[LETTER HEAD]

INDUSTRIAL WASTEWATER DISCHARGE PERMIT

WASTEWATER DISCHARGE PERMITS #*EXAMPLE CIU*

Issued by the

CITY OF _____

FLORIDA

To

COMPANY NAME

ADDRESS

CITY, FL ZIP CODE

SAMPLE INDUSTRIAL USER PERMIT

TRANSMITTAL LETTER

(Control Authority Letterhead with Address Should be used)

CERRTIFIED MAIL RETURN RECEIPT REQUEST

[Name of responsible official at industry] [Title]
[Industrial user's name]
[Facility's mailing address]

RE: Issuance of Industrial User Permit to **[name of industrial user]** by the **[name of Control Authority].**
Permit No. **[cite permit number]**.

Dear **[name of responsible official at industry]**:

Your application for an industrial user pretreatment permit has been reviewed and processed in accordance with

[cite specific section of ordinance].

The enclosed permit number **[cite permit number]** covers the wastewater discharged from the facility at **[facility address]** into the **[name of Control Authority]** sewer system. All discharges from this facility and actions and reports relating to them must be in accordance with the terms and conditions of this permit.

If you wish to appeal or challenge any conditions imposed in this permit, you must file a petition for modification or reissuance of this permit in accordance with the requirements of **[cite specific section of ordinance]** within 30 days of your receipt of this correspondence. Pursuant to **[cite specific section of ordinance]**, failure to petition for reconsideration of the permit within the allotted time is deemed a waiver by the permittee of its right to challenge the terms of this permit.

[Official seal of Control Authority]

By: **[Signature of Control Authority representative]**

_____

[Name and title of Control Authority representative]

Issued this **[date]** day of **[month]**, 20_____

PERMIT COVER PAGE

Permit No. **[cite permit number]**

INDUSTRIAL USER PERMIT

In accordance with the provisions of **[cite specific section of ordinance] [Industrial user's name]**

[Facility address]

[Mailing address (optional)]

is hereby authorized to discharge industrial wastewater from the above-identified facility and through the outfalls identified herein into the **[name of Control Authority]** sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that might become effective during the term of this permit. ***(Note to the permit writer: For this sample permit, the IU is a Significant Industrial User subject to 40 CFR Part 433.)***

Noncompliance with any term or condition of this permit will constitute a violation of the **[name of Control Authority]** sewer use ordinance.

(Note to the permit writer: The term of the permit must not exceed more than 5 years. For example, if a permit becomes effective July 1, 2007, and has a 5-year duration, the permit expires June 30, 2012.)

This permit will become effective **[date]** and will expire at midnight **[date].**

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of **[cite specific section of ordinance]**, a minimum of **[insert the number of days as defined by ordinance or legal authority]** days before the expiration date.

[Official seal of Control Authority]

By: **[Signature of Control Authority representative]**

[Name and title of Control Authority representative]

Issued this **[date]** day of **[month],** 20_____

PART 1 – EFFLUENT LIMITATIONS

A. During the period of **[effective date of permit]** to **[expiration date of permit]**, the permittee is authorized to discharge process, non-process, and sanitary wastewater to the **[name of Control Authority]** sewer system from the outfalls listed below.

Description of outfalls:

Outfall	Description
001	***(Note to the permit writer: The permit writer must clearly identify the outfalls using brief, detailed narrative descriptions and diagrams as necessary. For this sample permit, only categorical process wastewater is discharged through outfall*** ***1. Outfall 001 is considered an end-of-process sampling location.)*** Outfall 001 is also considered sampling point 001. Sampling point 001 is at the Parshall flume after the facility's wastewater treatment system in the southeast corner of Building A. ***(Note: A photo of Outfall 001 is recommended to be referenced here and included in the permit as an attachment).***
002	***(Note to the permit writer: For this sample permit, categorical and noncategorical process wastewater and sanitary wastewater are discharged through outfall 002. Outfall 002 is considered an end-of-pipe sampling location.)*** Outfall 002 is also considered sampling point 002. Sampling point 002 is at the manhole in the southwest parking lot. ***(Note: A photo of Outfall 002 is recommended to be referenced here and included in the permit as an attachment).***

B. ***(Note to the permit writer: The permit writer should provide a description of the categorical process discharges that are combined at this sampling location.)***

During the period of **[date]** to **[date],** the discharge from outfall 001 must not exceed the following effluent limitations. Effluent from this outfall consists of plating rinse waters from the facility's gold and silver plating lines. The facility is considered a new source subject to the pretreatment standards for new sources (PSNS) at Title 40 of the *Code of Federal Regulations* (CFR) Part 433, subpart A.

CATEGORICAL EFFLUENT LIMITATIONS

Parameter	Daily maximum	Monthly
Cadmium (Total)	0.11	0.07
Chromium (Total)	2.77	1.71
Copper (Total)	3.38	2.07
Lead (Total)	0.69	0.43
Nickel (Total)	3.98	2.38
Silver (Total)	0.43	0.24
Zinc (Total)	2.61	1.48
Cyanide (Total)	1.20	0.65
Total Toxic Organics (TTO)*	2.13	

*The abbreviation *TTO* means total toxic organics, which is the summation of all quantifiable values greater than 0.01 milligram per liter (mg/L) for the following toxic organics:

