

# PUBLIC NOTICE

Date: November 12, 2018  
Permit No.: MI0025381  
Designated Site Name: Escanaba WWTP

The Department of Environmental Quality (DEQ), Water Resources Division (WRD), proposes to reissue a permit to the City of Escanaba for the Escanaba Wastewater Treatment Plant located at 1900 Willow Creek Road, Escanaba, Delta County, Michigan 49829. The applicant collects wastewater from the City of Escanaba. The applicant discharges treated municipal wastewater to Lake Michigan approximately 2 miles from the facility.

**The draft permit includes the following modifications to the previously-issued permit:** The following new conditions have been added to the draft permit: Quantification Levels and Analytical Methods for Selected Parameters, Asset Management, Discharge Monitoring Report – Quality Assurance Study Program, and Storm Water Pollution Prevention Not Required. Required Total Mercury-related quality assurance reporting is now specified. Daily reporting requirements for carbonaceous biochemical oxygen demand (CBOD5), total suspended solids (TSS), ammonia nitrogen (as N), total phosphorus (as P), and percent removal for CBOD5 and TSS are now specified. Total Copper monitoring and limits have been added.

The final effluent limitation for total mercury is 2.0 nanograms per liter (ng/l), which is the discharge-specific level currently achievable based on a multiple discharger variance (MDV) from the water quality-based effluent limit of 1.3 ng/l, pursuant to R 323.1103(9) of the Part 4 Rules, Water Quality Standards, promulgated under Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The discharge-specific level currently achievable for total mercury was developed in accordance with the WRD's approved MDV. A copy of the MDV may be obtained via the Internet at <http://www.michigan.gov/deqnpdes> (select Applicable Rules and Regulations), or at the WRD's Upper Peninsula District Office.

Copies of the permit application, public notice, fact sheet, basis for decision memo, and draft permit may be obtained via the Internet at <https://miwaters.deq.state.mi.us> (select 'Public Notice Search,' enter the permit number or site name in the search field, and then click 'Search'), or at the WRD's Upper Peninsula District Office located at 1504 West Washington Street, Marquette, MI 49855, telephone: 906-228-4853.

Persons wishing to submit comments or request a public hearing should go to <https://miwaters.deq.state.mi.us>, select 'Public Notice Search,' search for this public notice, click 'View,' click 'Add Comment,' enter information into the fields, and then click 'Submit.' Inquiries should be directed to Marley Diatkar, Permits Section, WRD, DEQ, P.O. Box 30458, Lansing, Michigan 48909-7958; telephone: 517-284-5469; or e-mail: [DiatkarM@michigan.gov](mailto:DiatkarM@michigan.gov).

Comments or objections to the draft permit received by December 12, 2018, will be considered in the final decision to issue the permit.

## FACT SHEET

PERMITTEE / SITE NAME: City of Escanaba / Escanaba Wastewater Treatment Plant

COUNTY: Delta

### DESCRIPTION OF EXISTING WASTEWATER TREATMENT FACILITIES

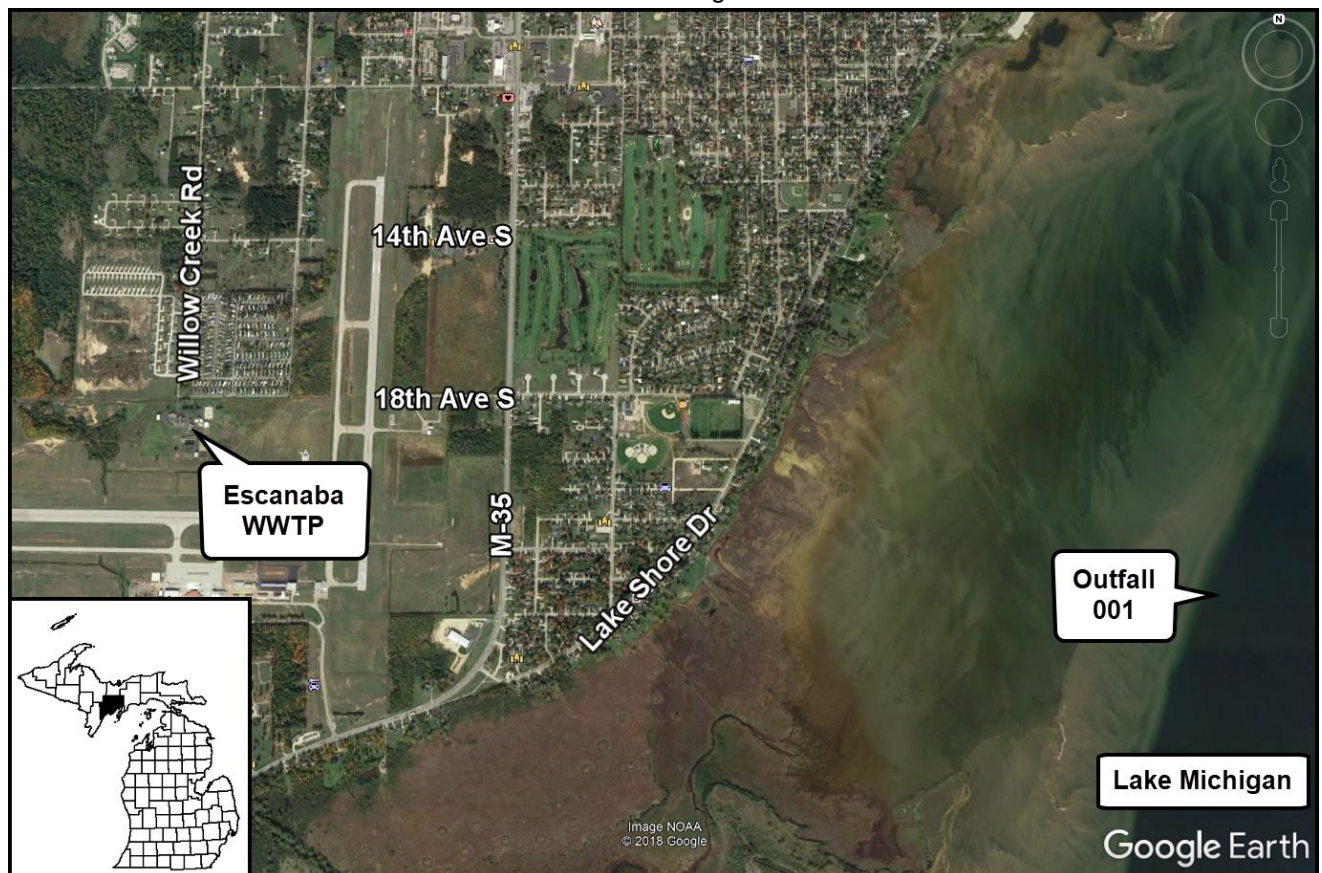
The Escanaba Wastewater Treatment Plant is a secondary treatment facility that collects and treats municipal wastewater from the City of Escanaba. Wastewater first passes through a bar screen and aerated grit chamber to flocculation basins, then enters four primary settling basins to settle out solids. The wastewater then receives biological treatment through activated sludge in two aeration basins, followed by further settling of solids in the final clarifiers, and chlorine disinfection. The treated wastewater is then discharged to Lake Michigan. The outfall is located approximately 2 miles from the facility and 30 feet below the surface of the water. Sludge is pumped to anaerobic digesters for treatment and stored before being land applied as fertilizer to an approved forest site. Sludge drying beds are available for disposal but are only used as a backup in the event of an emergency.

### MAP OF DISCHARGE LOCATION

#### Facility Coordinates

Latitude 45.72435

Longitude -87.09592



### RECEIVING WATER

Lake Michigan is protected for agricultural uses, navigation, industrial water supply, public water supply in areas with designated public water supply intakes, cold-water fish, other indigenous aquatic life and wildlife, partial body contact recreation, total body contact recreation (May through October), and fish consumption.

## MIXING ZONE

The mixing zone for this discharge used to ensure that effluent limitations are sufficiently stringent to meet Water Quality Standards is based on a 10:1 dilution of the receiving water to the effluent.

EXISTING EFFLUENT QUALITY: (from DMR data from May 2012 to June 2018)

<b>Parameter</b>	<b>Minimum Daily</b>	<b>Minimum Monthly</b>	<b>Maximum Monthly</b>	<b>Maximum 7-Day</b>	<b>Maximum Daily</b>	<b>Units</b>
Carbonaceous Biochemical Oxygen Demand (CBOD5)	---	---	324 24	408 35	---	lbs/day mg/l
Total Suspended Solids (TSS)	---	---	335 25	447 38	---	lbs/day mg/l
Ammonia Nitrogen (as N)	---	---	37.2	---	59	mg/l
Total Phosphorus (as P)	---	---	11 0.8	---	---	lbs/day mg/l
Fecal Coliform Bacteria	---	---	172	376	---	cts/ 100 ml
Total Residual Chlorine	---	---	---	---	0.5	mg/l
Total Mercury (12-Month Rolling Average)	---	---	0.00003107 2	---	---	lbs/day ng/l
CBOD5 Minimum % Removal	---	87	---	---	---	%
TSS Minimum % Removal	---	85	---	---	---	%
pH	6.5	---	---	---	7.9	S.U.
Dissolved Oxygen	4	---	---	---	---	mg/l

PROPOSED EFFLUENT LIMITATIONS: (see draft permit)

BASIS FOR PROPOSED EFFLUENT LIMITATIONS: (see Basis for Decision Memo)

## ADDITIONAL INFORMATION

This permit requires the permittee to prepare an Asset Management Program, and implement the program upon Department of Environmental Quality approval. Annual reports summarizing program activity are also required to be submitted. The requirements of an Asset Management Program contain goals of effective performance, adequate funding, and adequate operator staffing and training. Asset management is a planning process that ensures gaining optimum value for each asset and providing the financial resources to rehabilitate and replace them when necessary, and typically includes five core elements that identify: the current state of the asset, the desired level of service (e.g., per the permit or for the customer), the most critical asset(s) to sustain performance, the best life-cycle cost, and the long-term funding strategy to sustain service and performance.

