

## PUBLIC NOTICE

### Queen Anne's County

#### State Discharge Permit 10-DP-0116, NPDES PERMIT MD0020834:

Town of Centreville, 101 Lawyers Row, Centreville, Maryland 21617, applied for renewal of the permit to discharge from December 1 through March 31, an average of 542,000 gpd (gallons per day) of treated domestic wastewater from the Centreville Wastewater Treatment Plant located on Johnstown Lane in Centreville to Gravel Run which is designated as Use I waters protected for water contact recreation and nontidal warmwater aquatic life.

Previously, a Notice of Tentative Determination for an average flow of 500,000 gpd, was published on August 10 and 17, 2012 and a request for a Public Hearing was received on August 14, 2012. Subsequently, the Town of Centreville requested that the permit be renewed at the rerated plant flow of 542,000 gpd. As a result, the total nitrogen and total phosphorus concentration limit will be reduced from 6.0 to 5.5 mg/l and from 1.1 to 1.0 mg/l maximum monthly average respectively.

#### Tentative Determination

Issue the permit, with the following effluent limitations,

For a flow of 542,000 gpd from December 1 through March 31 only:

BOD<sub>5</sub>, 28 mg/l maximum monthly arithmetic mean, 42 mg/l maximum weekly arithmetic mean; total suspended solids; 28 mg/l maximum monthly arithmetic mean, 42 mg/l maximum weekly arithmetic mean; total phosphorus, 1.0 mg/l maximum monthly arithmetic mean, monthly loading rate limit of 140 lbs/month, and annual loading rate limit of 457 lbs/year; total nitrogen, 5.5 mg/l maximum monthly arithmetic mean, monthly loading rate limit of 750 lbs/month, and annual loading rate limit of 3,004 lbs/year; E. Coli, 116 MPN/100 ml maximum monthly geometric mean; dissolved oxygen, 5.0 mg/l minimum at any time year round; total residual chlorine, 0.014 mg/l maximum and pH maintained between 6.5 and 8.5. The permittee shall make every effort to continue operating the biological nitrogen removal (BNR) process on a year round basis to meet the total nitrogen and total phosphorus limits for the Centreville WWTP.

Regular effluent monitoring and reporting is required.

The permittee uses Spray Irrigation system for effluent disposal year round, which is authorized under groundwater discharge permit 05-DP-3323.



# MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230  
410-537-3000 • 1-800-633-6101

Martin O'Malley  
Governor

Robert M. Summers, Ph.D.  
Secretary

Anthony G. Brown  
Lieutenant Governor

D R A F T

## DISCHARGE PERMIT

|   |  |
|---|--|
| <b>NPDES Discharge</b><br><b>Permit Number:</b> MD0020834 | <b>State Discharge</b><br><b>Permit Number:</b> 10-DP-0116 |
| <b>Effective</b><br><b>Date:</b> mo/dd/yyyy               | <b>Expiration</b><br><b>Date:</b> mo/dd/yyyy               |
| <b>Modification</b> (Not<br><b>Date:</b> applicable)      | <b>Reapplication Due</b><br><b>Date:</b> mo/dd/yyyy        |

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. Section 1251 et seq., and implementing regulations 40 CFR Parts 122, 123, 124 and 125, the Department of the Environment hereby establishes conditions and requirements pertinent to the wastewater treatment plant and collection system and authorizes:

Town of Centreville  
101 Lawyers Row  
Centreville, Maryland 21617

TO DISCHARGE FROM: Centreville Wastewater Treatment Plant

LOCATED AT: 116 Johnstown Lane  
Centreville, Queen Anne's County  
Maryland 21617

THROUGH OUTFALL: 001 (WWTP Effluent)

TO: Gravel Run, designated as Use- I waters, which is protected for water contact recreation and nontidal warmwater aquatic life; in accordance with the following special and general conditions and a map incorporated herein and made a part hereof.

## I. DEFINITIONS

- A. "Ambient temperature" of the effluent receiving stream means the water temperature that is not impacted by a point source discharge, and it shall be measured in areas of the stream representative of typical or average conditions of the stream segment in question.
- B. "Bypass" means the intentional diversion of pollutants from any portion of a treatment or collection facility.
- C. "BOD<sub>5</sub> (Biochemical Oxygen Demand)" means the amount of oxygen consumed in a standard BOD<sub>5</sub> test without the use of a nitrification inhibitor at 20 degree centigrade on an unfiltered sample.
- D. "Clean Water Act" means the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251 et seq.
- E. "CFR" means the Code of Federal Regulations.
- F. "COMAR" means the Code of Maryland Regulations.
- G. "Department" means the Maryland Department of the Environment (MDE).
- H. Discharge Limits
1. "Maximum daily average" limit means the highest of the daily averages in a calendar month. The daily average concentration of a parameter (in mg/l) shall be calculated by dividing total of measurement readings by number of sample collected during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily average loading rate of a parameter (in pounds/day) is calculated by using this formula {daily average concentration (mg/l) x the same day total flow (in million gallons) x 8.34}.
  2. "Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. 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 "average weekly" discharge limitation, MDE may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28.