Parameter	**Parameter**	**Parameter**
Acenaphthene	Bis (2-chloroethoxy) methane	Toluene
Acrolein	Methylene chloride	Trichloroethylene
Acrylonitrile	Methyl chloride	Vinyl chloride
Benzene	Methyl bromide	Aldrin
Benzidine	Bromoform	Dieldrin
Carbon tetrachloride	Dichlorobromomethane	Chlordane
Chlorobenzene	Chlorodibromomethane	4,4-DDT
1,2,4-Trichlorobenzene	Hexachlorobutadiene	4,4-DDE (p,p-DDX)
Hexachlorobenzene	Hexachlorocyclopentadiene	4,4-DDD (p,p-TDE)
1,2,-Dichloroethane	Isophorone	Alpha-endosulfan
1,1,1-Trichloroethane	Naphthalene	Beta-endosulfan
Hexachloroethane	Nitrobenzene	Endosulfan sulfate
1,1-Dichloroethane	2-Nitrophenol	Endrin
1,1,2-Trichloroethane	4-Nitrophenol	Endrin aldehyde
1,1,2,2-Tetrachloroethane	2,4-Dinitrophenol	Heptachlor
Chloroethane	4,6-Dinitro-o-cresol	Heptachlor epoxide
Bis (2-chloroethyl) ether	N-nitrosodimethylamine	Alpha-BHC

Parameter	Parameter	Parameter
2-Chloroethyl vinyl ether	N-nitrosodiphenylamine	Beta-BHC
2-Chloronaphthalene	N-nitrosodi-n-propylamine	Gamma-BHC
2,4,6-Trichlorophenol	Pentachlorophenol	Delta-BHC
Parachlorometa cresol	Phenol	PCB-1242 (Arochlor 1242)
Chloroform	Bis (2-ethylhexyl) phthalate	PCB-1254 (Arochlor 1254)
2-Chlorophenol	Butyl benzyl phthalate	PCB-1221 (Arochlor 1221)
1,2-Dichlorobenzene	Di-n-butyl phthalate	PCB-1232 (Arochlor 1232)
1,3-Dichlorobenzene	Di-n-octyl phthalate	PCB-1248 (Arochlor 1248)
1,4-Dichlorobenzene	Diethyl phthalate	PCB-1260 (Arochlor 1260)
3,3-Dichlorobenzidine	Dimethyl phthalate	PCB-1016 (Arochlor 1016)
1,1-Dichloroethylene	Benzo(a)Anthracene	Toxaphene
1,2-Trans-dichloroethylene	Benzo(a)pyrene	2,3,7,8-Tetrachlorodibenzo-p-dioxin
2,4-Dichlorophenol	Benzo(b)fluoranthene	
1,2-Dichloropropane	Benzo(k)fluoranthene	
1,3-Dichloropropylene	Chrysene	
2,4-Dimethylphenol	Acenaphthylene	
2,4-Dinitrotoluene	Anthracene	
2,6-Dinitrotoluene	Benzo(ghi)perylene	
1,2-Diphenylhydrazine	Fluorene	
Ethylbenzene	Phenanthrene	
Fluoranthene	Dibenzo(a,h)anthracene	
4-Chlorophenyl phenyl ether	Indeno(1,2,3-cd) pyrene	
4-Bromophenyl phenyl ether	Pyrene	
Bis (2-chloroisopropyl) ether	Tetrachloroethylene	

C. During the period of **[date]** to **[date],** the effluent from outfall 002 will be of domestic, categorical, and noncategorical wastewaters and must comply with the local limits listed below **[cite specific section of ordinance containing prohibited discharges and local limits]**.

LOCAL EFFLUENT LIMITATIONS

Parameter	Daily maximum ((mg/L)	Monthly average
BOD	500	
TSS	350	
Arsenic (T)	2.0	
Cadmium (T)	1.25	
Chromium (T)	0.9	
Copper (T)	1.0	
Cyanide (T)	0.10	
Lead (T)	2.5	
Mercury (T)	0.005	
Nickel (T)	1.1	
Zinc	2.75	
pH	5–[_] s.u.	

(Note: The CA may require the IU to "Report Only" or Establish a maximum flow (day-basis and/or gpm-basis) based on paid capacity or CA collection system capacity limitations)

(Note to the permit writer: The permit writer must include the local limits established by the ordinance even if the IU is not required to monitor for all the pollutants with local limits. Including all the local limits in the permit, even if the IU is not required to monitor for all of them ensures that the IU is aware of all the discharge requirements. The permit writer may include an additional table outlining which pollutants of concern are required to be monitored; see Part 2 of the sample permit.)

D. In addition to the local effluent limits, the permittee is required to implement the following best management practices (BMPs) to control its discharge of silver into the publicly owned treatment works (POTW). ***(Note to the permit writer: The use of BMPs in lieu of local limits or in conjunction with local limits is allowable only if the POTW's pretreatment program has adequate legal authority to implement this option.)***

1. The facility has a silver recovery system (two silver recovery canisters). The silver recovery canisters must be connected in series to optimize silver removal.

2. Maintain the canister system to prevent breakthrough.

3. Document when each canister is serviced or changed.

4. Document the quantity of silver recovered.

5. The permittee is prohibited from discharging any untreated silver waste chemicals to the POTW.

E. ***(Note to the permit writer: The following specific discharge prohibitions may appear in the Effluent Limits section or in the Standard Conditions section of the permit)***. The permittee must not discharge wastewater containing any of the following substances from any of the outfalls:

a. Fats, oil, or greases of animal or vegetable origin in concentrations greater than **[numeric limit established by Control Authority]** mg/L

b. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through

c. Pollutants that create a fire or explosive hazard in the POTW, including but not limited to wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Centigrade) using the methods specified at 40 CFR 261.21

d. Wastewater that has a temperature greater than **[temperature limit established by Control Authority]**, or will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater that causes the temperature at the introduction into the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius)

e. Solids or viscous substances in amounts that will cause obstruction of flow in the POTW, resulting in interference [but in no case solids greater than [____] inch(es) (”) or [_____] centimeter(s) (_____cm) in any dimension]

f. Pollutants, including oxygen-demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or concentration that, singly or by interaction with other pollutants, will cause interference with the POTW. For the purpose of this section, the term *interference* has the same definition as that in the **[name of Control Authority's]** ordinance **[cite specific section of ordinance]**;

g. Wastewater having a pH of less than 5.0 or more than **[the upper pH limit established by the POTW]**, or otherwise causing corrosive structural damage to the POTW or equipment

h. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that might cause acute worker health and safety problems.