## REGISTER OF INTERESTED PERSONS

Any person interested in receiving notification by e-mail of National Pollutant Discharge Elimination System (NPDES) permitting actions may register with the Permits Section of the Department of Environmental Quality (Department). To register, e-mail the contact identified below with your full name and the request that you be added to the Department's Public Notice Notification List. Once you are added to the list, you will receive an e-mail notification for every NPDES permitting action in the state unless/until you ask to be removed from the list.

## PUBLIC COMMENT

Persons wishing to submit comments or request a public hearing should go to <https://miwaters.deq.state.mi.us>, select 'Public Notice Search,' search for this public notice by entering the permit number or site name into the search field, click 'Search,' click 'View,' click 'Add Comment,' enter information into the fields, and then click 'Submit.' Comments or objections to the draft permit received between November 12, 2018, and December 12, 2018, will be considered in the final decision to issue the permit.

Any person may request the Department to hold a public hearing on the application. The request should include specific reasons for the request, indicating which portions of the application or draft permit constitute the need for a hearing. If submitted comments indicate significant public interest in the application or if useful information may be produced, the Department, at its discretion, may hold a public hearing on the application.

If a public hearing is scheduled, public notice of the hearing will be provided at least 30 days in advance. The hearing will normally be held in the vicinity of the discharge. The Department will consider comments made at the hearing when making its final determinations on the permit. Inquiries should be directed to Marley Diatkar, Permits Section, Water Resources Division, Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan 48909-7958; telephone: 517-284-5469; or e-mail: [DiatkarM@michigan.gov](mailto:DiatkarM@michigan.gov).

PERMIT NO. MI0025381

  
**STATE OF MICHIGAN**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Water Pollution Control Act, 33 U.S.C., Section 1251 *et seq.*, as amended; Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); Part 41, Sewerage Systems, of the NREPA; and Michigan Executive Order 2011-1,

**City of Escanaba**  
410 Ludington Street  
PO Box 948  
Escanaba, MI 49829

is authorized to discharge from the **Escanaba Wastewater Treatment Plant** located at

1900 Willow Creek Road  
Escanaba, MI 49829

designated as **Escanaba WWTP**

to the receiving water named Lake Michigan (Little Bay de Noc) in accordance with effluent limitations, monitoring requirements, and other conditions set forth in this permit.

This permit is based on a complete application submitted on June 28, 2016.

**This permit takes effect on January 1, 2019.** The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term in accordance with applicable laws and rules. On its effective date, this permit shall supersede National Pollutant Discharge Elimination System (NPDES) Permit No. MI0025381 (expiring October 1, 2016).

This permit and the authorization to discharge shall expire at midnight on **October 1, 2023**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit an application that contains such information, forms, and fees as are required by the Michigan Department of Environmental Quality (Department) by **April 4, 2023**.

Issued DRAFT

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Christine Alexander, Manager  
Permits Section  
Water Resources Division

## PERMIT FEE REQUIREMENTS

In accordance with Section 324.3120 of the NREPA, the permittee shall make payment of an annual permit fee to the Department for each October 1 the permit is in effect regardless of occurrence of discharge. The permittee shall submit the fee in response to the Department's annual notice. The fee shall be postmarked by January 15 for notices mailed by December 1. The fee is due no later than 45 days after receiving the notice for notices mailed after December 1.

**Annual Permit Fee Classification:** Municipal Major, less than 10 MGD (Individual Permit)

In accordance with Section 324.3132 of the NREPA, the permittee shall make payment of an annual biosolids land application fee to the Department if the permittee land applies biosolids. In response to the Department's annual notice, the permittee shall submit the fee, which shall be postmarked no later than January 31 of each year.

## CONTACT INFORMATION

Unless specified otherwise, all contact with the Department required by this permit shall be made to the Upper Peninsula District Office of the Water Resources Division. The Upper Peninsula District Office is located at 1504 West Washington Street, Marquette, MI 49855, Telephone: 906-228-4853, Fax: 906-228-4940.

## CONTESTED CASE INFORMATION

Any person who is aggrieved by this permit may file a sworn petition with the Michigan Administrative Hearing System within the Michigan Department of Licensing and Regulatory Affairs, c/o the Michigan Department of Environmental Quality, setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Department of Licensing and Regulatory Affairs may reject any petition filed more than 60 days after issuance as being untimely.

**PART I**

**Section A. Limitations and Monitoring Requirements**

**1. Final Effluent Limitations, Monitoring Point 001A**

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge treated municipal wastewater from Monitoring Point 001A through Outfall 001. Outfall 001 discharges to Lake Michigan (Little Bay de Noc) at Latitude 45.71757, Longitude -87.04742. Such discharge shall be limited and monitored by the permittee as specified below.

Parameter	Maximum Limits for Quantity or Loading				Maximum Limits for Quality or Concentration				Monitoring Frequency	Sample Type
	Monthly	7-Day	Daily	Units	Monthly	7-Day	Daily	Units		
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Carbonaceous Biochemical Oxygen Demand (CBOD5)										
	460	730	(report)	lbs/day	25	40	(report)	mg/l	5xWeekly	24-Hr Composite
Total Suspended Solids (TSS)										
	550	830	(report)	lbs/day	30	45	(report)	mg/l	5xWeekly	24-Hr Composite
Ammonia Nitrogen (as N)										
May-September	(report)	---	(report)	lbs/day	(report)	---	(report)	mg/l	Weekly	24-Hr Composite
Total Phosphorus (as P)	18	---	(report)	lbs/day	1.0	---	(report)	mg/l	3xWeekly	24-Hr Composite
Fecal Coliform Bacteria	---	---	---	---	200	400	(report)	cts/100 ml	5xWeekly	Grab
Total Residual Chlorine	---	---	---	---	---	---	0.5	mg/l	5xWeekly	Grab
Total Copper	---	---	0.88	lbs/day	---	---	48	ug/l	2xMonthly	24-Hr Composite
Total Mercury										
--Corrected	(report)	---	(report)	lbs/day	(report)	---	(report)	ng/l	Quarterly	Calculation
--Uncorrected	---	---	---	---	---	---	(report)	ng/l	Quarterly	Grab
--Field Duplicate	---	---	---	---	---	---	(report)	ng/l	Quarterly	Grab
--Field Blank	---	---	---	---	---	---	(report)	ng/l	Quarterly	Preparation
--Laboratory Method Blank	---	---	---	---	---	---	(report)	ng/l	Quarterly	Preparation
	<b>12-Month Rolling Avg</b>				<b>12-Month Rolling Avg</b>					
Total Mercury	0.000037	---	---	lbs/day	2.0	---	---	ng/l	Quarterly	Calculation
					<b>Minimum % Monthly</b>		<b>Minimum % Daily</b>			
CBOD5 Minimum % Removal	---	---	---	---	85	---	(report)	%	Monthly	Calculation
TSS Minimum % Removal	---	---	---	---	85	---	(report)	%	Monthly	Calculation

**PART I**

**Section A. Limitations and Monitoring Requirements**

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>			<u>Monitoring Frequency</u>	<u>Sample Type</u>	
					<u>Minimum Daily</u>		<u>Maximum Daily</u>			
pH	---	---	---	---	6.5	---	9.0	S.U.	5xWeekly	Grab
Dissolved Oxygen	---	---	---	---	4.0	---	---	mg/l	5xWeekly	Grab

The following design flow was used in determining the above limitations, but is not to be considered a limitation or actual capacity: 2.2 MGD.

- a. **Narrative Standard**  
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.
- b. **Sampling Locations**  
Samples for CBOD5, TSS, Ammonia Nitrogen, Total Phosphorus, and Total Copper shall be taken prior to disinfection. Samples for Fecal Coliform Bacteria, Total Residual Chlorine, Total Mercury, pH, and Dissolved Oxygen shall be taken after disinfection. The Department may approve alternate sampling locations that are demonstrated by the permittee to be representative of the effluent.
- c. **Total Residual Chlorine (TRC)**  
Compliance with the TRC limit shall be determined on the basis of one or more grab samples. If more than one (1) sample per day is taken, the additional samples shall be collected in near equal intervals over at least eight (8) hours. The samples shall be analyzed immediately upon collection and the average reported as the daily concentration. Samples shall be analyzed in accordance with Part II.B.2. of this permit.
- d. **Percent Removal Requirements**  
These requirements shall be calculated based on the monthly (30-day) effluent CBOD5 and TSS concentrations and the monthly influent concentrations for approximately the same period.
- e. **Monitoring Frequency Reduction for Total Copper**  
After the submittal of 12 months of data, the permittee may request, in writing, Department approval for a reduction in monitoring frequency for Total Copper. This request shall contain an explanation as to why the reduced monitoring is appropriate. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency indicated in Part I.A.1. of this permit. The monitoring frequency for Total Copper shall not be reduced to less than quarterly. The Department may revoke the approval for reduced monitoring at any time upon notification to the permittee.



**PART I****Section A. Limitations and Monitoring Requirements**

## f. Final Effluent Limitation for Total Mercury

The final limit for total mercury is the Discharge Specific Level Currently Achievable (LCA) based on a multiple discharger variance from the WQBEL of 1.3 ng/l, pursuant to Rule 1103(9) of the Water Quality Standards. Compliance with the LCA shall be determined as a 12-month rolling average, the calculation of which may be done using blank-corrected sample results. The 12-month rolling average shall be determined by adding the present monthly average result to the preceding 11 monthly average results then dividing the sum by 12. For facilities with quarterly monitoring requirements for total mercury, quarterly monitoring shall be equivalent to three (3) months of monitoring in calculating the 12-month rolling average. Facilities that monitor more frequently than monthly for total mercury must determine the monthly average result, which is the sum of the results of all data obtained in a given month divided by the total number of samples taken, in order to calculate the 12-month rolling average. If the 12-month rolling average for any quarter is less than or equal to the LCA, the permittee will be considered to be in compliance for total mercury for that quarter, provided the permittee is also in full compliance with the Pollutant Minimization Program for Total Mercury, set forth in Part I.A.4. of this permit.

