitored by the permittee as follows effective on the date the EPD provides written approval of completion of construction of the 8.0 MGD upgrade and written authorization to commence operation has been provided:

Parameter	Discharge Limitations mg/l (kg/day) unless otherwise specified		Monitoring Requirements		
	Monthly Avg.	Weekly Avg.	Measurement Frequency	Sample Type	Sample Location
Flow-m ³ /day (MGD)	30280 (8.0)	37850 (10)	Seven Days/Week	Continuous Recording	Effluent
Biochemical Oxygen Demand (5-day)	5.0 (151.6)	7.5 (189.5)	Five Days/Week	Composite	Influent and Effluent
Total Suspended Solids (TSS)	5.0 (151.6)	7.5 (189.5)	Five Days/Week	Composite	Influent and Effluent
Fecal Coliform Bacteria (#/100 ml)	23/100 ml	23/100 ml	Three Days/Week	Grab	Effluent
Ammonia (as N)	2.0 (60.6)	3.0 (75.8)	Five Days/Week	Composite	Effluent
Total Phosphorus (as P)	0.13 (3.9)	0.20 (4.9)	Five Days/Week	Composite	Effluent
Total Residual Chlorine	0.18 ¹	0.18 ¹	Seven Days/Week	Grab	Effluent
Ortho-Phosphorus (as P) ²	Report (Report)	--	Five Days/Week	Composite	Effluent
Priority Pollutant Scan ³	Report mg/l	--	--	Grab	Effluent
Chronic Whole Effluent Toxicity (WET) Testing ⁴	Report NOEC	--	--	Composite	Effluent

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

The minimum effluent dissolved oxygen shall be 5.0 mg/l or higher and shall be monitored on the final effluent by analyzing grab samples taken seven days per week.

¹ This is a daily maximum limitation for TRC.

² Refer to Section I.C.9.

³ Refer to Section I.C.10.

⁴ Refer to Section I.C.11.

C. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

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

2. REPORTING

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

Environmental Protection Division
Mountain District – Cartersville Office
Post Office Box 3250 16 Center Road
Cartersville, Georgia 30120-3250

3. MONITORING PROCEDURES

Analytical procedures, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and procedures listed in 40 CFR Part 136 for monitoring specified in I.B. EPA approved methods used must be applicable to the concentration ranges of the NPDES samples.

4. RECORDING OF RESULTS

For each required parameter analyzed, the permittee shall record:

- a. The exact place, date, and time of sampling, and the person(s) collecting the sample. For flow proportioned composite samples, this shall include the instantaneous flow and the corresponding volume of each sample aliquot, and other information relevant to document flow proportioning of composite samples;
- b. The dates and times the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical procedures or methods used; and
- e. The results of all required analyses.

5. ADDITIONAL MONITORING BY PERMITTEE

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

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

6. RECORDS RETENTION

The permittee shall retain records of:

- a. All laboratory analyses performed including sample data, quality control data, and standard curves;
- b. Calibration and maintenance records of laboratory instruments;
- c. Calibration and maintenance records and recordings from continuous recording instruments;
- d. Process control monitoring records;
- e. Facility operation and maintenance records;
- f. Copies of all reports required by this permit;
- g. All data and information used to complete the permit application; and
- h. All monitoring data related to sludge use and disposal.

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

7. PENALTIES

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

8. WATERSHED PROTECTION PLAN

The permittee is a participant in the Lake Allatoona/Upper Etowah River Watershed Project whereas the United States Army Corp of Engineers in cooperation with certain counties located in the Etowah River Watershed is developing a comprehensive watershed protection plan. That watershed protection plan once implemented shall be enforceable through this permit.

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9. ORTHO-PHOSPHORUS MONITORING

The dissolved ortho-phosphorus monitoring shall be collected as a composite sample as described in Part I.A.1.g of the permit. It can be either analyzed immediately or cooled to 4°C and analyzed within 48 hours. The sampling shall be conducted using the Hach Methods 8048, EPA Methods 365.1, 365.2 or 365.3, or Standard Methods for the Examination of Water and Wastewater 4500-P E or F (18th, 19th or 20th edition). The sample shall be filtered through a 45-micron pore-sized filter. The sample shall be analyzed as dissolved ortho-phosphate by one of the listed methods. If the Hach method is being used, one must verify the curve stored in the spectrophotometer by analyzing standards. The ortho-phosphate value shall be divided by 3.06 to convert to ortho-phosphorus. The results shall be reported as mg/l of dissolved ortho-phosphorus.