F. All discharges must comply with all other applicable laws, regulations, standards, and requirements contained in **[cite specific section of ordinance]** and any applicable state and federal pretreatment laws, regulations, standards, and requirements, including any such laws, regulations, standards, or requirements that might become effective during the term of this permit.

PART 2 – MONITORING REQUIREMENTS

A. All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. ***(Note to the permit writer: The following parameters are an example of what might be included in this section of the permit. The permit writer must include all parameters identified in Part 1B unless the Control Authority has granted the user the right to waive monitoring of pollutants not present or expected to be present.)***

From the period beginning on the effective date of the permit until **[date]**, the permittee must monitor outfalls 001 and 002 for the following parameters, at the indicated frequency:

Sample Parameter (units)	Measurement Location	Frequency	Sample Type
Flow (gpd) TTO (mg/L) BOD (mg/L)	001, 002 See note b 002	Continuous 1/6 months 1/year	Meter[a] Grab[c] Grab
TSS (mg/L)	002	1/year	Grab[c]
Arsenic (mg/L)	002	1/6 months	24-hr composite[d]
Cadmium (mg/L)	001, 002 001. 002	1/6 months Not Applicable	24-hr composite[d] Not applicable[e]
Chromium[e] (mg/L) Copper (mg/L)	001, 002	1/week	24-hr composite[d]
Cyanide[e] (mg/L)	001, 002	Not Applicable	Not applicable[e]
Lead[f] (mg/L)	001, 002	1/year	24-hr composite[d]
Mercury (mg/L)	002	1/6 months	24-hr composite[d]
Nickel (mg/L)	001, 002	1/month	24-hr composite[d]
Silver (mg/L)	001	1/6 months	24-hr composite[d]
Zinc (mg/L)	001, 002	1/6 months	24-hr composite[d]
pH (s.u.)	002	Continuous	Meter[g]

Notes:

a- Daily flows are to be recorded from the permittee's flow meter.

b- ***(Note to the permit writer: For this sample permit, the permittee has submitted a toxic organic management plant, TOMP, and the permit writer is allowing the permittee to submit the certification statement in lieu of monitoring for TTOs. If the permittee did not have a TOMP, the permittee would be required to monitor for the TTO pollutants.)***

The permittee has submitted a toxic organics management plan. Therefore, in lieu of monitoring for TTOs, the permittee may submit the certification statement as set forth in Part 3.C of this permit.

If the permittee fails to certify, sign, and submit the certification statement, the permittee will be required to conduct the required TTO monitoring at the frequency specified in the table above and submit the subsequent results.

c- A minimum of four grab samples at equal intervals (but at least 1 hour apart) over a period of daily discharge.

d- ***(Note to the permit writer: The permit writer must determine the type of composite sample (time-proportional or flow-proportioned) and the sampling duration (8-hour, 12-hour, or 24-hour) that is most appropriate for the industrial user and define it here or in the standard conditions.)***

Flow-proportional composite sample over daily duration of discharge.

e- (***Note to the permit writer: For this sample permit, the permit writer has waived monitoring requirements for chromium and cyanide. Before implementing this option, the permit writer must ensure that the pollutant is neither present nor expected to be present, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the permittee.)***

Monitoring for chromium and cyanide is not required because the permittee has demonstrated that chromium and cyanide are not present and are not expected to be present in the permittee's discharge.

f- The monitoring frequency for lead has been reduced to once a year because the permittee's discharge complies with the conditions set forth at 40 CFR 403.12(e)(3).

g- PH will be monitored and recorded continuously by the permittee's pH meter.

B. ***(Note to the permit writer: The permit writer has the option to waive monitoring requirements for pollutants not expected to be present. Before using this option, the permit writer must ensure that the pretreatment program has adequate authority to waive monitoring requirements for pollutant not present or expected to be present and that the program has been modified in accordance with 40 CFR Part 403.)***

During the period of **[date]** to **[date]** the **[name of the POTW]** is granting **[industry name]** a monitoring waiver for *chromium and cyanide*. If either chromium or cyanide is found to be present or is expected to be present because of changes that occur in the permittee's operations, the permittee must immediately begin monitoring for the pollutant as outlined below.

Sample Parameter (units)	Measurement Location	Frequency	Sample Type
Chromium (T)	001, 002	1/month	24-hour composite
Cyanide (T)	001[a], 002	1/month	Grab

a- Monitoring for cyanide must be conducted after the cyanide treatment unit, before dilution with other wastestreams, and when cyanide is expected to be present at its maximum concentration.

C. ***(Note to the permit writer: The permit writer has the option to reduce the monitoring and reporting requirements for a CIU if it complies with the conditions set forth at 40 CFR 403.12(e)(3). Before using this option, the permit writer must ensure that the pretreatment program has adequate authority to reduce monitoring and reporting requirements and the program has been modified in accordance with 40 CFR Part 403)***

During the period of **[date]** to **[date], [industry name]** has a reduced monitoring and reporting requirement for *lead*. If the permittee no longer meets the conditions listed at 40 CFR 403.12(e)(3)(i) or (ii), the permittee must immediately begin monitoring for the pollutant as outlined below.