## g. Total Mercury Testing and Additional Reporting Requirements

The analytical protocol for total mercury shall be in accordance with EPA Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry." The quantification level for total mercury shall be 0.5 ng/l, unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination.

The use of clean technique sampling procedures is required unless the permittee can demonstrate to the Department that an alternate sampling procedure is representative of the discharge. Guidance for clean technique sampling is contained in EPA Method 1669, Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels (Sampling Guidance), EPA-821-R96-001, July 1996. Information and data documenting the permittee's sampling and analytical protocols and data acceptability shall be submitted to the Department upon request.

In order to demonstrate compliance with EPA Method 1631E and EPA Method 1669, the permittee shall report, on the daily sheet, the analytical results of all field blanks and field duplicates collected in conjunction with each sampling event, as well as laboratory method blanks when used for blank correction. The permittee shall collect at least one (1) field blank and at least one (1) field duplicate per sampling event. If more than ten (10) samples are collected during a sampling event, the permittee shall collect at least one (1) additional field blank AND field duplicate for every ten (10) samples collected. Only field blanks or laboratory method blanks may be used to calculate a concentration lower than the actual sample analytical results (i.e., a blank correction). Only one (1) blank (field OR laboratory method) may be used for blank correction of a given sample result, and only if the blank meets the quality control acceptance criteria. If blank correction is not performed on a given sample analytical result, the permittee shall report under "Total Mercury – Corrected" the same value reported under "Total Mercury – Uncorrected." The field duplicate is for quality control purposes only; its analytical result shall not be averaged with the sample result.

## PART I

## Section A. Limitations and Monitoring Requirements

## 2. Quantification Levels and Analytical Methods for Selected Parameters

Quantification levels (QLs) are specified for selected parameters in the table below. These QLs shall be considered the maximum acceptable unless a higher QL is appropriate because of sample matrix interference. Justification for higher QLs shall be submitted to the Department within 30 days of such determination. Where necessary to help ensure that the QLs specified can be achieved, analytical methods may also be specified in the table below. The sampling procedures, preservation and handling, and analytical protocol for all monitoring conducted in compliance with this permit, including monitoring conducted to meet the requirements of the application for permit reissuance, shall be in accordance with the methods specified in the table below, or in accordance with Part II.B.2. of this permit if no method is specified in the table below, unless an alternate method is approved by the Department. With the exception of total mercury, all units are in ug/l. The table is continued on the following page:

Parameter	QL	Units	Analytical Method
1,2-Diphenylhydrazine (as Azobenzene)	3.0	ug/l	
2,4,6-Trichlorophenol	5.0	ug/l	
2,4-Dinitrophenol	19	ug/l	
3,3'-Dichlorobenzidine	1.5	ug/l	EPA Method 605
4,4'-DDD	0.05	ug/l	EPA Method 608
4,4'-DDE	0.01	ug/l	EPA Method 608
4,4'-DDT	0.01	ug/l	EPA Method 608
Acrylonitrile	1.0	ug/l	
Aldrin	0.01	ug/l	EPA Method 608
Alpha-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Antimony, Total	1	ug/l	
Arsenic, Total	1	ug/l	
Barium, Total	5	ug/l	
Benzidine	0.1	ug/l	EPA Method 605
Beryllium, Total	1	ug/l	
Beta-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Bis (2-Chloroethyl) Ether	1.0	ug/l	
Boron, Total	20	ug/l	
Cadmium, Total	0.2	ug/l	
Chlordane	0.01	ug/l	EPA Method 608
Chromium, Hexavalent	5	ug/l	
Chromium, Total	10	ug/l	
Copper, Total	1	ug/l	
Cyanide, Available	2	ug/l	EPA Method OIA 1677
Cyanide, Total	5	ug/l	
Delta-Hexachlorocyclohexane	0.01	ug/l	EPA Method 608
Dieldrin	0.01	ug/l	EPA Method 608
Di-N-Butyl Phthalate	9.0	ug/l	
Endosulfan I	0.01	ug/l	EPA Method 608
Endosulfan II	0.01	ug/l	EPA Method 608
Endosulfan Sulfate	0.01	ug/l	EPA Method 608
Endrin	0.01	ug/l	EPA Method 608
Endrin Aldehyde	0.01	ug/l	EPA Method 608
Fluoranthene	1.0	ug/l	
Heptachlor	0.01	ug/l	EPA Method 608

## PART I

## Section A. Limitations and Monitoring Requirements

Parameter	QL	Units	Analytical Method
Heptachlor Epoxide	0.01	ug/l	EPA Method 608
Hexachlorobenzene	0.01	ug/l	EPA Method 612
Hexachlorobutadiene	0.01	ug/l	EPA Method 612
Hexachlorocyclopentadiene	0.01	ug/l	EPA Method 612
Hexachloroethane	5.0	ug/l	
Lead, Total	1	ug/l	
Lindane	0.01	ug/l	EPA Method 608
Lithium, Total	10	ug/l	
Mercury, Total	0.5	ng/l	EPA Method 1631E
Nickel, Total	5	ug/l	
PCB-1016	0.1	ug/l	EPA Method 608
PCB-1221	0.1	ug/l	EPA Method 608
PCB-1232	0.1	ug/l	EPA Method 608
PCB-1242	0.1	ug/l	EPA Method 608
PCB-1248	0.1	ug/l	EPA Method 608
PCB-1254	0.1	ug/l	EPA Method 608
PCB-1260	0.1	ug/l	EPA Method 608
Pentachlorophenol	1.8	ug/l	
Phenanthrene	1.0	ug/l	
Selenium, Total	1.0	ug/l	
Silver, Total	0.5	ug/l	
Strontium, Total	1000	ug/l	
Sulfides, Dissolved	20	ug/l	
Thallium, Total	1	ug/l	
Toxaphene	0.1	ug/l	EPA Method 608
Vinyl Chloride	0.25	ug/l	
Zinc, Total	10	ug/l	

## 3. Additional Monitoring Requirements

As a condition of this permit, the permittee shall monitor the discharge from monitoring point 001A for the constituents identified below. This monitoring is an application requirement of 40 CFR 122.21(j), effective December 2, 1999. Testing shall be conducted in October 2019, May 2020, March 2021, and August 2022. Grab samples shall be collected for available cyanide, total phenols, and the Volatile Organic Compounds identified below. For all other parameters, 24-hour composite samples shall be collected.

Test species for whole effluent toxicity monitoring shall include fathead minnow **and** either *Daphnia magna*, *Daphnia pulex* or *Ceriodaphnia dubia*, for a total of four (4) tests on each species. Testing and reporting procedures shall follow procedures contained in EPA-821-R-02-012, "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (Fifth Edition). When the effluent ammonia nitrogen (as N) concentration is greater than 5 mg/l, the pH of the toxicity test shall be maintained at the pH of the effluent at the time of sample collection. Toxicity test data acceptability is contingent upon the validation of the test method by the testing laboratory. Such validation shall be submitted to the Department upon request.

**PART I**

**Section A. Limitations and Monitoring Requirements**

The results of such additional monitoring shall be submitted with the application for reissuance (see the cover page of this permit for the application due date). The permittee shall notify the Department within 14 days of completing the monitoring for each month specified above in accordance with Part II.C.5. Additional reporting requirements are specified in Part II.C.11. The permittee shall report to the Department any whole effluent toxicity test results greater than 1.0 TU<sub>A</sub> or 1.0 TU<sub>C</sub> within five (5) days of becoming aware of the result. If, upon review of the analysis, it is determined that additional requirements are needed to protect the receiving waters in accordance with applicable water quality standards, the permit may then be modified by the Department in accordance with applicable laws and rules.

Whole Effluent Toxicity

acute toxicity

Hardness

calcium carbonate

Metals (Total Recoverable), Cyanide and Total Phenols

antimony	arsenic	available cyanide	barium
beryllium	boron	cadmium	chromium
lead	nickel	selenium	silver
thallium	zinc	total phenolic compounds	

Volatile Organic Compounds

acrolein	acrylonitrile	benzene	bromoform
carbon tetrachloride	chlorobenzene	chlorodibromomethane	chloroethane
2-chloroethylvinyl ether	chloroform	dichlorobromomethane	1,1-dichloroethane
1,2-dichloroethane	trans-1,2-dichloroethylene	1,1-dichloroethylene	1,2-dichloropropane
1,3-dichloropropylene	ethylbenzene	methyl bromide	methyl chloride
methylene chloride	1,1,2,2-tetrachloroethane	tetrachloroethylene	toluene
1,1,1-trichloroethane	1,1,2-trichloroethane	trichloroethylene	vinyl chloride

Acid-Extractable Compounds

4-chloro-3-methylphenol	2-chlorophenol	2,4-dichlorophenol	2,4-dimethylphenol
4,6-dinitro-o-cresol	2,4-dinitrophenol	2-nitrophenol	4-nitrophenol
Pentachlorophenol	phenol	2,4,6-trichlorophenol	