10. PRIORITY POLLUTANTS

The permittee must conduct three scans of priority pollutants, measured at least to EPD detection limits, within one year of receiving EPD written authorization to operate under the B.1., B.2. and B.3. effluent limitations (i.e., 2.0 MGD, 4.0 MGD and 8.0 MGD). At least two of the samples must have been taken no fewer than four months and no more than eight months apart. If substances are measured at levels of concern, then the permittee may be required to perform additional priority pollutant analyses or the permit may be modified to include effluent limitations for priority pollutants.

11. CHRONIC WHOLE EFFLUENT TOXICITY

The permittee shall conduct four quarterly chronic whole effluent toxicity (WET) testing within one year of receiving EPD written authorization to operate under the B.1., B.2. and B.3. effluent limitations (i.e., 2.0 MGD, 4.0 MGD and 8.0 MGD). Definitive tests must be run on the same samples concurrently using both *Ceriodaphnia dubia* and Fathead Minnows (*Pimephales promelas*). The testing must incorporate the most current U.S. Environmental Protection Agency (EPA) chronic toxicity testing manuals. The referenced document is entitled Short – Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms, 3rd Edition, U.S. EPA/600/4-91/002, July 1994. If the permittee's test results indicate effluent toxicity, the permittee will be required to submit a toxicity reduction evaluation upon notification by the EPD and/or the permit will be reopened to incorporate a WET limit.

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PART II

A. MANAGEMENT REQUIREMENTS

1. FACILITY OPERATION

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

2. CHANGE IN DISCHARGE

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

3. NONCOMPLIANCE NOTIFICATION

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

- a. A description of the noncompliance and its cause; and
- b. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. The steps taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

4. ANTICIPATED NONCOMPLIANCE NOTIFICATION

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

- a. Any planned changes in the permitted facility; or
- b. Any activity which may result in noncompliance with the permit.

5. OTHER NONCOMPLIANCE

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

6. OPERATOR CERTIFICATION REQUIREMENTS

The person responsible for the daily operation of the facility, under the B.1. effluent limitations (i.e., 2.0 MGD), must be a Class II Certified Operator in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control. The person responsible for the daily operation of the facility, under the B.2 and B.3 effluent limitations (i.e., 4.0 MGD and 8.0 MGD), must be a Class I Certified Operator in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control. All other operators must have the minimum certification required by this Act.

7. LABORATORY ANALYST CERTIFICATION REQUIREMENTS

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

8. BYPASSING

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

- a. Bypassing is unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There are no feasible alternatives to bypassing; and
- c. The permittee notifies the EPD at least 10 days before the date of the bypass.

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

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

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

9. POWER FAILURES

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

10. ADVERSE IMPACT

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

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11. NOTICE CONCERNING ENDANGERING WATERS OF THE STATE

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

Spills and Major Spills:

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

A "major spill" is any discharge of raw sewage that exceeds 10,000 gallons or results in water quality violations in the waters of the State or the discharge of pollutants into waters of the State by a POTW that exceeds the weekly average permitted effluent limit for BOD₅ or TSS by 50 percent or greater for any one day.

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

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

- a. Notify EPD, in person or by telephone, when a spill or major spill occurs in the system.
- b. Report the incident to the local health department(s) for the area affected by the incident. The report at a minimum shall include the following:
 - 1. Date of the spill or major spill;
 - 2. Location and cause of the spill or major spill;
 - 3. Estimated volume discharged and name of receiving waters; and
 - 4. Corrective action taken to mitigate or reduce the adverse effects of the spill or major spill.
- c. Post a notice as close as possible to where the spill or major spill occurred and where the spill entered State waters and also post additional notices along portions of the waterway affected by the incident (i.e. bridge crossings, boat ramps, recreational areas, and other points of public access to the affected waterway). The notice at a minimum shall include the same information required in 11(b)(1-4) above. These notices shall remain in place for a minimum of seven days after the spill or major spill has ceased.
- d. Within 24 hours of becoming aware of a spill or major spill, the owner of a POTW shall report the incident to the local media (television, radio, and print media). The report shall include the same information required in 11(b)(1-4) above.
- e. Within five (5) days (of the date of the spill or major spill), the owner of a POTW shall submit to EPD a written report which includes the same information required in 11(b)(1-4) above.