Sample Parameter (units)	Measurement Location	Frequency	Sample Type
Lead (T)	001, 002	1/6 month	24-hour composite

PART 3 – REPORTING REQUIREMENTS

A. Monitoring Reports

Monitoring results obtained must be summarized and reported on an Industrial User Monitoring Report Form. Reports for parameters with a continuous monitoring frequency must be submitted monthly. The reports are due within 15 days after the end of each calendar month. The first monthly report is due **[date].**

Reports for parameters with a 1/6 months monitoring frequency must be submitted within 15 days after each reporting period. The reporting periods are January–June and July–December. The first 1/6 month report is due **[date].**

Reports for parameters with a 1/year monitoring frequency must be submitted within 15 days after each reporting period. The reporting period is January–December (calendar year). The first 1/year report is due **[date].**

All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report, including measured maximum and average daily flows.

B. Silver BMP Reports

Report once every 6 months (January–June and July–December) the information regarding the frequency of maintenance (date of each maintenance service) of the silver recovery canisters and the quantity of silver recovered during the previous 6 months. Each report is due within 15 days after the end of the reporting period. The first silver BMP report is due **[date].**

Each report required by the BMP must be certified and signed by an appropriate, authorized person.

C. Certification Statements

The permittee is required to sign and submit the following certification statements with each 1/6 months monitoring report:

(Note to the permit writer: This certification submittal is required only if the permit writer has granted a monitoring waiver for a pollutant not present or expected to be present.) Based on my inquiry of the person directly responsible for managing compliance with the pretreatment standard for 40 CFR Part 433, I certify that, to the best of my knowledge and belief, there has been no increase in the level of *chromium and cyanide* in the wastewaters due to the activities at the facility since filing of the last periodic report under 40 CFR 403.12(e)(1).

(Note to the permit writer: This certification submittal is required only if the permit writer has granted the use of a TOMP and TTO certification in

lieu of monitoring for TTOs.) Based on my inquiry of the permit or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the Control Authority.

The permittee is required to sign and submit the following certification statement with all monitoring reports:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

D. ***(Note to the permit writer: This reporting requirement is required only if the permit writer has granted a monitoring waiver for pollutant not present or expected to be present.)***

If either the *chromium or cyanide* is found to be present or is expected to be present because of changes that occur in the permittee's operations, the permittee must immediately notify the **[name of Control Authority]**.

E. ***(Note to the permit writer: This reporting requirement is required only if the permit writer has granted a reduced monitoring and reporting frequency.)***

The permittee is required to notify the **[name of Control Authority]** immediately if the permittee's categorical wastewater flow exceeds the following conditions:

1. 5,000 gallons per day **[0.01 percent of the POTW's design dry weather flow or 5,000 gallons per day, whichever is smaller]** as measured by a continuous effluent flow monitoring device

2. 20.85 pounds per day of biochemical oxygen demand (BOD) or 20.85 pounds per day of total suspended solids (TSS) **[0.01 percent of the design dry weather organic treatment capacity]** of the POTW

3. 0.015 pound per day of lead **[0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standard for which approved local limits were developed]**.

F. If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the U.S. Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring must be included in any calculations of actual daily maximum or monthly average pollutant discharge, and results must be reported in the monthly report submitted to the **[name of Control Authority]**. Such an increased monitoring frequency must also be indicated in the monthly report. ***(Note to the permit writer: As an alternative, this requirement may be put in the standard conditions section.)***

G. Automatic Resampling

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must do the following:

1. Inform the **[name of Control Authority]** of the violation within 24 hours, and

2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of becoming aware of the first violation.

H. Accidental Discharge Report

The permittee must notify the **[name of Control Authority]** immediately upon the occurrence of spills, including accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, slug loads or slug discharges that might cause potential problems for the POTW or spills that might enter the public sewer. During normal business hours the **[name of Control Authority]** should be notified by telephone at **[telephone number]**. At all other times, the **[name of Control Authority]** should be notified by telephone at **[telephone number]** or **[telephone number]**. The notification must include location of discharge; date and time of discharge; type of waste, including concentration and volume; and corrective actions taken. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, state, or federal laws.

Within 5 days following an accidental discharge, the permittee shall submit to the **[name of Control Authority]** a detailed written report. The report must specify the following:

a. Description and cause of the upset, slug load, or accidental discharge; the cause thereof; and the impact on the permittee's compliance status. The description should also include location of discharge and type, concentration, and volume of waste.

b. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.

c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

(Note to the permit writer: As an alternative, the above requirement may be put in the standard conditions section.)

I. Notification of the Discharge of Hazardous Waste

(Note to the permit writer: The municipality may choose to prohibit the discharge of hazardous wastes.)

a. Any permittee who begins discharging hazardous waste must notify, in writing, the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities of any discharge into the POTW of a substance that, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the permittee discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification also must contain the following information to the extent such information is known and readily available to the permittee: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge begins. Any notification under this paragraph must be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under **[cite specific section of ordinance]**. The notification requirement in this section does not apply to pollutants already reported by permittee subject to categorical pretreatment standards.

b. Dischargers are exempt from the requirements of paragraph a above, during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the permittee discharges more than such quantities of any hazardous waste do not require additional notification.

c. If any new regulations are made under section 3001 of Resource Conservation and Recovery Act identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the permittee must notify **[the Control Authority representative]**, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

a. If any notification is made under this section, the permittee must certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

b. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued under the ordinance, or any applicable federal or state law.