Base/Neutral Compounds

acenaphthene	acenaphthylene	anthracene	benzidine
benzo(a)anthracene	benzo(a)pyrene	3,4-benzofluoranthene	benzo(ghi)perylene
benzo(k)fluoranthene	bis(2-chloroethoxy)methane	bis(2-chloroethyl)ether	bis(2-chloroisopropyl)ether
bis(2-ethylhexyl)phthalate	4-bromophenyl phenyl ether	butyl benzyl phthalate	2-chloronaphthalene
4-chlorophenyl phenyl ether	chrysene	di-n-butyl phthalate	di-n-octyl phthalate
dibenzo(a,h)anthracene	1,2-dichlorobenzene	1,3-dichlorobenzene	1,4-dichlorobenzene
3,3'-dichlorobenzidine	diethyl phthalate	dimethyl phthalate	2,4-dinitrotoluene
2,6-dinitrotoluene	1,2-diphenylhydrazine	fluoranthene	fluorene
Hexachlorobenzene	hexachlorobutadiene	hexachlorocyclo-pentadiene	hexachloroethane
indeno(1,2,3-cd)pyrene	isophorone	naphthalene	nitrobenzene
n-nitrosodi-n-propylamine	n-nitrosodimethylamine	n-nitrosodiphenylamine	phenanthrene
pyrene	1,2,4-trichlorobenzene		

## PART I

### Section A. Limitations and Monitoring Requirements

#### 4. Pollutant Minimization Program for Total Mercury

The goal of the Pollutant Minimization Program is to maintain the effluent concentration of total mercury at or below 1.3 ng/l. The permittee shall continue to implement the Pollutant Minimization Program approved on June 16, 2005, and modifications thereto, to proceed toward the goal. The Pollutant Minimization Program includes the following:

- a. an annual review and semi-annual monitoring of potential sources of mercury entering the wastewater collection system;
- b. a program for quarterly monitoring of influent and periodic monitoring of sludge for mercury; and
- c. implementation of reasonable cost-effective control measures when sources of mercury are discovered. Factors to be considered include significance of sources, economic considerations, and technical and treatability considerations.

On or before March 31 of each year, the permittee shall submit a status report for the previous calendar year to the Department that includes 1) the monitoring results for the previous year, 2) an updated list of potential mercury sources, and 3) a summary of all actions taken to reduce or eliminate identified sources of mercury.

Any information generated as a result of the Pollutant Minimization Program set forth in this permit may be used to support a request to modify the approved program or to demonstrate that the Pollutant Minimization Program requirement has been completed satisfactorily.

A request for modification of the approved program and supporting documentation shall be submitted in writing to the Department for review and approval. The Department may approve modifications to the approved program (approval of a program modification does not require a permit modification), including a reduction in the frequency of the requirements under items a. and b.

This permit may be modified in accordance with applicable laws and rules to include additional mercury conditions and/or limitations as necessary.

#### 5. Untreated or Partially Treated Sewage Discharge Reporting and Testing Requirements

In accordance with Section 324.3112a of the NREPA, if untreated sewage, including sanitary sewer overflows (SSO) and combined sewer overflows (CSO), or partially treated sewage is directly or indirectly discharged from a sewer system onto land or into the waters of the state, the entity responsible for the sewer system shall immediately, but not more than 24 hours after the discharge begins, notify, by telephone, the Department, local health departments, a daily newspaper of general circulation in the county in which the permittee is located, and a daily newspaper of general circulation in the county or counties in which the municipalities whose waters may be affected by the discharge are located that the discharge is occurring.

The permittee shall also annually contact municipalities, including the superintendent of a public drinking water supply with potentially affected intakes, whose waters may be affected by the permittee's discharge of combined sewage, and if those municipalities wish to be notified in the same manner as specified above, the permittee shall provide such notification. Such notification shall also include a daily newspaper in the county of the affected municipality.

At the conclusion of the discharge, written notification shall be submitted in accordance with and on the "Report of Discharge Form" available via the internet at: <http://www.deq.state.mi.us/csosso/>, or, alternatively for combined sewer overflow discharges, in accordance with notification procedures approved by the Department.

## PART I

### Section A. Limitations and Monitoring Requirements

In addition, in accordance with Section 324.3112a of the NREPA, each time a discharge of untreated sewage or partially treated sewage occurs, the permittee shall test the affected waters for *Escherichia coli* to assess the risk to the public health as a result of the discharge and shall provide the test results to the affected local county health departments and to the Department. The testing shall be done at locations specified by each affected local county health department but shall not exceed 10 tests for each separate discharge event. The affected local county health department may waive this testing requirement, if it determines that such testing is not needed to assess the risk to the public health as a result of the discharge event. The results of this testing shall be submitted with the written notification required above, or, if the results are not yet available, submit them as soon as they become available. This testing is not required, if the testing has been waived by the local health department, or if the discharge(s) did not affect surface waters.

Permittees accepting sanitary or municipal sewage from other sewage collection systems are encouraged to notify the owners of those systems of the above reporting and testing requirements.

### 6. Facility Contact

The "Facility Contact" was specified in the application. The permittee may replace the facility contact at any time, and shall notify the Department in writing within 10 days after replacement (including the name, address and telephone number of the new facility contact).

- a. The facility contact shall be (or a duly authorized representative of this person):
  - for a corporation, a principal executive officer of at least the level of vice president; or a designated representative if the representative is responsible for the overall operation of the facility from which the discharge originates, as described in the permit application or other NPDES form,
  - for a partnership, a general partner,
  - for a sole proprietorship, the proprietor, or
  - for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other duly authorized employee.
- b. A person is a duly authorized representative only if:
  - the authorization is made in writing to the Department by a person described in paragraph a. of this section; and
  - the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the facility (a duly authorized representative may thus be either a named individual or any individual occupying a named position).

Nothing in this section releases the permittee from properly submitting reports and forms as required by law.

## PART I

### Section A. Limitations and Monitoring Requirements

#### 7. Monthly Operating Reports

Part 41 of Act 451 of 1994 as amended, specifically Section 324.4106 and associated R 299.2953, requires that the permittee file with the Department, on forms prescribed by the Department, operating reports showing the effectiveness of the treatment facility operation and the quantity and quality of liquid wastes discharged into waters of the state.

Within 30 days of the effective date of this permit, the permittee shall submit to the Department a revised treatment facility monitoring program to address monitoring requirement changes reflected in this permit, or submit justification explaining why monitoring requirement changes reflected in this permit do not necessitate revisions to the treatment facility monitoring program. The permittee shall implement the revised treatment facility monitoring program upon approval from the Department. Applicable forms and guidance are available on the Department's web site at [http://www.michigan.gov/deq/0,1607,7-135-3313\\_44117---,00.html](http://www.michigan.gov/deq/0,1607,7-135-3313_44117---,00.html). The permittee may use alternate forms if they are consistent with the approved treatment facility monitoring program. Unless the Department provides written notification to the permittee that monthly submittal of operating reports is required, operating reports that result from implementation of the approved treatment facility monitoring program shall be maintained on site for a minimum of three (3) years and shall be made available to the Department for review upon request.

#### 8. Asset Management

The permittee shall at all times properly operate and maintain all facilities (i.e., the sewer system and treatment works as defined in Part 41 of the NREPA), and control systems installed or used by the permittee to operate the sewer system and treatment works and achieve and maintain compliance with the conditions of this permit (also see Part II.D.3 of this permit). The requirements of an Asset Management Program function to achieve the goals of effective performance, adequate funding, and adequate operator staffing and training. Asset management is a planning process for ensuring that optimum value is gained for each asset and that financial resources are available to rehabilitate and replace those assets when necessary. Asset management is centered on a framework of five (5) core elements: the current state of the assets; the required sustainable level of service; the assets critical to sustained performance; the minimum life-cycle costs; and the best long-term funding strategy.

a. Asset Management Program Requirements

On or before July 1, 2019, the permittee shall submit to the Department an Asset Management Plan for review and approval. An approvable Asset Management Plan shall contain a schedule for the development and implementation of an Asset Management Program that meets the requirements outlined below in 1) – 4). A copy of any Asset Management Program requirements already completed by the permittee should be submitted as part of the Asset Management Plan. Upon approval by the Department the permittee shall implement the Asset Management Plan. (The permittee may choose to include the Operation and Maintenance Manual required under Part II.C.14. of this permit as part of their Asset Management Program).

1) *Maintenance Staff.* The permittee shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit. The level of staffing needed shall be determined by taking into account the work involved in operating the sewer system and treatment works, planning for and conducting maintenance, and complying with this permit.

2) *Collection System Map.* The permittee shall complete a map of the sewer collection system it owns and operates. The map shall be of sufficient detail and at a scale to allow easy interpretation. The collection system information shown on the map shall be based on current conditions and shall be kept up-to-date and available for review by the Department. **Note: Items below referencing combined sewer systems are not applicable to separate sewer systems.** Such map(s) shall include but not be limited to the following:

**PART I****Section A. Limitations and Monitoring Requirements**

- a) all sanitary sewer lines and related manholes;
  - b) all combined sewer lines, related manholes, catch basins and CSO regulators;
  - c) all known or suspected connections between the sanitary sewer or combined sewer and storm drain systems;
  - d) all outfalls, including the treatment plant outfall(s), combined sewer treatment facility outfalls, untreated CSOs, and any known SSOs;
  - e) all pump stations and force mains;
  - f) the wastewater treatment facility(ies), including all treatment processes;
  - g) all surface waters (labeled);
  - h) other major appurtenances such as inverted siphons and air release valves;
  - i) a numbering system which uniquely identifies manholes, catch basins, overflow points, regulators and outfalls;
  - j) the scale and a north arrow;
  - k) the pipe diameter, date of installation, type of material, distance between manholes, and the direction of flow; and
  - l) the manhole interior material, rim elevation (optional), and invert elevations.
- 3) *Inventory and assessment of fixed assets.* The permittee shall complete an inventory and assessment of operations-related fixed assets. Fixed assets are assets that are normally stationary (e.g., pumps, blowers, and buildings). The inventory and assessment shall be based on current conditions and shall be kept up-to-date and available for review by the Department.
- a) The fixed asset inventory shall include the following:
    - (1) a brief description of the fixed asset, its design capacity (e.g., pump: 120 gallons per minute), its level of redundancy, and its tag number if applicable;
    - (2) the location of the fixed asset;
    - (3) the year the fixed asset was installed;
    - (4) the present condition of the fixed asset (e.g., excellent, good, fair, poor); and
    - (5) the current fixed asset (replacement) cost in dollars for year specified in accordance with approved schedules;
  - b) The fixed asset assessment shall include a "Business Risk Evaluation" that combines the probability of failure of the fixed asset and the criticality of the fixed asset, as follows:
    - (1) Rate the probability of failure of the fixed asset on a scale of 1-5 (low to high) using criteria such as maintenance history, failure history, and remaining percentage of useful life (or years remaining);
    - (2) Rate the criticality of the fixed asset on a scale of 1-5 (low to high) based on the consequence of failure versus the desired level of service for the facility; and



**PART I****Section A. Limitations and Monitoring Requirements**

(3) Compute the Business Risk Factor of the fixed asset by multiplying the failure rating from (1) by the criticality rating from (2).