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- f. Within 7 days (after the date of a major spill), the owner of a POTW responsible for the major spill, shall publish a notice in the largest legal organ of the County where the incident occurred. The notice shall include the same information required in 11(b)(1-4) above.
 - g. The owner of a POTW shall immediately establish a monitoring program of the receiving waters affected by a major spill or by consistently exceeding an effluent limit, with such monitoring being at the expense of the POTW for at least one year. The monitoring program shall include an upstream sampling point as well as sufficient downstream locations to accurately characterize the impact of the major spill or the consistent exceedence of effluent limitations described in the definition of "Consistently exceeding effluent limitation" above. As a minimum, the following parameters shall be monitored in the receiving stream:
 - 1. Dissolved Oxygen;
 - 2. Fecal Coliform Bacteria;
 - 3. pH;
 - 4. Temperature; and
 - 5. Other parameters required by the EPD.

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

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

B. RESPONSIBILITIES

1. COMPLIANCE

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

- a. Enforcement action;
- b. Permit termination, revocation and reissuance, or modification; or
- c. Denial of a permit renewal application.

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

2. RIGHT OF ENTRY

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

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

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- b. Review and copy any records required by this permit;
 - c. Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and
 - d. Sample any substance or parameter at any location.

3. SUBMITTAL OF INFORMATION

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

4. TRANSFER OF OWNERSHIP OR CONTROL

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

- a. The permittee notifies the Director in writing at least 30 days in advance of the proposed transfer;
- b. An agreement is written containing a specific date for transfer of permit responsibility including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on. This agreement must be submitted to the Director at least 30 days in advance of the proposed transfer; and
- c. The Director does not notify the current permittee and the new permittee within 30 days of EPD intent to modify, revoke and reissue, or terminate the permit. The Director may require that a new application be filed instead of agreeing to the transfer of the permit.

5. AVAILABILITY OF REPORTS

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

6. PERMIT MODIFICATION

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

- a. Permit violations;
- b. Obtaining this permit by misrepresentation or by failure to disclose all relevant facts;
- c. Changing any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- d. Changes in effluent characteristics; and

- e. Violations of water quality standards.

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

7. CIVIL AND CRIMINAL LIABILITY

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

8. PROPERTY RIGHTS

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

9. EXPIRATION OF PERMIT

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

10. CONTESTED HEARINGS

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

11. SEVERABILITY

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

12. PREVIOUS PERMITS

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

PART III

A. APPROVED INDUSTRIAL PRETREATMENT PROGRAM FOR PUBLICLY OWNED TREATMENT WORKS (POTWs)

1. The permittee's approved pretreatment program shall be enforceable through this permit.
2. The permittee shall administer the approved pretreatment program by:
 - a. Maintaining records identifying the character and volume of pollutants contributed by industrial users to the POTW.
 - b. Enforcing and obtaining appropriate remedies for noncompliance by any industrial user with any applicable pretreatment standard or requirement defined by Section 307(b) and (c) of the Federal Act, 40 CFR Part 403.5 and 403.6 or any State or local requirement, whichever is more stringent.
 - c. Revising the adopted local limits based on technical analyses to ensure that the local limits continue to prevent:
 1. Interference with the operation of the POTW;
 2. Pass-through of pollutants in violation of this permit;
 3. Municipal sludge contamination; and
 4. Toxicity to life in the receiving stream.

Within 180 days of the effective date of this permit issuance or reissuance (excluding permit modifications), the permittee shall review the local limits of the program and submit to EPD a written technical evaluation of the need to revise the local limits.