J. All reports required by this permit must be submitted to the **[name of Control Authority]** at the following address:

[Name of Control Authority]
Attention: [**Name of Pretreatment Coordinator]**
Address: **[Address]**

PART 4 – SLUG DISCHARGE CONTROL REQUIREMENTS

The permittee is required to submit and implement a slug discharge control plan within **[time frame established by the permit writer]** days of the effective date of this permit. The slug discharge control plan must include, at a minimum, the following: ***(Note to the permit writer: The permit must include requirements to control slug discharges if the Control Authority has determined it to be necessary. If the permittee has already developed and is implementing a slug discharge control plan before the issuance of this permit, the permit writer should include a statement indicating that the permittee is required to comply and implement its existing slug discharge control plan.)***

a. Description of discharge practices, including nonroutine batch discharges

b. Description of stored chemicals

c. Procedures for immediately notifying the **[name of Control Authority]** of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up, written notification within 5 days

d. Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, and measures and equipment for emergency response.

PART 5 – SPECIAL CONDITIONS

SECTION 1 – ADDITIONAL/SPECIAL MONITORING REQUIREMENTS.

(Note: The permit writer must include any additional or special monitoring requirements that are applicable to the permittee. Examples are provided below.)

Examples:

A. One-time monitoring for specific pollutants to verify absence (e.g., "The permittee must submit by **[date]**
sampling data for pentachlorophenol and trichlorophenol")

B. Biomonitoring or other toxicity to determine the toxicity of the discharge

C. Development of sludge disposal plan

D. Additional monitoring of pollutants that are limited in the permit in response to noncompliance

SECTION 2 - COMPLIANCE SCHEDULE [**Example Compliance Schedule]**

A. The permittee must accomplish the following tasks in the designated time period:

Event	No Later
1. Submit new wastewater pretreatment plant design submission	**[Date]**
2. Order equipment and materials	**[Date]**
3. Develop, and submit a copy to the **[name of Control Authority],** a slug discharge control plan to eliminate or minimize the accidental spill or slug discharge of	**[Date]**
4. Implement the slug loading control plan	**[Date]**
5. Complete installation of wastewater pretreatment	**[Date]**
6. Obtain full pretreatment plant operational status and achieve full	**[Date]**

B. Compliance Schedule Reporting

No later than 14 days following each date in the above schedule, the permittee must submit to the **[name of Control Authority]** a report including, at a minimum, whether it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reasons for delay, and the steps being taken to return the project to the schedule established.

PART 6 – STANDARD CONDITIONS

SECTION A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

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

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

[The POTW Superintendent] may modify the permit for good cause, including but not limited to, the following reasons:

a. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;

b. To address significant alterations or additions to the permittee's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;

c. A change in any process or discharge condition in either the Industrial User or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW personnel or the receiving waters;

e. Violation of any terms or conditions of the permit;

f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting;

g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13;

h. To correct typographical or other errors in the permit;

i. To reflect transfer of the facility ownership and/or operation to a new owner or operator; or

j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

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

5. Permit Termination

This permit may be terminated for the following reasons:

a. Failure to notify the **[the POTW Superintendent]** of significant changes to the wastewater before the changed discharge;

b. Failure to provide prior notification to **[the POTW Superintendent]** of changed conditions;

c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

d. Falsifying self-monitoring reports or certification statements;

e. Tampering with monitoring equipment;

f. Refusing to allow timely access to the facility premises and records;

g. Failure to meet effluent limitations;

h. Failure to pay fines;

i. Failure to pay sewer charges;

j. Failure to meet compliance schedules;

k. Failure to complete a wastewater survey or the wastewater discharge permit application;

l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

m. Violation of any Pretreatment Standard or Requirement including required best management practices, or any terms of the wastewater discharge permit or the sewer use ordinance.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within 30 days of the notice.

This petition must be in writing; failure to submit a timely petition for review will be deemed to be a waiver of the administrative appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The effectiveness of this permit will not be stayed pending the appeal. If **[the POTW Superintendent]** fails to act within **[_____]** days, a request for reconsideration will be deemed to be denied. Decisions not to reconsider a permit, not to issue a permit, or not to modify a permit will be considered final administrative actions for purposes of judicial review.

The permittee seeking judicial review of the final administrative permit decision must do so by filing a complaint with the **[name of court]** for **[name of County]** within **[insert appropriate State Statute of Limitations]**.

7. Property Rights

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

8. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner or operator with prior approval of the Superintendent and the following items occur:

a. The permittee must give at least **[___]** days advance notice to **[the POTW Superintendent]**.

b. The notice to **[the POTW Superintendent]** must include a written certification by the new owner or operator that does the following:

   (i) States that the new owner or operator has no immediate intent to change the facility's operations and processes;

   (ii) Identifies the specific date on which the transfer is to occur; and

   (iii) Acknowledges full responsibility for complying with the existing permit.

c. **[The POTW Superintendent]** approves the permit transfer.