4) *Operation, Maintenance & Replacement (OM&R) Budget and Rate Sufficiency for the Sewer System and Treatment Works.* The permittee shall complete an assessment of its user rates and replacement fund, including the following:

- a) beginning and end dates of fiscal year;
- b) name of the department, committee, board, or other organization that sets rates for the operation of the sewer system and treatment works;
- c) amount in the permittee's replacement fund in dollars for year specified in accordance with approved schedules;
- d) replacement fund strategy of all assets with a useful life of 20 years or less;
- e) expenditures for maintenance, corrective action and capital improvement taken during the fiscal year;
- f) OM&R budget for the fiscal year; and
- g) rate calculation demonstrating sufficient revenues to cover OM&R expenses. If the rate calculation shows there are insufficient revenues to cover OM&R expenses, the permittee shall document, within three (3) fiscal years after submittal of the Asset Management Plan, that there is at least one rate adjustment that reduces the revenue gap by at least 10 percent. The permittee may prepare and submit an alternate plan, subject to Department approval, for addressing the revenue gap. The ultimate goal of the Asset Management Program is to ensure sufficient revenues to cover OM&R expenses.

b. Annual Reporting

The permittee shall develop a written report that summarizes asset management activities completed during the previous year and planned for the upcoming year. The written report shall be submitted to the Department on or before November 1 of each year. The written report shall include:

- 1) a description of the staffing levels maintained during the year;
- 2) a description of inspections and maintenance activities conducted and corrective actions taken during the previous year;
- 3) expenditures for collection system maintenance activities, treatment works maintenance activities, corrective actions, and capital improvement during the previous year;
- 4) a summary of assets/areas identified for inspection/action (including capital improvement) in the upcoming year based on the five (5) core elements and the Business Risk Factors;
- 5) a maintenance budget and capital improvement budget for the upcoming year that take into account implementation of an effective Asset Management Program that meets the five (5) core elements;
- 6) an updated asset inventory based on the original submission; and
- 7) an updated OM&R budget with an updated rate schedule that includes the amount of insufficient revenues, if any.

**PART I****Section A. Limitations and Monitoring Requirements****9. Discharge Monitoring Report – Quality Assurance Study Program**

The permittee shall participate in the Discharge Monitoring Report – Quality Assurance (DMR-QA) Study Program. The purpose of the DMR-QA Study Program is to annually evaluate the proficiency of all in-house and/or contract laboratory(ies) that perform, on behalf of the facility authorized to discharge under this permit, the analytical testing required under this permit. In accordance with Section 308 of the Clean Water Act (33 U.S.C. § 1318); and R 323.2138 and R 323.2154 of Part 21, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA, participation in the DMR-QA Study Program is required for all major facilities, and for minor facilities selected for participation by the Department.

Annually and in accordance with DMR-QA Study Program requirements and submittal due dates, the permittee shall submit to the Michigan DMR-QA Study Program state coordinator all documentation required by the DMR-QA Study. DMR-QA Study Program participation is required only for the analytes required under this permit and only when those analytes are also identified in the DMR-QA Study.

If the permitted facility's status as a major facility should change, participation in the DMR-QA Study Program may be reevaluated. Questions concerning participation in the DMR-QA Study Program should be directed to the Michigan DMR-QA Study Program state coordinator.

All forms and instructions required for participation in the DMR-QA Study Program, including submittal due dates and state coordinator contact information, can be found at <http://www.epa.gov/compliance/discharge-monitoring-report-quality-assurance-study-program>.

**PART I**

**Section B. Storm Water Pollution Prevention**

Section B. Storm Water Pollution Prevention is not required for this permit.

**PART I****Section C. Industrial Waste Pretreatment Program****1. Industrial Waste Pretreatment Program**

It is understood that the permittee does not receive the discharge of any type or quantity of substance which may cause interference with the operation of the treatment works; and, therefore, the permittee is not required to immediately develop an industrial pretreatment program in accordance with Section 307 of the Federal Water Pollution Control Act. The permittee is required to comply with Section 307 of the Federal Water Pollution Control Act upon accepting any such discharge for treatment. The permittee is required to notify the Department within thirty (30) days if any user discharges or proposes to discharge such wastes to the permittee for treatment.

Under no circumstances shall the permittee allow introduction of the following wastes into the waste treatment system:

- a. pollutants which cause pass-through or interference;
- b. 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;
- c. 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;
- d. solid or viscous pollutants in amounts which will cause obstruction to the flow in the sewerage system resulting in interference;
- e. 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;
- f. 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 40 degrees Centigrade (104 degrees Fahrenheit) unless the Department, upon request of the permittee, approves alternate temperature limits;
- g. 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
- h. any trucked or hauled pollutants, except at discharge points designated by the permittee.

If information is gained by the Department that the permittee receives or is about to receive industrial wastes, then this permit may be modified in accordance with applicable laws and rules to incorporate the requirements of Section 307 of the Federal Water Pollution Control Act.

**PART I****Section D. Residuals Management Program****1. Residuals Management Program for Land Application of Biosolids**

The permittee is authorized to land-apply bulk biosolids or prepare bulk biosolids for land application in accordance with the permittee's approved Residuals Management Program (RMP) approved on June 8, 2000, and approved modifications thereto, in accordance with the requirements established in R 323.2401 through R 323.2418 of the Michigan Administrative Code (Part 24 Rules). The approved RMP, and any approved modifications thereto, are enforceable requirements of this permit. Incineration, landfilling and other residual disposal activities shall be conducted in accordance with Part II.D.7. of this permit. The Part 24 Rules can be obtained via the internet (<http://www.michigan.gov/deq/> and near the top of the screen click on Water, Wastewater, Surface Water, then click on Biosolids & Industrial Pretreatment, Biosolids, then click on Biosolids Laws and Rules Information which is under the Laws & Rules banner in the center of the screen).

**a. Annual Report**

On or before October 30 of each year, the permittee shall submit an annual report to the Department for the previous fiscal year of October 1 through September 30. The report shall be submitted electronically via the Department's MiWaters system at <https://miwaters.deq.state.mi.us>. At a minimum, the report shall contain:

- 1) a certification that current residuals management practices are in accordance with the approved RMP, or a proposal for modification to the approved RMP; and
- 2) a completed Biosolids Annual Report Form, available at <https://miwaters.deq.state.mi.us>.

**b. Modifications to the Approved RMP**

Prior to implementation of modifications to the RMP, the permittee shall submit proposed modifications to the Department for approval. The approved modification shall become effective upon the date of approval. Upon written notification, the Department may impose additional requirements and/or limitations to the approved RMP as necessary to protect public health and the environment from any adverse effect of a pollutant in the biosolids.

**c. Record Keeping**

Records required by the Part 24 Rules shall be kept for a minimum of five years. However, the records documenting cumulative loading for sites subject to cumulative pollutant loading rates shall be kept as long as the site receives biosolids.

**d. Contact Information**

RMP-related submittals shall be made to the Department.

## PART II

Part II may include terms and /or conditions not applicable to discharges covered under this permit.

### Section A. Definitions

**Acute toxic unit (TU<sub>A</sub>)** means  $100/LC_{50}$  where the  $LC_{50}$  is determined from a whole effluent toxicity (WET) test which produces a result that is statistically or graphically estimated to be lethal to 50% of the test organisms.

**Annual monitoring frequency** refers to a calendar year beginning on January 1 and ending on December 31. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

**Authorized public agency** means a state, local, or county agency that is designated pursuant to the provisions of section 9110 of Part 91 of the NREPA to implement soil erosion and sedimentation control requirements with regard to construction activities undertaken by that agency.

**Best management practices (BMPs)** means structural devices or nonstructural practices that are designed to prevent pollutants from entering into storm water, to direct the flow of storm water, or to treat polluted storm water.

**Bioaccumulative chemical of concern (BCC)** means a chemical which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor of more than 1000 after considering metabolism and other physiochemical properties that might enhance or inhibit bioaccumulation. The human health bioaccumulation factor shall be derived according to R 323.1057(5). Chemicals with half-lives of less than 8 weeks in the water column, sediment, and biota are not BCCs. The minimum bioaccumulation concentration factor (BAF) information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the biota-sediment accumulation factor (BSAF) methodology. The minimum BAF information needed to define an inorganic chemical as a BCC, including an organometal, is either a field-measured BAF or a laboratory-measured bioconcentration factor (BCF). The BCCs to which these rules apply are identified in Table 5 of R 323.1057 of the Water Quality Standards.

**Biosolids** are the solid, semisolid, or liquid residues generated during the treatment of sanitary sewage or domestic sewage in a treatment works. This includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a derivative of the removed scum or solids.

**Bulk biosolids** means biosolids that are not sold or given away in a bag or other container for application to a lawn or home garden.