## I. DEFINITIONS

3. “Maximum monthly average” limit means the highest allowable monthly average concentration or waste load of a parameter in a calendar month. The monthly average concentration is calculated as the sum of all daily discharges for a parameter sampled and/or measured in a calendar month divided by the number of samples or measurements of the same parameter collected in the same month. The monthly average load of a parameter (in pounds/day) is calculated by using the formula  $\{(\text{monthly average concentration, mg/l} \times \text{total monthly flow, million gallons (MG)} \times 8.34) / \text{number of days in the same calendar month}\}$ .
4. “Minimum or maximum” limit means the lowest or highest allowable value measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling.
5. “Total monthly loading rate (in pounds/month)” value means total load of a parameter calculated for each calendar month. For each calendar month, it is calculated using this formula  $\{(\text{monthly average concentration in mg/l}) \times (\text{Total monthly flow in Million Gallons}) \times 8.34\}$ .
6. “Seasonal Maximum Loading Rate (in pounds/season)” limit means the highest allowable total load of a parameter calculated for a given season. It is calculated as the sum of the individual Total Monthly Loading Rates for the season.
7. “Year-to-date Cumulative load (pounds)” value means cumulative load of a parameter through the reporting month in a calendar year. It is calculated as a sum of the individual total monthly loads from January through the reporting month in a calendar year.
8. “Monthly log mean (Monthly geometric mean)” limit means the highest allowable value calculated as the logarithmic or geometric mean of all samples taken in the calendar month. The geometric mean is the antilogarithm of the mean of the logarithms.

### I. Discharge Monitoring

1. “Composite sample” means a combination of individual samples obtained at hourly or smaller intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite.
2. “Grab sample” means an individual sample collected over a period of time not exceeding 15 minutes.

## I. DEFINITIONS

3. "Estimated flow" value means a calculated volume or discharge rate which is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters, and batch discharge volumes.
  4. "Measured flow" value means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.
  5. "Recorded flow" means any method of providing a permanent, continuous record of flow including, but not limited to, circular and strip charts.
  6. "Monthly average flow" means the total flow for a calendar month divided by the number of days in the same month.
- J. "NPDES (National Pollutant Discharge Elimination System)" means the national system for issuing permits as designated by the Clean Water Act.
- K. "Nondetectable Level" for total residual chlorine means a residual concentration of less than 0.10 mg/l as determined using either the DPD titrimetric or chlorimetric method or an alternative method approved by the Department.
- L. "Outfall" means the location where the effluent is discharged into the receiving waters.
- M. "Overflow" means any loss of wastewater or discharge from a sanitary sewer system, combined sewer system or wastewater treatment plant bypass (as defined in I.B) which results in the direct or potential discharge of raw, partially treated wastewater into the waters of the State.
- N. "Permittee" means an individual or organization holding the discharge permit issued by the Department.
- O. "POTW" means a publicly owned treatment works.
- P. "Sampling Point" means the effluent sampling location in the outfall line(s) downstream from the last addition point or as otherwise specified.
- Q. "Sanitary Sewer Overflow (SSO)" means a discharge of untreated or partially treated sewage from a separate sewer system before the sanitary wastewater reaches the headworks of a wastewater treatment facility, pursuant to COMAR 26.08.10.01.

## I. DEFINITIONS

- R. "Significant Industrial User (SIU)" is defined as any industrial user (IU) that:
1. is subject to national categorical standards; and
  2. any other IU that:
    - a. discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater); or
    - b. contributes a process wastestream that makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW; or
    - c. is designated as such by the POTW on the basis that the IU has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement; or
    - d. is found by the POTW, the Department, or the Environmental Protection Agency (EPA) to have significant impact either individually or in combination with other contributing industries to the POTW, on the quality of the sludge, the POTW's effluent quality, or air emissions generated by the system.
- S. "TKN (Total Kjeldahl Nitrogen)" means organic nitrogen plus ammonia nitrogen.
- T. "TSS (Total Suspended Solids)" means the residue retained on the filter by an analysis done in accordance with Standard Methods or other approved methods.
- U. "Upset" means the 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.

**II. SPECIAL CONDITIONS**

A. Effluent Limitations, Outfall 001 <sup>(1)(2)(3)(8)</sup>

These limitations shall be applicable from December 1 through March 31 only. No stream discharge is permitted from April 1 through November 30 from Outfall 001. The quality of the effluent discharged by the facility at a discharge point location- 001 shall be limited at all times as shown below:

| <u>Effluent Characteristics</u> | <u>Maximum Effluent Limits</u>                  |  |   |  |   |  |
|---------------------------------|---|--|---|--|---|--|
|                                 | <u>Monthly Average Loading Rate, Pounds/day</u> | <u>Weekly Average Loading Rate, Pounds/day</u> | <u>Daily Average Loading Rate, Pounds/day</u> | <u>Monthly Average Concentration, mg/l</u> | <u>Weekly Average Concentration, mg/l</u> | <u>Daily Average Concentration, mg/l</u> |
| BOD <sub>5</sub>                | 130   | 190  | N/A   | 28   | 42  | N/A                                      |
| TSS                             | 130   | 190  | N/A   | 28   | 42  | N/A                                      |

| <u>Effluent Characteristics</u>         | <u>Maximum Effluent Limits</u>                  |   |  |
|---|---|---|--|
|   | <u>Total Monthly Loading Rate, Pounds/Month</u> | <u>Annual Maximum Loading Rate, Pounds/Year</u> | <u>Monthly Average Concentration, mg/l</u> |
| Total Phosphorus-P <sup>(4)(5)(6)</sup> | 140   | 457   | 1.0  |
| Total Nitrogen-N <sup>(4)(5)(6)</sup>   | 750   | 3,004   | 5.5  |

| <u>Effluent Characteristics</u>        | <u>Effluent Limits</u>                       |                     |
|--|--|---------------------|
|  | <u>Maximum</u>                               | <u>Minimum</u>      |
| E. Coli                                | 116 MPN/ 100 ml monthly geometric mean value | N/A                 |
| Total Residual Chlorine <sup>(7)</sup> | See footnote (7)                             | N/A                 |
| pH                                     | 8.5  | 6.5                 |
| Dissolved Oxygen                       | N/A  | 5.0 mg/l at anytime |

An annual average flow of 0.542 million gallons per day (mgd) was used in waste allocation calculations and this unit should be used when reporting on the Discharge Monitoring Report (DMR), (EPA Form 3320-1, Rev. 01/06). Notification is to be provided to the Department at least 180 days before the annual average flow is expected to exceed this flow level. If a permit modification is required, the Department will initiate the public participation NPDES process. Because this facility is authorized to discharge only 4 months per year, the permitted flow is equivalent to a minor facility.