9. Duty to Reapply

The permittee must apply for permit reissuance by submitting a complete permit application, in accordance with **[cite the appropriate section of the sewer use ordinance]**, a minimum of **[___]** days before the expiration of the existing permit. **[Alternatively, this requirement may appear on the Cover Page.]**

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if

a) The permittee has submitted a complete permit application at least **[_]** days prior to the expiration date of the user's existing permit.

b) The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

11. Dilution

A permittee must not ever increase the use of potable or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. **[The POTW Superintendent]** may impose mass limitations on permittees who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

12. Definitions

a) *Composite Sample*—A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots. **[The permit writer should determine the most appropriate composite sampling method to be used by the permittee.]**

b) *Daily Maximum*—The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

c) *Daily Maximum Limit*—The maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

d) *Grab Sample*—An individual sample collected in less than 15 minutes, without regard for flow or time.

e) *Instantaneous Maximum Concentration*— The maximum limit allowable concentration of a pollutant determined from the analysis of any discrete or composited sample collected independent of the industrial flow rate and the duration of the sampling event.

f) *Cooling Water*

i. Uncontaminated—Water used for cooling purposes only that has no direct contact with any raw material, intermediate, or final product and that does not contain a level of contaminants detectably higher than that of the intake water.

ii. Contaminated—Water used for cooling purposes only that might become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials or wastewater.

g) *Monthly Average*—The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30-day period (as opposed to a rolling 30-day window).

h) *Weekly Average*—The arithmetic mean of the values for effluent samples collected over a period of 7 consecutive days.

i) *Bi-Weekly*—Once every other week.

j) *Bi-Monthly*—Once every other month.

k) *Upset*—An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.

l) *Bypass*—The intentional diversion of wastes from any portion of a treatment facility.

13. General Prohibitive Standards

The permittee must comply with all the general prohibitive discharge standards in **[reference specific section of ordinance]**. Namely, the industrial user must not discharge:

a) Wastewater having a temperature greater than **[__degrees F (_____degrees C)]**, or that will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater that causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);

b) Fats, oils, or greases of animal or vegetable origin in concentrations greater than **[_]** mg/L;

c) Pollutants that create a fire or explosion hazard in the POTW, including wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees C) using the test methods specified in 40 CFR 261.21;

d) Wastewater causing two reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than **[___percent (_____)%]** or any single reading over **[_____percent (**

_____)%] of the Lower Explosive Limit of the meter.

e) Solid or viscous substances in amounts that will cause obstruction of the flow in the POTW resulting in Interference **[but in no case solids greater than_____inch(es) (_____”) or _____centimeter(s) (___cm) in any dimension]**;

f) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;

g) Wastewater having a pH lower than 5.0 or higher than **[_____]**, or otherwise causing corrosive structural damage to the POTW or equipment;

h) Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that could cause acute worker health and safety problems;

i) Noxious or malodorous liquids, gases, solids, or other wastewater that, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life, or to prevent entry into the sewers for maintenance or repair;

j) Sludges, screenings, or other residues from the pretreatment of industrial wastes;

k) Any substance that could affect the treatment plant’s effluent and cause violation of the National Pollutant Discharge Elimination System permit requirements;

l) Any substance that would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the Clean Water Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or other regulations or criteria for sludge management and disposal as required by the state;

m) Wastewater that imparts color that cannot be removed by the treatment process, such as dye wastes and vegetable tanning solutions that consequently imparts color to the treatment plant’s effluent, thereby violating **[the name of the POTW’s]** National Pollutant Discharge Elimination System permit;

n) Medical wastes, except as specifically authorized by the **[the POTW Superintendent]** in a permit;

o) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by **[the POTW Superintendent]**;

p) Wastewater causing, alone or in conjunction with other sources, the treatment plant’s effluent to fail toxicity test;

q) Detergents, surface-active agents, or other substances that that might cause excessive foaming in the POTW;

r) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations; or

s) Pollutants, including oxygen-demanding pollutants (BOD, and the like) released in a discharge at a flow rate or pollutant concentration that, either singly or by interaction with other pollutants, will cause Interference with the POTW.

14. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, state and federal Pretreatment Standards and requirements including any such standards or requirements that might become effective during the term of this permit.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes the following: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee must, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility if restored or an alternative method of treatment is provided. Such a requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It will not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit.

3. Bypass of Treatment Facilities

Bypass is prohibited

a) Unless the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage.

b) Unless there were no feasible alternatives, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment

should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance.

c) The permittee may allow bypass to occur if it does not cause effluent limitations to be exceeded but only if it is also for essential maintenance to assure efficient operation.

d) Notification of bypass

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it must submit prior written notice, at least 10 days before the date of the bypass, to the **[name of Control Authority]**.

(2) Unanticipated bypass. The permittee must notify the **[name of Control Authority]** within 24 hours from the time it becomes aware of an unanticipated bypass and submit a written notice to the POTW within 5 days. This report must specify:

(i) A description of the bypass, and its cause, including its duration with exact dates and times;

(ii) Whether the bypass has been corrected and if the bypass has not been corrected, the anticipated time it is expected to continue; and

(iii) The steps being taken or to be taken to reduce, eliminate, and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. **[The Control Authority should add citations to local or state regulations that may apply]**

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points must not be changed without notification to and the approval of the **[name of Control Authority]**.

2. Flow Measurements

If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices must be selected and used to ensure the accuracy and reliability of measurement of the volume of monitored discharges. The devices must be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. The devices selected must be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit must be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

4. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified in Section C.3, the results of this monitoring must be included in the permittee's self- monitoring reports.

5. Inspection and Entry

The permittee must allow the **[name of Control Authority],** or an authorized representative or federal and state personnel, upon the presentation of proper identification, to do the following:

a) Enter the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;

d) Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and

e) Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.

6. Retention of Records

a) The permittee must retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application.

This period may be extended by request of the **[name of Control Authority]** at any time.

b) The permittee must retain and preserve all records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the **[name of Control Authority]** until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling and analyses must include the following:

a) The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures;

b) Who performed the sampling or measurement;

c) The date(s) analyses were performed;

d) Who performed the analyses;

e) The analytical techniques or methods used; and

f) The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanction or civil penalties or both.