**Certificate of Coverage (COC)** is a document, issued by the Department, which authorizes a discharge under a general permit.

**Chronic toxic unit (TU<sub>C</sub>)** means  $100/MATC$  or  $100/IC_{25}$ , where the maximum acceptable toxicant concentration (MATC) and  $IC_{25}$  are expressed as a percent effluent in the test medium.

**Class B biosolids** refers to material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PSRP) in accordance with the Part 24 Rules. Processes include aerobic digestion, composting, anaerobic digestion, lime stabilization and air drying.

**Combined sewer system** is a sewer system in which storm water runoff is combined with sanitary wastes.

## PART II

### Section A. Definitions

**Daily concentration** is the sum of the concentrations of the individual samples of a parameter divided by the number of samples taken during any calendar day. The daily concentration will be used to determine compliance with any maximum and minimum daily concentration limitations (except for pH and dissolved oxygen). When required by the permit, report the maximum calculated daily concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the Discharge Monitoring Reports (DMRs).

For pH, report the maximum value of any *individual* sample taken during the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs and the minimum value of any *individual* sample taken during the month in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. For dissolved oxygen, report the minimum concentration of any *individual* sample in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

**Daily loading** is the total discharge by weight of a parameter discharged during any calendar day. This value is calculated by multiplying the daily concentration by the total daily flow and by the appropriate conversion factor. The daily loading will be used to determine compliance with any maximum daily loading limitations. When required by the permit, report the maximum calculated daily loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs.

**Daily monitoring frequency** refers to a 24-hour day. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

**Department** means the Michigan Department of Environmental Quality.

**Detection level** means the lowest concentration or amount of the target analyte that can be determined to be different from zero by a single measurement at a stated level of probability.

**Discharge** means the addition of any waste, waste effluent, wastewater, pollutant, or any combination thereof to any surface water of the state.

**EC<sub>50</sub>** means a statistically or graphically estimated concentration that is expected to cause 1 or more specified effects in 50% of a group of organisms under specified conditions.

#### **Fecal coliform bacteria monthly**

FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a discharge event. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR. If the period in which the discharge event occurred was partially in each of two months, the calculated monthly value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria monthly is the geometric mean of all daily concentrations determined during a reporting month. Days on which no daily concentration is determined shall not be used to determine the calculated monthly value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

## PART II

### Section A. Definitions

#### **Fecal coliform bacteria 7-day**

FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days of discharge during a discharge event. If the number of daily concentrations determined during the discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the permit, report the maximum calculated 7-day geometric mean value for the month in the “MAXIMUM” column under “QUALITY OR CONCENTRATION” on the DMRs. If the 7-day period was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – Fecal coliform bacteria 7-day is the geometric mean of the daily concentrations determined during any 7 consecutive days in a reporting month. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. Days on which no daily concentration is determined shall not be used to determine the value. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the permit, report the maximum calculated 7-day geometric mean for the month in the “MAXIMUM” column under “QUALITY OR CONCENTRATION” on the DMRs. The first calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

**Flow-proportioned sample** is a composite sample with the sample volume proportional to the effluent flow.

**General permit** means a National Pollutant Discharge Elimination System permit issued authorizing a category of similar discharges.

**Geometric mean** is the average of the logarithmic values of a base 10 data set, converted back to a base 10 number.

**Grab sample** is a single sample taken at neither a set time nor flow.

**IC<sub>25</sub>** means the toxicant concentration that would cause a 25% reduction in a nonquantal biological measurement for the test population.

**Illicit connection** means a physical connection to a municipal separate storm sewer system that primarily conveys non-storm water discharges other than uncontaminated groundwater into the storm sewer; or a physical connection not authorized or permitted by the local authority, where a local authority requires authorization or a permit for physical connections.

**Illicit discharge** means any discharge to, or seepage into, a municipal separate storm sewer system that is not composed entirely of storm water or uncontaminated groundwater. Illicit discharges include non-storm water discharges through pipes or other physical connections; dumping of motor vehicle fluids, household hazardous wastes, domestic animal wastes, or litter; collection and intentional dumping of grass clippings or leaf litter; or unauthorized discharges of sewage, industrial waste, restaurant wastes, or any other non-storm water waste directly into a separate storm sewer.

**Individual permit** means a site-specific NPDES permit.

**Inlet** means a catch basin, roof drain, conduit, drain tile, retention pond riser pipe, sump pump, or other point where storm water or wastewater enters into a closed conveyance system prior to discharge off site or into waters of the state.



## PART II

### Section A. Definitions

**Interference** is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or, of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act. [This definition does not apply to sample matrix interference].

**Land application** means spraying or spreading biosolids or a biosolids derivative onto the land surface, injecting below the land surface, or incorporating into the soil so that the biosolids or biosolids derivative can either condition the soil or fertilize crops or vegetation grown in the soil.

**LC<sub>50</sub>** means a statistically or graphically estimated concentration that is expected to be lethal to 50% of a group of organisms under specified conditions.

**Maximum acceptable toxicant concentration (MATC)** means the concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic test. A lower chronic limit is the highest tested concentration that did not cause the occurrence of a specific adverse effect. An upper chronic limit is the lowest tested concentration which did cause the occurrence of a specific adverse effect and above which all tested concentrations caused such an occurrence.

**Maximum extent practicable** means implementation of best management practices by a public body to comply with an approved storm water management program as required by a national permit for a municipal separate storm sewer system, in a manner that is environmentally beneficial, technically feasible, and within the public body's legal authority.

**MGD** means million gallons per day.

**Monthly concentration** is the sum of the daily concentrations determined during a reporting period divided by the number of daily concentrations determined. The calculated monthly concentration will be used to determine compliance with any maximum monthly concentration limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly concentration in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR.

For minimum percent removal requirements, the monthly influent concentration and the monthly effluent concentration shall be determined. The calculated monthly percent removal, which is equal to 100 times the quantity [1 minus the quantity (monthly effluent concentration divided by the monthly influent concentration)], shall be reported in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

**Monthly loading** is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during a reporting period. The calculated monthly loading will be used to determine compliance with any maximum monthly loading limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly loading in the "AVERAGE" column under "QUANTITY OR LOADING" on the DMR.

**Monthly monitoring frequency** refers to a calendar month. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

**Municipal separate storm sewer** means a conveyance or system of conveyances designed or used for collecting or conveying storm water which is not a combined sewer and which is not part of a publicly-owned treatment works as defined in the Code of Federal Regulations at 40 CFR 122.2.

## PART II

### Section A. Definitions

**Municipal separate storm sewer system (MS4)** means all separate storm sewers that are owned or operated by the United States, a state, city, village, township, county, district, association, or other public body created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law, such as a sewer district, flood control district, or drainage district, or similar entity, or a designated or approved management agency under Section 208 of the Federal Act that discharges to the waters of the state. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

**National Pretreatment Standards** are the regulations promulgated by or to be promulgated by the Federal Environmental Protection Agency pursuant to Section 307(b) and (c) of the Federal Act. The standards establish nationwide limits for specific industrial categories for discharge to a POTW.

**No observed adverse effect level (NOAEL)** means the highest tested dose or concentration of a substance which results in no observed adverse effect in exposed test organisms where higher doses or concentrations result in an adverse effect.

**Noncontact cooling water** is water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product or finished product.

**Nondomestic user** is any discharger to a POTW that discharges wastes other than or in addition to water-carried wastes from toilet, kitchen, laundry, bathing or other facilities used for household purposes.

**Outfall** is the location at which a point source discharge enters the surface waters of the state.

**Part 91 agency** means an agency that is designated by a county board of commissioners pursuant to the provisions of section 9105 of Part 91 of the NREPA; an agency that is designated by a city, village, or township in accordance with the provisions of section 9106 of Part 91 of the NREPA; or the Department for soil erosion and sedimentation activities under Part 615, Part 631, or Part 632 pursuant to the provisions of section 9115 of Part 91 of the NREPA.

**Part 91 permit** means a soil erosion and sedimentation control permit issued by a Part 91 agency pursuant to the provisions of Part 91 of the NREPA.

**Partially treated sewage** is any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that is treated to a level less than that required by the permittee's National Pollutant Discharge Elimination System permit, or that is not treated to national secondary treatment standards for wastewater, including discharges to surface waters from retention treatment facilities.

**Point of discharge** is the location of a point source discharge where storm water is discharged directly into a separate storm sewer system.

**Point source discharge** means a discharge from any discernible, confined, discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, or rolling stock. Changing the surface of land or establishing grading patterns on land will result in a point source discharge where the runoff from the site is ultimately discharged to waters of the state.

**Polluting material** means any material, in solid or liquid form, identified as a polluting material under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

**POTW** is a publicly owned treatment work.

## PART II

### Section A. Definitions

**Pretreatment** is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.

**Public** (as used in the MS4 individual permit) means all persons who potentially could affect the authorized storm water discharges, including, but not limited to, residents, visitors to the area, public employees, businesses, industries, and construction contractors and developers.

**Public body** means the United States; the state of Michigan; a city, village, township, county, school district, public college or university, or single-purpose governmental agency; or any other body which is created by federal or state statute or law.

**Qualified Personnel** means an individual who meets qualifications acceptable to the Department and who is authorized by an Industrial Storm Water Certified Operator to collect the storm water sample.

**Qualifying storm event** means a storm event causing greater than 0.1 inch of rainfall and occurring at least 72 hours after the previous measurable storm event that also caused greater than 0.1 inch of rainfall. Upon request, the Department may approve an alternate definition meeting the condition of a qualifying storm event.

**Quantification level** means the measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calculated at a specified concentration above the detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant.