## II. SPECIAL CONDITIONS

### *Footnotes for effluent limitations:*

- (1) When this permit is renewed, the new limitations may not be equal to the above limitations. There shall be no discharge of floating solids or visible foam other than trace amounts.
- (2) The permit may also be reopened in accordance with the requirements of MDE's Watershed Permitting Plan under which all discharge permits in a watershed are issued the same year.
- (3) The specific designated use of Corsica River of the Lower Chester River Mesohaline segment is Use II—Support of Estuarine and Marine Aquatic Life and Shellfish Harvesting. The Maryland Department of the Environment (MDE) has identified the waters of the Corsica River of the Lower Chester River Mesohaline segment on the State's Integrated Report as impaired by the following pollutants (listing year and Integrated Report Assessment Unit Identification in parentheses): total suspended solids (1996; MD-CHSMH), nutrients (1996; MD-CHSMH), fecal coliform (1996; MD-CHSMH-Corsica\_River), and polychlorinated biphenyls (PCBs) in fish tissue (2002; MD-CHSMH-02130507) and impacts to biological communities (2004; MD-CHSMH). Nutrients, fecal coliform, and PCB TMDLs for the restricted shellfish harvesting portion of the Corsica River were approved by the US EPA in 2000, 2005, and 2011 respectively. This permit is in conformance with these TMDLs and the "Chesapeake Bay TMDL for Nitrogen, Phosphorus, and Sediment" established on December 29, 2010. When TMDLs for other remaining parameters are completed, limits may be imposed, after the public participation process, to incorporate any TMDL requirements.
- (4) The loading caps for the Centreville WWTP for the seasonal stream discharge from December 1 through March 31, equal to 3,004 pounds for TN and 457 pounds for TP. The permittee shall also comply with the monthly loading cap limits of 750 lbs/month and 140 lbs/months for TN and TP respectively. The first exceedance of the permit limit shall be counted and reported as daily exceedances beginning from the first exceedance, determined to the nearest day, through March 31. In addition, after any such exceedance, the permittee shall demonstrate to the Department's satisfaction that the facility is optimizing its nutrient removal capability, and neither the arrival of the next season (December 1 thru March 31) nor the issuance of a permit renewal during a period of noncompliance shall obviate continuance of any noncompliance status related to treatment optimization requirements.
- (5) The current plant operates the Biological Nutrient Removal (BNR) process on a year round basis and the Town is also authorized under groundwater permit GW 05-DP-3323 to operate the spray irrigation system 365 days a year. Consequently, the level of nutrient control that is achieved by the combined surface water and ground water systems is equivalent to Enhanced Nutrient Removal (ENR) level treatment and an ENR upgrade at this plant is not required.
- (6) The permittee may request that the permit be reopened and modified to include nutrient trading consistent with the most current "Maryland Policy for Nutrient Cap Management and Trading in Maryland's Chesapeake Bay Watershed" in effect at that time.
- (7) Total residual chlorine limitation of 0.014 mg/l shall be applicable, when chlorine or any chlorine- containing compound is used in any treatment process, including but not limited to disinfection that could become a potential constituent of the effluent discharged from the Centreville Wastewater Treatment Plant.
- (8) See Special Condition II.C.

**II. SPECIAL CONDITIONS****B. Minimum Monitoring Requirements:**

The effluent characteristics listed below shall be monitored as follows <sup>(19)</sup>:

| <u>Effluent Characteristics</u>                            | <u>Monitoring Period</u> | <u>Measurement Frequency</u> | <u>Sample Type</u>         |
|--|--------------------------|------------------------------|----------------------------|
| BOD <sub>5</sub> <sup>(9)(18)</sup>                        | 12/1-3/31                | Two per week                 | 24-hour composite          |
| Total Suspended Solids <sup>(9)(18)</sup>                  | 12/1-3/31                | Two per week                 | 24-hour composite          |
| Total Ammonia Nitrogen as N <sup>(9)(10)(11)(16)(18)</sup> | 12/1-3/31                | Two per week                 | 24-hour composite          |
| Total Phosphorus as P <sup>(9)(12)(17)(18)</sup>           | 12/1-3/31                | Two per week                 | 24-hour composite          |
| Total Nitrogen as N <sup>(9)(11)(12)(17)(18)</sup>         | 12/1-3/31                | Two per week                 | Calculated                 |
| (Nitrite + Nitrate) as N <sup>(9)(10)(11)(16)(18)</sup>    | 12/1-3/31                | Two per week                 | 24-hour composite          |
| Organic Nitrogen as N <sup>(9)(10)(11)(16)(18)</sup>       | 12/1-3/31                | Two per week                 | 24-hour composite          |
| Orthophosphate as P <sup>(9)(10)(14)(15)(18)</sup>         | 12/1-3/31                | Two per week                 | 24-hour composite          |
| E. Coli <sup>(9)(18)</sup>                                 | 12/1-3/31                | Two per week                 | Grab                       |
| Total Residual Chlorine <sup>(9)(13)(14)</sup>             | 12/1-3/31                | Two per day                  | Grab                       |
| Dissolved Oxygen <sup>(9)(14)</sup>                        | 12/1-3/31                | Two per day                  | Grab                       |
| pH <sup>(9)(14)</sup>                                      | 12/1-3/31                | Two per day                  | Grab                       |
| Flow <sup>(9)(15)(20)</sup>                                | All Year                 | Continuous                   | Recorded <sup>(16)</sup>   |
| Total Monthly Flow <sup>(9)(20)</sup>                      | All Year                 | Monthly                      | Calculated <sup>(17)</sup> |