SECTION D. ADDITIONAL REPORTING REQUREMENTS

1. Planned Changes

The permittee must give notice to the **[name of Control Authority]** 90 days before any facility expansion, production increase, or process modifications that results in new or substantially increased discharges or a change in the nature of the discharge. **[Alternatively, this requirement may appear in Part 3, Reporting Requirements, of the permit.]**

2. Anticipated Noncompliance

The permittee must give advance notice to the **[name of Control Authority]** of any planned changes in the permitted facility or activity that could result in noncompliance with permit requirements.

3. Automatic Resampling

If the results of the permittee's wastewater analysis indicates a violation has occurred, the permittee must notify the **[name of Control Authority]**, within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit, in writing, the results of that repeat analysis within 30 days after becoming aware of the violation.

4. Duty to Provide Information

The permittee must furnish to the **[name of Control Authority]**, within **[specify time]** any information that the **[name of Control Authority]** may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee must also, upon request, furnish to the **[name of Control Authority]** with **[specify time]** copies of any records required to be kept by this permit.

5. Signatory Requirements **[use whichever alternative best applies]**

All applications, reports, or information submitted to the **[name of Control Authority]** must contain the following certification statement and be signed as required in Sections (a), (b), (c), or (d) below.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

a) By a responsible corporate officer, if the Industrial User submitting the reports is a

corporation. For the purpose of this paragraph, a responsible corporate officer means either of the following:

(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b) By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship, respectively.

c) The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a federal, state, or local governmental entity, or their agents.

d) By a duly authorized representative of the individual designated in paragraph (a), (b), or (c) of this section if:

(i) the authorization is made in writing by the individual described in paragraph (a), (b), or (c);

(ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility of environmental matters for the company; and

(iii) The written authorization is submitted to the **[name of Control Authority]**.

e) If an authorization under paragraph (d) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph (d) of this section must be submitted to the **[name of Control Authority]** before or together with any reports to be signed by an authorized representative.

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with **[reference specified section of ordinance]** must inform the **[name of Control Authority]** within 24 hours of becoming aware of the upset at **[daytime telephone number]** or **[night time and weekend telephone number]** after 5 p.m. Monday–Friday or weekends and holidays.

A written follow-up report of the upset must be filed by the permittee with the **[name of Control Authority]** within 5 days. The report must specify the following:

a) Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;

b) Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and

c) All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such

an upset. The report must also demonstrate that the treatment facility was being operated in a

prudent and
workmanlike manner.

A documented and verified operating upset must be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

7. Annual Publication

A list of all industrial users that were in significant noncompliance during the 12 previous months must be annually published by the **[name of Control Authority]** in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by **[the POTW]**. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

8. Civil and Criminal Liability

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

A permittee who has violated, or continues to violate, any provision of the **[name of the POTW's]** sewer use ordinance, a permit or order, or any other Pretreatment Standard or Requirement will be liable to **[the name of the POTW]** for a maximum civil penalty of **[insert maximum allowed under state law but not less than $1,000]** per violation, per day. If a monthly or other long-term average discharge limit is in effect, penalties will accrue for each day during the period of the violation.

[The POTW Superintendent] may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by **[the name of the POTW].**

In determining the amount of civil liability, the Court will take into account all relevant circumstances, including the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the permittee's violation, corrective actions by the permittee, the compliance history of the permittee, and any other factor as justice requires.

Filing a suit for civil penalties will not be a bar against, or a prerequisite for, taking any other action against the permittee.

A permittee that willfully or negligently violates any provision of **[the name of the POTW's]** ordinance, permit, or any other Pretreatment Standard or Requirement will, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than **[insert maximum fine allowed under state law]** per violation, per day, or imprisonment for not more than **[____(_____)]** years, or both.

A permittee that willfully or negligently introduces any substance into the POTW that causes personal injury or property damage will, upon conviction, be guilty of a **[misdemeanor]** and be subject to a penalty of at least **[insert maximum fine allowable under state law]**, or be subject to imprisonment for not more than **[(_____)]** years, or both. This penalty will be in addition to any other cause of action for personal injury or property damage available under state law.

A permittee that knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to **[the name of the POTW's]** ordinance, permit, order, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the permit will, upon conviction, be punished by a fine of not more than **[insert maximum fine allowable under state law]** per violation, per day, or imprisonment for not more than **[____(_____)]** years, or both.

If a second conviction occurs, a permittee will be punished by a fine of not more than **[insert maximum fine allowable under state law]** per violation, per day, or imprisonment for not more than **[_____ (____)]** years, or both.

9. Penalties for Violations of Permit Conditions

The **[cite specific section of ordinance]** provides that any person who violates a permit condition is subject to a civil penalty of at least **[cite dollar amount]** per day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of up to **[cite dollar amount]** per day of violation, or by imprisonment for **[number]** of year(s), or both. The permittee may also be subject to sanctions under state or federal law or both.

10. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or **[reference specific section of ordinance]** or causing damage to or otherwise inhibiting the **[name of Control Authority]** wastewater disposal system will be liable to the **[name of Control Authority]** for any expense, loss, or damage caused by such violation or discharge. The **[name of Control Authority]** may also recover the costs for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs will constitute a separate violation of **[reference specific section of ordinance]**.