**Quarterly monitoring frequency** refers to a three month period, defined as January through March, April through June, July through September, and October through December. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

**Regional Administrator** is the Region 5 Administrator, U.S. EPA, located at R-19J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

**Regulated area** means the permittee's urbanized area, where urbanized area is defined as a place and its adjacent densely-populated territory that together have a minimum population of 50,000 people as defined by the United States Bureau of the Census and as determined by the latest available decennial census.

**Secondary containment structure** means a unit, other than the primary container, in which significant materials are packaged or held, which is required by State or Federal law to prevent the escape of significant materials by gravity into sewers, drains, or otherwise directly or indirectly into any sewer system or to the surface or ground waters of this state.

**Separate storm sewer system** means a system of drainage, including, but not limited to, roads, catch basins, curbs, gutters, parking lots, ditches, conduits, pumping devices, or man-made channels, which is not a combined sewer where storm water mixes with sanitary wastes, and is not part of a POTW.

**Significant industrial user** is a nondomestic user that: 1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or 2) discharges an average of 25,000 gallons per day or more of process wastewater to a POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the permittee as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

## PART II

### Section A. Definitions

**Significant materials** Significant Materials means any material which could degrade or impair water quality, including but not limited to: raw materials; fuels; solvents, detergents, and plastic pellets; finished materials such as metallic products; hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (see 40 CFR 372.65); any chemical the facility is required to report pursuant to Section 313 of Emergency Planning and Community Right-to-Know Act (EPCRA); polluting materials as identified under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code); Hazardous Wastes as defined in Part 111 of the NREPA; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.

**Significant spills and significant leaks** means any release of a polluting material reportable under the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code).

**Special-use area** means secondary containment structures required by state or federal law; lands on Michigan's List of Sites of Environmental Contamination pursuant to Part 201, Environmental Remediation, of the NREPA; and/or areas with other activities that may contribute pollutants to the storm water for which the Department determines monitoring is needed.

**Stoichiometric** means the quantity of a reagent calculated to be necessary and sufficient for a given chemical reaction.

**Storm water** means storm water runoff, snow melt runoff, surface runoff and drainage, and non-storm water included under the conditions of this permit.

**Storm water discharge point** is the location where the point source discharge of storm water is directed to surface waters of the state or to a separate storm sewer. It includes the location of all point source discharges where storm water exits the facility, including *outfalls* which discharge directly to surface waters of the state, and *points of discharge* which discharge directly into separate storm sewer systems.

**SWPPP** means the Storm Water Pollution Prevention Plan prepared in accordance with this permit.

**Tier I value** means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier I toxicity database.

**Tier II value** means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier II toxicity database.

**Total maximum daily loads (TMDLs)** are required by the Federal Act for waterbodies that do not meet water quality standards. TMDLs represent the maximum daily load of a pollutant that a waterbody can assimilate and meet water quality standards, and an allocation of that load among point sources, nonpoint sources, and a margin of safety.

**Toxicity reduction evaluation (TRE)** means a site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity.

**Water Quality Standards** means the Part 4 Water Quality Standards promulgated pursuant to Part 31 of the NREPA, being R 323.1041 through R 323.1117 of the Michigan Administrative Code.

**Weekly monitoring frequency** refers to a calendar week which begins on Sunday and ends on Saturday. When required by this permit, an analytical result, reading, value or observation shall be reported for that period if a discharge occurs during that period.

**WWSL** is a wastewater stabilization lagoon.

## PART II

### Section A. Definitions

**WWSL discharge event** is a discrete occurrence during which effluent is discharged to the surface water up to 10 days of a consecutive 14 day period.

**3-portion composite sample** is a sample consisting of three equal-volume grab samples collected at equal intervals over an 8-hour period.

#### **7-day concentration**

FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily concentrations determined. If the number of daily concentrations determined during the WWSL discharge event is less than 7 days, the number of actual daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations. When required by the permit, report the maximum calculated 7-day concentration for the WWSL discharge event in the “MAXIMUM” column under “QUALITY OR CONCENTRATION” on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – The 7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days in a reporting month divided by the number of daily concentrations determined. If the number of daily concentrations determined is less than 7, the actual number of daily concentrations determined shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations in the reporting month. When required by the permit, report the maximum calculated 7-day concentration for the month in the “MAXIMUM” column under “QUALITY OR CONCENTRATION” on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

#### **7-day loading**

FOR WWSLs THAT COLLECT AND STORE WASTEWATER AND ARE AUTHORIZED TO DISCHARGE ONLY IN THE SPRING AND/OR FALL ON AN INTERMITTENT BASIS – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days of discharge during a WWSL discharge event divided by the number of daily loadings determined. If the number of daily loadings determined during the WWSL discharge event is less than 7 days, the number of actual daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations. When required by the permit, report the maximum calculated 7-day loading for the WWSL discharge event in the “MAXIMUM” column under “QUANTITY OR LOADING” on the DMR. If the WWSL discharge event was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

FOR ALL OTHER DISCHARGES – The 7-day loading is the sum of the daily loadings determined during any 7 consecutive days in a reporting month divided by the number of daily loadings determined. If the number of daily loadings determined is less than 7, the actual number of daily loadings determined shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations in the reporting month. When required by the permit, report the maximum calculated 7-day loading for the month in the “MAXIMUM” column under “QUANTITY OR LOADING” on the DMR. The first 7-day calculation shall be made on day 7 of the reporting month, and the last calculation shall be made on the last day of the reporting month.

**24-hour composite sample** is a flow-proportioned composite sample consisting of hourly or more frequent portions that are taken over a 24-hour period. A time-proportioned composite sample may be used upon approval of the Department if the permittee demonstrates it is representative of the discharge.

## PART II

### Section B. Monitoring Procedures

#### 1. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

#### 2. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304(h) of the Federal Act (40 CFR Part 136 – Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless specified otherwise in this permit. **Test procedures used shall be sufficiently sensitive to determine compliance with applicable effluent limitations.** Requests to use test procedures not promulgated under 40 CFR Part 136 for pollutant monitoring required by this permit shall be made in accordance with the Alternate Test Procedures regulations specified in 40 CFR 136.4. These requests shall be submitted to the Manager of the Permits Section, Water Resources Division, Michigan Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan, 48909-7958. The permittee may use such procedures upon approval.

The permittee shall periodically calibrate and perform maintenance procedures on all analytical instrumentation at intervals to ensure accuracy of measurements. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Control/Quality Assurance program.

#### 3. Instrumentation

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring instrumentation at intervals to ensure accuracy of measurements.

#### 4. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information: 1) the exact place, date, and time of measurement or sampling; 2) the person(s) who performed the measurement or sample collection; 3) the dates the analyses were performed; 4) the person(s) who performed the analyses; 5) the analytical techniques or methods used; 6) the date of and person responsible for equipment calibration; and 7) the results of all required analyses.

#### 5. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Department.

## PART II

### Section C. Reporting Requirements

#### 1. Start-up Notification

If the permittee will not discharge during the first 60 days following the effective date of this permit, the permittee shall notify the Department within 14 days following the effective date of this permit, and then 60 days prior to the commencement of the discharge.

#### 2. Submittal Requirements for Self-Monitoring Data

Part 31 of the NREPA (specifically Section 324.3110(7)); and R 323.2155(2) of Part 21, Wastewater Discharge Permits, promulgated under Part 31 of the NREPA, allow the Department to specify the forms to be utilized for reporting the required self-monitoring data. Unless instructed on the effluent limitations page to conduct "Retained Self-Monitoring," the permittee shall submit self-monitoring data via the Department's MiWaters system.

The permittee shall utilize the information provided on the MiWaters website, located at <https://miwaters.deq.state.mi.us>, to access and submit the electronic forms. Both monthly summary and daily data shall be submitted to the Department no later than the 20<sup>th</sup> day of the month following each month of the authorized discharge period(s). The permittee may be allowed to submit the electronic forms after this date if the Department has granted an extension to the submittal date.

#### 3. Retained Self-Monitoring Requirements

If instructed on the effluent limits page (or otherwise authorized by the Department in accordance with the provisions of this permit) to conduct retained self-monitoring, the permittee shall maintain a year-to-date log of retained self-monitoring results and, upon request, provide such log for inspection to the staff of the Department. Retained self-monitoring results are public information and shall be promptly provided to the public upon request.

The permittee shall certify, in writing, to the Department, on or before January 10th (April 1st for animal feeding operation facilities) of each year, that: 1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained; and 2) the application on which this permit is based still accurately describes the discharge. With this annual certification, the permittee shall submit a summary of the previous year's monitoring data. The summary shall include maximum values for samples to be reported as daily maximums and/or monthly maximums and minimum values for any daily minimum samples.

Retained self-monitoring may be denied to a permittee by notification in writing from the Department. In such cases, the permittee shall submit self-monitoring data in accordance with Part II.C.2., above. Such a denial may be rescinded by the Department upon written notification to the permittee. Reissuance or modification of this permit or reissuance or modification of an individual permittee's authorization to discharge shall not affect previous approval or denial for retained self-monitoring unless the Department provides notification in writing to the permittee.

#### 4. 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. Such increased frequency shall also be indicated.

Monitoring required pursuant to Part 41 of the NREPA or Rule 35 of the Mobile Home Park Commission Act (Act 96 of the Public Acts of 1987) for assurance of proper facility operation shall be submitted as required by the Department.

## PART II

### Section C. Reporting Requirements

#### 5. Compliance Dates Notification

Within 14 days of every compliance date specified in this permit, the permittee shall submit a *written* notification to the Department indicating whether or not the particular requirement was accomplished. If the requirement was not accomplished, the notification shall include an explanation of the failure to accomplish the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be accomplished. If a written report is required to be submitted by a specified date and the permittee accomplishes this, a separate written notification is not required.