## II. SPECIAL CONDITIONS

### B. Minimum Monitoring Requirements, Continued:

*Footnotes for the monitoring requirements, continued:*

- (9) "STORET" (short for STOrage and RETrieval) is a widely-used repository for water quality data reporting and monitoring. The STORET codes for the effluent characteristics described as limitations and/or monitoring requirements are: BOD<sub>5</sub> (00310), Total Suspended Solids (00530), Total Ammonia Nitrogen as N (00610), Total Phosphorus as P (00665), Total Nitrogen as N (00600), (Nitrite + Nitrate) as N (00630), Organic Nitrogen as N (00605), Orthophosphate as P (04175), E. Coli (51040), Total Residual Chlorine (50060), Dissolved Oxygen (00300), pH (00400), Flow (50050), and Total monthly flow (82220).
- (10) This parameter (without effluent limitations) must be monitored, and it shall be reported on the Monthly Operating Report (MOR) as individual results and on the Discharge Monitoring Report (DMR) (EPA Form 3320-1) as monthly average concentrations.
- (11) Total nitrogen as N (in mg/l) is a calculated parameter as the sum of individual results for total ammonia nitrogen as N, organic nitrogen as N and (nitrite + nitrate) as N. All the nitrogen species must be sampled on the same day.
- (12) The permittee shall also calculate and report on the monthly DMR the TN and TP total monthly loads (Definition I.H.5) plus seasonal (December 1 thru March 31) cumulative loads (Definition I.H.6) for the season in question for the outfall- 001.
- (13) The Minimum monitoring requirements of Two/day, One per shift, grab sampling for total residual chlorine shall be applicable, when chlorine or any chlorine compound is used in any treatment process, including but not limited to disinfection, that could become a potential constituent of the effluent discharged from the Centreville Wastewater Treatment Plant. The minimum detection level (quantification level) for total residual chlorine is 0.10 mg/l. The permittee may report all results below the minimum level as <0.10 mg/l. All results reported below the minimum level shall be considered in compliance.
- (14) The monitoring of parameters (total residual chlorine, pH and dissolved oxygen) by two per day-grab samplings shall be distributed on a daily basis during the entire staffed period in accordance with the representative sampling requirements as stated in General Condition III.A.1.
- (15) Flows shall be reported in millions gallons per day (mgd) to at least the nearest 1,000 gallons per day. (Example: A flow of 524,699 gallons per day shall be reported as 0.525 mgd.). For each calendar month, flows shall be reported on the MOR as daily individual results and on the DMR as monthly average (mgd) and daily maximum (mgd).
- (16) Continuous electronic flow measurement and recording which can produce a permanent record are acceptable to the Department.
- (17) Total monthly flow is a calculated parameter equal to sum of the daily flow results in a calendar month. It shall be reported on the monthly DMR as Total monthly flow in millions gallons (MG) to at least the nearest 1,000 gallons. (Example: A flow of 1,524,699 gallons shall be reported as 1.525 MG).
- (18) The effluent samples with two per week monitoring frequency shall be collected at least two days apart.
- (19) See General Condition III.A. 2. a.ii.
- (20) Effluent flow to outfall 001 and to the spray irrigation system shall be measured and reported year round on the monthly DMR reports.

## II. SPECIAL CONDITIONS

### C. Capacity Management Plan

The permittee shall report the total cumulative flow for the each calendar year for the above referenced facility. The total cumulative flow should be reported in million gallons for the entire calendar year to the nearest thousand gallons. The annual total cumulative flow determination shall be provided to the Department by January 28 of the following year to the address below:

Attention: Calendar Year Total Cumulative Flow  
WMA – Wastewater Discharge Permits Program  
Maryland Department of the Environment  
1800 Washington Boulevard, STE-455  
Baltimore, MD 21230-1708

A Wastewater Capacity Management Plan must be submitted by January 28 of each calendar year if the most recent three year average flow is over 80% of its design capacity or if it is anticipated to exceed 80 % in the following year. (The Department has published a “Wastewater Capacity Management Plans” guidance document, which can be found on the Department’s web site as indicated below):

<http://www.mde.state.md.us/assets/document/water/WastewaterCapacityMgmtGuidance.pdf>.

When the discharge reaches above 80% of the design capacity, or, in the event that the Centreville Wastewater Treatment Plant fails to meet discharge limits and constitutes a non-compliance status, the Town of Centreville will immediately retain an engineering consultant to proceed with the design and construction of all necessary modifications required to meet the permit limits.

### D. Pretreatment Program/Influent Restriction

The permittee is not authorized to receive the discharge of any type or quantity of substances which may cause interference with the operation of the treatment works. The permittee is required to comply with COMAR 26.08.08 upon accepting any such discharge for treatment. The permittee is required to notify the Pretreatment Section of the Department, in writing, within thirty days if any user discharges such wastes to the permittee for treatment without prior notification. Prior to allowing a significant industrial user to discharge to the POTW regulated by this permit, the permittee shall notify the Pretreatment Section of the Department, in writing. Under no circumstances shall the permittee allow introduction of the following wastes into the waste treatment system:

1. Pollutants which cause pass through or interference;
2. Pollutants which create a fire hazard or explosion hazard in the sewerage system, including, but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;

## II. SPECIAL CONDITIONS

### D. Influent Restriction, continued

3. Pollutants which will cause corrosive structural damage to the sewerage system; but in no case, discharges with pH less than 5.0, unless the works is specifically designed to accommodate such discharges;
4. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the sewerage system resulting in interference;
5. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the treatment plant;
6. Heat in amounts which will inhibit biological activity in the treatment plant resulting in interference; but in no case, heat in such quantities that the temperature at the treatment plant exceeds 90 degrees Fahrenheit (32 degrees Centigrade) unless the Pretreatment Section of the Department, upon request of the permittee, approves alternate temperature limits;
7. Pollutants which result in the presence of toxic gases, vapors or fumes within the sewerage system in a quantity that may cause acute worker health and safety problems; and
8. Any trucked or hauled wastewater, except for domestic septage, wastewater transported by truck from within the collection system due to blockage or breaks in the system or from other systems when approved by the Department, and drinking water plant wastewater.