TABLE 1 - REVISED FEDERAL LIMITATIONS WORKSHEET

FLOW WEIGHTED AVERAGE - Formula used to adjust applicable pretreatment standards where regulated, unregulated and dilution flows combine **after** pretreatment but prior to sampling, as follows:

$$C_{T(F)} = \frac{C_R F_R + \sum_{i=1}^{N} C_i F_i}{F_T}$$

Regulated Flow:	**12,000 gpd**
Non-regulated Flow:	**8,000 gpd**
Domestic:	**5,000 gpd**
Canteen	**3,000 gpd**

$C_{T(F)}$ = Adjusted concentration limit for combined flow of regulated wastestream plus other wastestream (unregulated and dilute wastestreams) added after pretreatment.
C_R = Applicable regulated flow concentration limit.
F_R = Regulated Flow
C_i = Concentration of Unregulated Flow
F_i = Unregulated Flow
F_T = Total Flow (regulated, unregulated and dilute)
N = Total number of unregulated streams

Existing					**REVISED**	
	UNIT	**LOCAL DAILY**	**FEDERAL DAILY**	**FEDERAL MONTHLY**	**FEDERAL DAILY**	**FEDERAL MONTHLY**
Cadmium	ug/l	**20**	690	260	331	125
Chromium	ug/l	2300	2700	1710	**1330**	**821**
Copper	ug/l	**640**	3380	2070	1622	994
Cyanide	ug/l	**110**	1200	650	576	312
Lead	ug/l	**150**	690	430	331	206
Nickel	ug/l	**280**	3980	2380	1910	1142
Silver	ug/l	320	430	240	**206**	**115**
Zinc	ug/l	1500	2610	1480	**1253**	**710**
TTO	ug/l	N/A	2,130	N/A	**1022**	N/A

Bolded numbers indicate Permit Limitations

(Note, the combined waste stream formula may be used and included in this section to calculate adjusted concentration limit (categorical limit) if unregulated or dilute wastestreams are combined with categorical wastestreams prior to pretreatment).

TABLE 2 - PART 433 PRIORITY POLLUTANTS

Acenaphthene
Acrolein
Acrylonitrile
Benzene
Benzidine
Carbon tetrachloride (tetrachloromethane)
Chlorobenzene
1,2,4-trichlorobenzene
Hexachlorobenzene
1.2-dichloroethane
1,1,1-trichloroethane
Hexachloroethane
1,l dichloroethane
1,1,2 trichloroethane
1,1,2,2-tetrachloroethane
Chloroethane
Bis(2-chloroethyl) ether
2-chloroethyl vinyl ether (mixed)
2-chloronaphthalene
2,4,6 trichlorophenol
Parachlorometa cresol
Chloroform (trichloromethane)
2-chlorophenol
1,2-dichlorobenzene
1,3-dichlorobenzene
1,4-dichlorobenzene
3,3-dichlorobenzidine
1.1-dichloroethylene
1,2-trans-dichloroethylene
2,4-dichlorophenol
1,2-dichloropropane
1.2-dichloropropylene (dichloropropene)
2,4-dimethylphenol
2,4-dinitrotoluene
2,6-dinitrotoluene
1,2-diphenylhydrazine
Ethylbenzene
Fluoranthene
4-chlorophenyl phenyl ether
4-bromophenyl phenyl ether
Bis(2-chloroisopropyl) ether
Bis(2-chloroethoxy) methane
Methylene chloride (dichloromethane)
Methyl chloride (dichloromethene)
Methyl bromide (bromomethane)
Bromoform (tribromomethane)
Dichlorobromomethane
Chlorodibromomethane
Hexachlorobutadiene
Hexachlorocyclopentadiene
Isophorone
Naphthalene
Nitrobenzene
2-nitrophenol
4-nitrophenol
2,4-dinitrophenol
4,6-dinitro-o-cresol
N-nitrosodimethylamine
N-nitrosodiphenylamine
N-nitrosodi-n-propylamine
Phenol
Bis(ethylhexyl) phthalate
Butyl benzyl phthalate
Di-N-Butyl Phthalate
Di-n-octyl phthalate
Diethyl Phthalate
Dimethyl phthalate
1,2-benzanthracene (benzo(a) anthracene)
Benzo(a)pyrene (3,4-benzo-pyrene)
3,4-Benzofluoranthene (benzo(b) fluoranthene)
11,12-benzofluoranthene (benzo(b) fluoranthene)
Chrysene
Acenaphthylene
Anthracene
1,12-benzoperylene (benzo(ghi) perylene)
Fluorene
Phenanthrene
l,2,5,6-dibenzanthracene (dibenzo(,h) anthracene)
Indeno (,1,2,-cd) pyrene (2,3-o-phenlene pyrene)
Pyrene
Tetrachloroethylene
Toluene
Trichloroethylene
Vinyl chloride (chloroethylene)
Aldrin
Dieldrin
Chlordane (technical mixture and metabolites)
4,4-DDT
4,4-DDE (p,p-DDX)
4 4,-DDD (p,p-TDE)
Alpha-endosulfan
Beta-endosulfan
Endosulfan sulfate
Endrin
Endrin aldehyde
Heptachlor
Heptachlor epoxide (BHC-hexachlorocyclohexane)
Alpha-BHC
Beta-BHC
Gamma-BHC (lindane)
Delta-BHC (PCB-polychlorinated biphenyls)
PCB-1242 (Arochlor 1242)
PCB-1254 (Arochlor 1254)
PCB-122l (Arochlor 1221)
PCB-1232 (Arochlor 1232)
PCB-1248 (Arochlor 1248)
PCB-1260 (Arochlor 1260)
PCB-1016 (Arochlor 1016)
Toxaphene
Antimony
Arsenic
Asbestos
Beryllium
Cadmium
Chromium
Copper
Cyanide, Total
Lead
Mercury
Nickel
Selenium
Silver
Thallium
Zinc
2,3,7-tetrachloro-dibenzo-p-dioxin (TCDD)