- d. Ensuring that industrial wastewater discharges from industrial users are regulated through discharge permits or equivalent individual control mechanisms. Compliance schedules will be required of each industrial user for the installation of control technologies to meet applicable pretreatment standards and the requirements of the approved program.
- e. Inspecting, surveying, and monitoring to determine if the industrial user is in compliance with the applicable pretreatment standards.
- f. Equitably maintaining and adjusting revenue levels to ensure adequate and continued pretreatment program implementation.
- g. Preparing a list of industrial users which, during the previous twelve months, have been in significant noncompliance with the pretreatment requirements enumerated in 40 CFR Part 403.8 (f)(2)(vii). This list will be published annually in the newspaper with the largest circulation in the service area during September through August, with the first publication due September 2008.

B. APPROVED PRETREATMENT PROGRAM ANNUAL REPORT

1. Within 30 days of the close of the reporting period September through August, with the first report due September 2008 and each September thereafter, the permittee shall submit a report to the EPD that includes:
 - a. An updated list of POTW industrial users;
 - b. The results of POTW sampling and analyses required by the EPD;
 - c. A summary of POTW industrial user inspections;
 - d. A summary of POTW operations including information on upsets, interferences, pass through events, or violations of the permit related to industrial user discharges;
 - e. A summary of all activities to involve and inform the public of pretreatment requirements;
 - f. A summary of the annual pretreatment program budget;
 - g. A descriptive summary of any compliance activities initiated, ongoing, or completed against industrial users which shall include the number of administrative orders, show cause hearings, penalties, civil actions, and fines;
 - h. A list of contributing industries using the treatment works, divided into Standard Industrial Classification Code (SIC) categories, which have been issued permits or similar enforceable individual control mechanisms, and a status of compliance for each industrial user. The list should also identify the industries that are categorical or significant industrial users
 - i. The name and address of each industrial user that has received a conditionally revised discharge limit;
 - j. A list of all industrial users who were in significant noncompliance with applicable pretreatment standards and requirements;
 - k. A list of all industrial users showing the date that each was notified that a categorical pretreatment standard had been promulgated by EPA for their industrial category and the status of each industrial user in achieving compliance within the 3 year period allowed by the Federal Act; and
 - l. A description of all substantial changes proposed for the program. All substantial changes must first be approved by the EPD before formal adoption by the POTW. Substantial changes shall include but not be limited to:

1. Changes in legal authority;
2. Changes in local limits;
3. Changes in the control mechanisms;
4. Changes in the method for implementing categorical pretreatment standards.
5. A decrease in the frequency of self-monitoring or reporting required of industrial users;
6. A decrease in the frequency of industrial user inspections or sampling by the POTW;
7. Significant reductions in the program resources including personnel commitments, equipment, and funding levels;
8. Changes in confidentiality procedures; and
9. Changes in the POTW sludge disposal and management practices.

2. Reports submitted by an industrial user will be retained by the permittee for at least 3 years and shall be available to the EPD for inspection and copying. This period shall be extended during the course of any unresolved litigation concerning the discharge of pollutants by an industrial user or concerning the operations of the program or when requested by the Director.

C. INDUSTRIAL PRETREATMENT STANDARDS

Effluent limitations for the permittee's discharge are listed in Part I. Other pollutants attributable to industrial users may also be present in the discharge. When sufficient information becomes available, this permit may be revised to specify effluent limitations for these pollutants based on best practicable technology or water quality standards. Once the specific nature of industrial contributions has been identified, data collection and reporting may be required for parameters not specified in Part I.

D. REQUIREMENTS FOR EFFLUENT LIMITATIONS ON POLLUTANTS ATTRIBUTABLE TO INDUSTRIAL USERS

1. The permittee shall require all industrial dischargers to the POTW to meet State pretreatment regulations promulgated in response to Section 307(b) of the Federal Act. Other information about new industrial discharges may be required and will be requested from the permittee after the EPD has received notice of the discharge.
2. The permittee may be required to supplement the requirements of the State and Federal pretreatment regulations to ensure compliance with all applicable effluent limitations listed in Part I. Supplemental actions by the permittee concerning some or all of the industries discharging to the POTW may be necessary.

E. RETAINER

The EPD may require the permittee to amend an approved pretreatment program to incorporate revisions in State Pretreatment Regulations or other EPD requirements. Any required revision must be incorporated into the program within one year of notification by the EPD. Implementation of any revision or amendments to the program shall be described in the subsequent annual report to the EPD.