### E. Protection Of Water Quality

It is a violation of this permit to discharge any substance not otherwise listed under the permit's "Effluent Limitations and Monitoring Requirements" special conditions at a level which would cause or contribute to any exceedance of the numerical water quality standards in COMAR 26.08.02.03 unless the level and the substance were disclosed in writing in the permit application prior to the issuance of the permit. If a discharge regulated by this permit causes or contributes to an exceedance of the water quality standards in COMAR 26.08.02.03, including but not limited to the general water quality standards, or if the discharge includes a pollutant that was not disclosed or addressed in the public record for the permit determination, the Department is authorized to modify, suspend or revoke this permit or take enforcement action to address unlawful discharges of pollutants.

## II. SPECIAL CONDITIONS

### F. Reapplication for a Permit

No later than April 1, 2015, unless permission for a later date has been granted by the Department, the permittee shall submit a new application for a permit or notify the Department of the intent to cease discharging by the expiration date. In the event that a timely and complete reapplication has been submitted and the Department is unable, through no fault of the permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit continue and remain fully effective and enforceable. The renewal application is required by that date in accordance with the requirements of MDE's Watershed Permitting Plan under which all discharge permits in a watershed should be issued in the same year.

### G. Wastewater Discharges to Groundwater

This permit does not authorize the permittee to discharge any type or quantity of the wastewater to the groundwater of the State. The permittee must make every effort to prevent any type of leakage or discharges to the groundwater system from the wastewater storage lagoon(s) and/or other conveyance system.

### III. GENERAL CONDITIONS

#### A. Monitoring and Reporting

##### 1. Representative Sampling

Samples and measurements shall be taken at times that are representative of the quantity and quality of the discharge, and at evenly spaced intervals.

##### 2. Monthly Monitoring Results

###### a. i. Discharge Monitoring Reports

Monitoring results obtained each month shall be summarized on a Discharge Monitoring Report form (EPA No. 3320-1). The permittee shall submit the Discharge Monitoring Reports to the Department postmarked no later than the 28th of the month following the reporting month. A signed original plus a copy of these reports shall be submitted to:

Attention: Discharge Monitoring Reports  
WMA - Compliance Program  
Maryland Department of the Environment  
1800 Washington Boulevard, STE-425  
Baltimore, MD 21230-1708

ii. Submittal of Discharge Monitoring Report (DMR) and Monthly Operating Report forms are also required during the months of April 1 through November 30. If a discharge to surface waters occurs during the non-permitted months of April 1 through November 30, the facility is required to notify the MDE of the noncompliance within 24 hours via telephone. In addition, a five-day-letter describing in detail the non-complying discharge is to follow. Sampling results for the effluent characteristics listed in Special Condition II. B. shall also be submitted to MDE for the non-complying discharge

###### b. Monthly Operating Reports

The permittee shall submit monthly operating reports on a form acceptable to the Compliance Program. A signed original plus a copy of these reports shall be submitted to the Compliance Program postmarked no later than the 28th day of the month following the reporting month.

###### c. Toxic Chemical Reporting

Any data collected according to the Department's "Toxic Pollutant Monitoring Protocol and Reporting Requirements for Toxic Chemical Testing Analytical Data" (05/18/2011) being submitted to the

### III. GENERAL CONDITIONS

2.c. Toxic Chemical Reporting, continued

Department, either in fulfillment of Special Conditions II.B or pursuant to the toxic chemical testing requirement, pretreatment requirements or toxic metals or organic data collected on a voluntary basis, must be accompanied by laboratory data reports. At a minimum, these reports shall include, the name of the facility, the date(s) of sampling, beginning and ending sample time, place of sampling collection, the sample type (grab, composite, etc.), the sample description (influent or effluent), the preservation method, the analytical method used for each parameter, the analytical method detection limit, the date of analysis, the name of person performing the analysis, the analytical result, and the name and address of the laboratory performing the analyses. Chain-of-custody forms shall also be submitted. This information, along with the supporting documentation, shall be submitted to:

Attention: Toxic Chemical Data  
WMA – Compliance Program  
Maryland Department of the Environment  
1800 Washington Boulevard, STE 420  
Baltimore, Maryland 21230-1708

3. Sampling and Analysis Methods

Analytical and sampling methods shall conform to test procedures for the analysis of pollutants as identified in 40 CFR Part 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants."

4. Analytical Laboratory

Within 30 days after the effective date of this permit, the permittee shall submit to the Department the name and address of the analytical laboratory (including the permittee's own laboratory) which is used to perform the monitoring required by this permit.

If the laboratory changes during the effective period of this permit, the permittee shall notify the Department of the new laboratory within 30 days after the change.

5. Monitoring Equipment Maintenance

a. The permittee shall calibrate and maintain all monitoring and analytical instrumentation to ensure accuracy of measurements.

### III. GENERAL CONDITIONS

5. b. Environment Article, Section 9-343 provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

6. Recording of Results

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

- a. the date, exact place and time of sampling or measurement;
- b. the person(s) who performed the sampling or measurement;
- c. the dates analyses were performed;
- d. the person(s) who performed each analysis;
- e. the analytical techniques or methods used; and
- f. the results of such analyses.

7. Additional Monitoring by Permittee

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 above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA No. 3320-1). The increased frequency shall also be reported. The results of any other monitoring performed by the permittee shall be made available to the Department upon request.

8. Record Retention

All data used to complete the permit application and all records and information resulting from the monitoring activities required by this permit, including all records of sampling and analyses performed, calibration and maintenance of instrumentation, and recordings from continuous monitoring instruments, shall be retained for a minimum of three years. This period shall be extended automatically during the course of litigation or when requested by the Department.

### III. GENERAL CONDITIONS

#### B. General Requirements

##### 1. Permit Noncompliance - Notification Requirements

All discharges authorized herein shall be consistent with the terms and conditions of this permit. If, for any reason, the permittee does not comply with or will be unable to comply with any permit condition, the permittee shall, within 24 hours, notify the Department by telephone at (410) 537-3510 during work hours or at (866) 633-4686 during evenings, weekends, and holidays. The permittee shall provide the Department with the following information in writing within five days of such oral notification.

- a. a description of the noncomplying discharge including the name of the stream and the impact upon the receiving waters;
- b. cause of noncompliance;
- c. the duration of the period of noncompliance and the anticipated time the condition of noncompliance is expected to continue;
- d. steps taken by the permittee to reduce and eliminate the noncomplying discharge;
- e. steps to be taken by the permittee to prevent recurrence of the condition of noncompliance;
- f. a description of the accelerated or additional monitoring to determine the nature and impact of the noncomplying discharge; and
- g. the results of the monitoring described in f. above.

##### 2. Change in Discharge

The permittee shall report any anticipated facility expansions, production increases, or process modifications which will result in new, different or an increased discharge of pollutants by submitting a new application at least 180 days prior to the commencement of the changed discharge except that if the change only affects a listed pollutant and will not violate the effluent limitations specified in this permit, by providing written notice to the Department. Following such notice, the permit may be modified by the Department to include new effluent limitations on those pollutants.

### III. GENERAL CONDITIONS

#### 3. Facility Operation and Quality Control

All waste collection, control, treatment and disposal facilities shall be operated in a manner consistent with the following:

- a. Facilities shall be operated efficiently to minimize upsets and discharges of excessive pollutants.
- b. The permittee shall provide an adequate operating staff qualified to carry out operation, maintenance and testing functions required to ensure compliance with this permit. Superintendents and operators must be certified by the Board of Waterworks and Waste Systems Operators located at Montgomery Park Business Center, 1800 Washington Boulevard, STE- 410, Baltimore, Maryland 21230 in accordance with Title 12 of Environmental Article, Annotated Code of Maryland, and Section 26.06.01 of the COMAR.
- c. Facility maintenance work, which adversely affects or may adversely affect the discharge quality shall be scheduled during non-critical water quality periods.

#### 4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of this State, human health or the environment resulting from noncompliance with any effluent limitations specified in this permit, and must perform accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

#### 5. Bypassing

Any bypass of treatment facilities is prohibited unless the bypass does not cause any violations of the effluent limitations specified in Special Condition II.A, and is for essential maintenance to assure efficient operation, or unless the permittee can prove that:

- a. the bypass is unavoidable to prevent loss of life, personal injury, or 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; and
- b. there are no feasible alternatives to the bypass; and

### III. GENERAL CONDITIONS

5.
  - c. the Department receives notification pursuant to General Condition III.B.1 above. Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten days before the date of the bypass or at the earliest possible date if the period of advance knowledge is less than ten days; and
  - d. the bypass is allowed under conditions approved by the Department to be necessary to minimize adverse effects.
6. Conditions Necessary for Demonstration of Upset

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based effluent limitations only if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

- a. an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. the permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
- c. the permittee submitted a 24-hour notification of upset in accordance with the reporting requirements of General Condition III.B.1 above;
- d. the permittee submitted, within five calendar days of becoming aware of the upset, documentation to support and justify the upset; and
- e. the permittee complied with any remedial measures required to minimize adverse impact.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

7. Sewage Sludge Requirements

The permittee shall comply with all existing State and federal laws and regulations that apply to sewage sludge monitoring requirements and utilization practices, and with any regulations promulgated pursuant to Environment Article, Section 9-230 et seq. or to the Clean Water Act, Section 405 (d). The permittee is responsible for ensuring that its sewage sludge is utilized in accordance with a valid sewage sludge utilization permit issued by the Department. If the sludge is hauled out of the State for disposal, a transportation permit must be obtained from the Department.

### III. GENERAL CONDITIONS

8. Power Failure

The permittee shall maintain compliance with the effluent limitations and all other terms and conditions of this permit in the event of a reduction, loss or failure of the primary source of power to the wastewater collection and treatment facilities.

9. Right of Entry

The permittee shall allow the Secretary of the Department, the Regional Administrator of the Environmental Protection Agency, and their authorized representatives, upon the presentation of credentials to enter upon the permittee's premises and:

- a. to have access to and to copy any records required to be kept under the terms and conditions of this permit;
- b. to inspect any monitoring equipment or monitoring method required in this permit;
- c. to inspect any collection, treatment, pollution management, or discharge facilities required under this permit; or
- d. to sample any discharge of pollutants.

10. Property Rights/Compliance With Other Requirements

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, invasion of personal rights, or any infringement of federal, State or local laws or regulations.

11. Reports and Information

- a. Upon request, the permittee shall provide to the Department, within a reasonable time, copies of records required to be kept by this permit. The permittee shall also furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit; or to determine compliance with this permit.
- b. All applications, reports or information submitted to the Department shall be signed and certified as required by COMAR 26.08.04.01 and 40 CFR 122.22.
- c. Except for data determined to be confidential under COMAR 26.08.04.01, all data shall be available for public inspection at the Department and the Office of the Regional Administrator of the Environmental Protection Agency. Effluent data shall not be considered confidential.

### III. GENERAL CONDITIONS

11. d. Environment Article, Section 9-343 provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall upon conviction be punished by a fine of not more than \$10,000 or by imprisonment for not more than six months or by both.

12. Transfer of Ownership or Control

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred automatically to another person only if:

- a. the current permittee notify the Department, in writing, of the proposed transfer at least 30 days prior to the proposed transfer date;
- b. the notice includes a written agreement between the existing permittee and a new permittee containing the specific date of proposed transfer of permit coverage, and of responsibilities and liabilities under the permit; and
- c. neither the current permittee nor the new permittee receive notification from the Department, within 30 days of the Department's receipt of the agreement, of its intent to modify, revoke, reissue or terminate the existing permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 12(b) above.

13. New Effluent Standards

This permit shall be revoked and reissued or modified to meet any effluent standard, water quality standard or prohibition established under the Environment Article, the Clean Water Act, or regulations promulgated thereto, and the permittee shall be so notified.

14. Industrial Users

The permittee shall require all industrial users of the wastewater treatment facility to comply with user charges as established by the permittee, pursuant to Section 9-326(a)(i) of the Environment Article.

### III. GENERAL CONDITIONS

15. Noncompliance

Nothing in this permit shall be construed to preclude the institution of any legal action for noncompliance with State, federal or local laws and regulations.

16. Oil and Hazardous Substance Liability

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

17. Waterway Construction and Obstruction

The permit does not authorize the construction or placing of physical structures, facilities, debris, or the undertaking of related activities in any waters of this State including the 100 year flood plain.

18. Construction Permit

This permit is not a permit to construct. For a new facility, in order to make this permit valid, a construction permit shall be obtained to meet the requirements of COMAR 26.03.12.03(A) and Environment Article, Section 9-204(d).

19. Severability

If any provision of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect, and such invalid provisions shall be considered severed and deleted from this permit.

C. Wastewater Collection System

This permit shall not authorize discharges from the wastewater collection system for this facility.

1. Reporting Requirements

Pursuant to Environment Article Sub title 9-331.1, the permittee must report sanitary sewer overflows (SSOs) which result in the direct or potential discharge of raw or diluted sewage into the surface waters or ground waters of the State to the Water Management Administration's Compliance Program. Concurrently, the permittee shall also notify the local health department. Such reports must be made via telephone as soon as practicable, but no later than 24 hours after the time that the permittee became aware of the event. Reportable SSOs include,

### III. GENERAL CONDITIONS

1. Reporting Requirements, continued

but are not limited to, overflows into the surface of the ground, into waterways, storm drains, ditches or other manmade or natural drainage conveyances to surface or ground waters which are reasonably likely to reach waters of the State. Overflows that are wholly contained within buildings and not likely to discharge to waterways need not be reported. Treatment plant bypasses shall be reported under General Condition III.B.1. Telephone reports shall be made to (410) 537-3510 on weekdays between 8:00 a. m. and 5:00 p.m. After hours telephone notification shall be made to emergency response number at (866) 633-4686.

When the incident is reported to the Department, the following information needs to be included:

- a. the location of the overflow, including city or county,
- b. the name of the receiving water, if applicable;
- c. an estimate of the volume of sewage discharged;
- d. a description of the sewer system or treatment plant component from which the overflow was released (such as manhole, crack in pipe, pumping station wet well or constructed overflow pipe);
- e. an estimate of the overflow's impact upon public health and to waters of the State;
- f. the cause or suspected cause of the overflow;
- g. the estimated date and time when the overflow began and stopped or the anticipated time the overflow is expected to continue;
- h. if known at the time of reporting, the steps taken or planned to reduce, eliminate and prevent reoccurrence of the overflow and a schedule of major milestones for those steps; (if unknown at the time the telephone report is made, the steps must be included in the written reports submitted under general conditions III.C.2).
- i. if known at the time of reporting, measures taken or planned to mitigate the adverse impact of the overflow and a schedule of major milestones for those steps (if unknown at the time the telephone report is made, the steps must be included in the written reports submitted under general conditions III.D.2); and
- j. whether there has already been a notification to the public and other City or County Agencies or Departments and how notification was done.

### III. GENERAL CONDITIONS

2. Written Reports

Within 5 calendar days following telephone notification of the event, the permittee shall provide MDE with a written report regarding the incident that includes, at a minimum, the information cited above. The permittee shall maintain copies of all overflow records and reports, work orders associated with investigation of overflows, a list and description of complaints from customers or others related to overflows (including backups of sewage in to houses or businesses), and documentation of performance and implementation measures for minimum period of three years and shall make this information available to MDE for review upon written request.

This wastewater collection system provision may be superseded by a general permit for collection systems, when such a permit is issued by MDE and the permittee have been accepted for registration under the permit.

3. Other Requirements

The permittee, as directed by the State or local health department, shall also be responsible for posting notification in close proximity to the affected area/stream and for conducting appropriate water quality sampling as deemed necessary.

D. Permit Expiration, Modification, or Revocation

1. Expiration of Permit

This permit and the authorization to discharge shall expire at midnight on the expiration date of the permit unless the permittee has submitted a timely and complete reapplication pursuant to Section II.I.

2. [Reserved.]

3. Permit Modification - Request of Responsible Permittee

A permit may be modified by the Department upon the written request of the permittee and after notice and opportunity for a public hearing in accordance with the provisions set forth in COMAR 26.08.04.10.

4. Permit Modification, Suspension, Revocation - Violation of Laws

A permit may also be modified, suspended or revoked by the Department, in the event of a violation of the terms or conditions of the permit, or of State or federal laws and regulations and in accordance with the provisions set forth in COMAR 26.08.04.10. This permit may be suspended or revoked upon a final, unreviewable determination that the permittee lacks, or is in violation of, any federal, state, or local approval necessary to conduct the activities authorized by this permit.

#### **IV. CIVIL AND CRIMINAL PENALTIES**

##### **A. Civil Penalties for Violations of Permit Conditions**

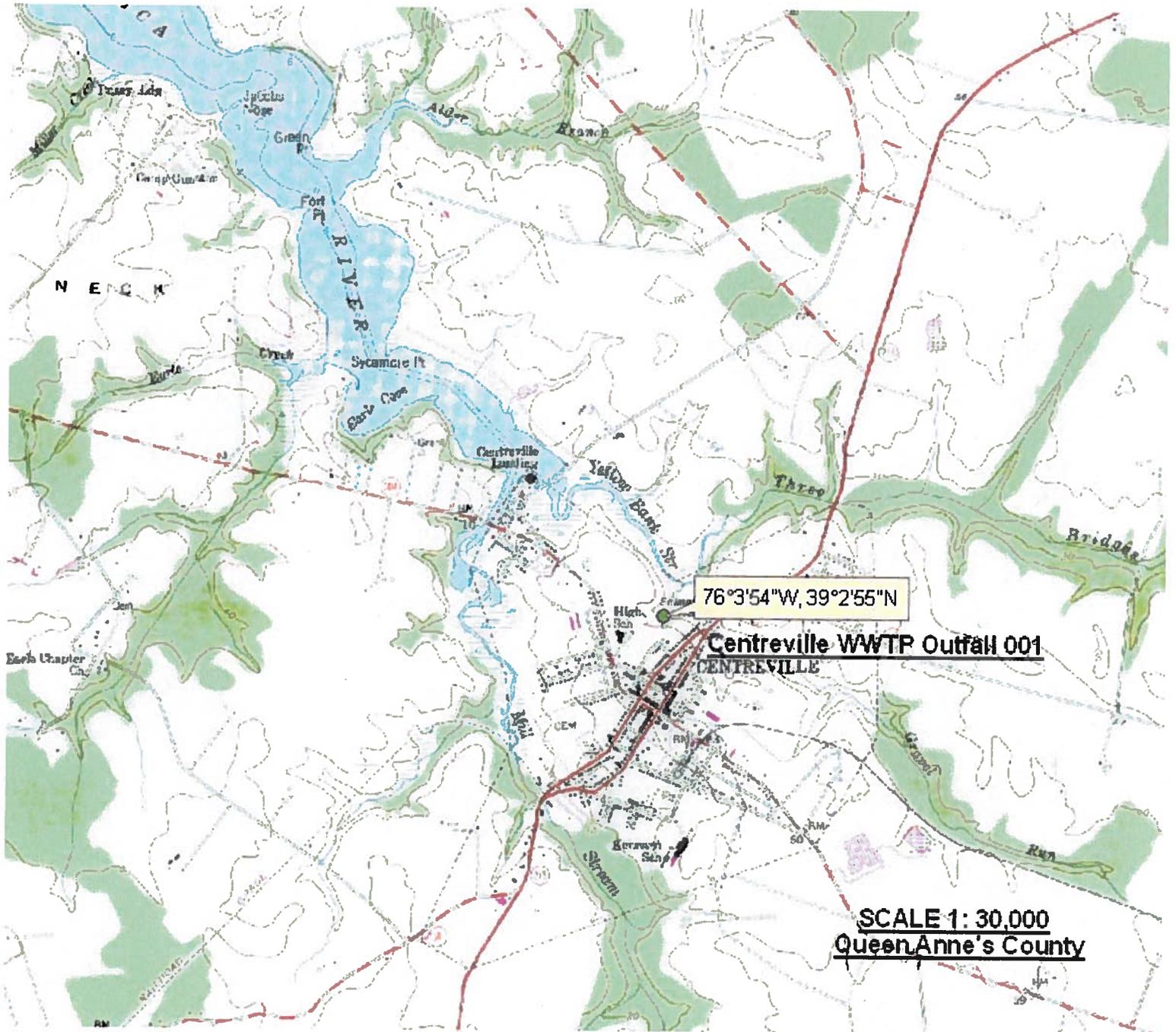
In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that any person who violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed \$32,500 per day for each violation.

##### **B. Criminal Penalties for Violations of Permit Conditions**

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that:

1. any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$2,500 nor more than \$27,500 per day of violation, or by imprisonment for not more than one year, or by both.
2. any person who knowingly violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than three years, or by both.
3. any person who knowingly violates Section 301, 302, 306, 307, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both.
4. any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under the Act, is subject to a fine of not more than \$10,000 or by imprisonment for not more than two years, or by both.

### V. MAP SHOWING DISCHARGE POINT LOCATION



## **VI. NPDES PROGRAM**

**DRAFT**

On September 5, 1974, the Administrator of the U.S. Environmental Protection Agency approved the proposal submitted by the State of Maryland for the operation of a permit program for wastewater discharges pursuant to Section 402 of the Clean Water Act.

Pursuant to the aforementioned approval, this discharge permit is both a State of Maryland discharge permit and an NPDES permit.

---

Jay G. Sakai, Director  
Water Management Administration