#### 6. Noncompliance Notification

Compliance with all applicable requirements set forth in the Federal Act, Parts 31 and 41 of the NREPA, and related regulations and rules is required. All instances of noncompliance shall be reported as follows:

- a. 24-Hour Reporting  
Any noncompliance which may endanger health or the environment (including maximum and/or minimum daily concentration discharge limitation exceedances) shall be reported, verbally, within 24 hours from the time the permittee becomes aware of the noncompliance. A written submission shall also be provided within five (5) days.
- b. Other Reporting  
The permittee shall report, in writing, all other instances of noncompliance not described in a. above at the time monitoring reports are submitted; or, in the case of retained self-monitoring, within five (5) days from the time the permittee becomes aware of the noncompliance.

Written reporting shall include: 1) a description of the discharge and cause of noncompliance; and 2) the period of noncompliance, including exact dates and times, or, if not yet corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

#### 7. Spill Notification

The permittee shall immediately report any release of any polluting material which occurs to the surface waters or groundwaters of the state, unless the permittee has determined that the release is not in excess of the threshold reporting quantities specified in the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated on the second page of this permit (or, if this is a general permit, on the COC); or, if the notice is provided after regular working hours, call the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706 (calls from **out-of-state** dial 1-517-373-7660).

Within ten (10) days of the release, the permittee shall submit to the Department a full written explanation as to the cause of the release, the discovery of the release, response (clean-up and/or recovery) measures taken, and preventive measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.



**PART II****Section C. Reporting Requirements****8. Upset Noncompliance Notification**

If a process "upset" (defined as 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) has occurred, the permittee who wishes to establish the affirmative defense of upset, shall notify the Department by telephone within 24 hours of becoming aware of such conditions; and within five (5) days, provide in writing, the following information:

- a. that an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. that the permitted wastewater treatment facility was, at the time, being properly operated and maintained (note that 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); and
- c. that the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

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

**9. Bypass Prohibition and Notification**

- a. Bypass Prohibition  
Bypass is prohibited, and the Department may take an enforcement action, unless:
  - 1) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - 2) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass; and
  - 3) the permittee submitted notices as required under 9.b. or 9.c. below.
- b. Notice of Anticipated Bypass  
If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least ten (10) days before the date of the bypass, and provide information about the anticipated bypass as required by the Department. The Department may approve an anticipated bypass, after considering its adverse effects, if it will meet the three (3) conditions listed in 9.a. above.
- c. Notice of Unanticipated Bypass  
The permittee shall submit notice to the Department of an unanticipated bypass by calling the Department at the number indicated on the second page of this permit (if the notice is provided after regular working hours, use the following number: 1-800-292-4706) as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the circumstances.

## PART II

### Section C. Reporting Requirements

- d. **Written Report of Bypass**  
A written submission shall be provided within five (5) working days of commencing any bypass to the Department, and at additional times as directed by the Department. The written submission shall contain a description of the bypass and its cause; the period of bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass; and other information as required by the Department.
- e. **Bypass Not Exceeding Limitations**  
The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of 9.a., 9.b., 9.c., and 9.d., above. This provision does not relieve the permittee of any notification responsibilities under Part II.C.11. of this permit.
- f. **Definitions**
- 1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
  - 2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

### 10. Bioaccumulative Chemicals of Concern (BCC)

Consistent with the requirements of R 323.1098 and R 323.1215 of the Michigan Administrative Code, the permittee is prohibited from undertaking any action that would result in a lowering of water quality from an increased loading of a BCC unless an increased use request and antidegradation demonstration have been submitted and approved by the Department.

### 11. Notification of Changes in Discharge

The permittee shall notify the Department, in writing, as soon as possible but no later than 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of: 1) detectable levels of chemicals on the current Michigan Critical Materials Register, priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, or the Pollutants of Initial Focus in the Great Lakes Water Quality Initiative specified in 40 CFR 132.6, Table 6, which were not acknowledged in the application or listed in the application at less than detectable levels; 2) detectable levels of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information; or 3) any chemical at levels greater than five times the average level reported in the complete application (see the first page of this permit, for the date(s) the complete application was submitted). Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the compliance schedules.

## PART II

### Section C. Reporting Requirements

#### 12. Changes in Facility Operations

Any anticipated action or activity, including but not limited to facility expansion, production increases, or process modification, which will result in new or increased loadings of pollutants to the receiving waters must be reported to the Department by a) submission of an increased use request (application) and all information required under R 323.1098 (Antidegradation) of the Water Quality Standards or b) by notice if the following conditions are met: 1) the action or activity will not result in a change in the types of wastewater discharged or result in a greater quantity of wastewater than currently authorized by this permit; 2) the action or activity will not result in violations of the effluent limitations specified in this permit; 3) the action or activity is not prohibited by the requirements of Part II.C.10.; and 4) the action or activity will not require notification pursuant to Part II.C.11. Following such notice, the permit or, if applicable, the facility's COC may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

#### 13. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall submit to the Department 30 days prior to the actual transfer of ownership or control a written agreement between the current permittee and the new permittee containing: 1) the legal name and address of the new owner; 2) a specific date for the effective transfer of permit responsibility, coverage and liability; and 3) a certification of the continuity of or any changes in operations, wastewater discharge, or wastewater treatment.

If the new permittee is proposing changes in operations, wastewater discharge, or wastewater treatment, the Department may propose modification of this permit in accordance with applicable laws and rules.

#### 14. Operations and Maintenance Manual

For wastewater treatment facilities that serve the public (and are thus subject to Part 41 of the NREPA), Section 4104 of Part 41 and associated Rule 2957 of the Michigan Administrative Code allow the Department to require an Operations and Maintenance (O&M) Manual from the facility. An up-to-date copy of the O&M Manual shall be kept at the facility and shall be provided to the Department upon request. The Department may review the O&M Manual in whole or in part at its discretion and require modifications to it if portions are determined to be inadequate.

At a minimum, the O&M Manual shall include the following information: permit standards; descriptions and operation information for all equipment; staffing information; laboratory requirements; record keeping requirements; a maintenance plan for equipment; an emergency operating plan; safety program information; and copies of all pertinent forms, as-built plans, and manufacturer's manuals.

Certification of the existence and accuracy of the O&M Manual shall be submitted to the Department at least sixty days prior to start-up of a new wastewater treatment facility. Recertification shall be submitted sixty days prior to start-up of any substantial improvements or modifications made to an existing wastewater treatment facility.

## PART II

### Section C. Reporting Requirements

#### 15. Signatory Requirements

All applications, reports, or information submitted to the Department in accordance with the conditions of this permit and that require a signature shall be signed and certified as described in the Federal Act and the NREPA.

The Federal Act 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 per violation, or by imprisonment for not more than 6 months per violation, or by both.

The NREPA (Section 3115(2)) provides that a person who at the time of the violation knew or should have known that he or she discharged a substance contrary to this part, or contrary to a permit, COC, or order issued or rule promulgated under this part, or who intentionally makes a false statement, representation, or certification in an application for or form pertaining to a permit or COC or in a notice or report required by the terms and conditions of an issued permit or COC, or who intentionally renders inaccurate a monitoring device or record required to be maintained by the Department, is guilty of a felony and shall be fined not less than \$2,500.00 or more than \$25,000.00 for each violation. The court may impose an additional fine of not more than \$25,000.00 for each day during which the unlawful discharge occurred. If the conviction is for a violation committed after a first conviction of the person under this subsection, the court shall impose a fine of not less than \$25,000.00 per day and not more than \$50,000.00 per day of violation. Upon conviction, in addition to a fine, the court in its discretion may sentence the defendant to imprisonment for not more than 2 years or impose probation upon a person for a violation of this part. With the exception of the issuance of criminal complaints, issuance of warrants, and the holding of an arraignment, the circuit court for the county in which the violation occurred has exclusive jurisdiction. However, the person shall not be subject to the penalties of this subsection if the discharge of the effluent is in conformance with and obedient to a rule, order, permit, or COC of the Department. In addition to a fine, the attorney general may file a civil suit in a court of competent jurisdiction to recover the full value of the injuries done to the natural resources of the state and the costs of surveillance and enforcement by the state resulting from the violation.

#### 16. Electronic Reporting

Upon notice by the Department that electronic reporting tools are available for specific reports or notifications, the permittee shall submit electronically all such reports or notifications as required by this permit, on forms provided by the Department.

## PART II

### Section D. Management Responsibilities

#### 1. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit, more frequently than, or at a level in excess of, that authorized, shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit constitutes a violation of the NREPA and/or the Federal Act and constitutes grounds for enforcement action; for permit or Certificate of Coverage (COC) termination, revocation and reissuance, or modification; or denial of an application for permit or COC renewal.

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

#### 2. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified at the appropriate level for the facility certification by the Department, as required by Sections 3110 and 4104 of the NREPA. Permittees authorized to discharge storm water shall have the storm water treatment and/or control measures under direct supervision of a storm water operator certified by the Department, as required by Section 3110 of the NREPA.

#### 3. Facilities Operation

The permittee shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

#### 4. Power Failures

In order to maintain compliance with the effluent limitations of this permit and prevent unauthorized discharges, the permittee shall either:

- a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or
- b. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

#### 5. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to the surface waters or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

## PART II

### Section D. Management Responsibilities

#### 6. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of polluting materials in accordance with the requirements of the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code). For a Publicly Owned Treatment Work (POTW), these facilities shall be approved under Part 41 of the NREPA.

#### 7. Waste Treatment Residues

Residuals (i.e. solids, sludges, biosolids, filter backwash, scrubber water, ash, grit, or other pollutants or wastes) removed from or resulting from treatment or control of wastewaters, including those that are generated during treatment or left over after treatment or control has ceased, shall be disposed of in an environmentally compatible manner and according to applicable laws and rules. These laws may include, but are not limited to, the NREPA, Part 31 for protection of water resources, Part 55 for air pollution control, Part 111 for hazardous waste management, Part 115 for solid waste management, Part 121 for liquid industrial wastes, Part 301 for protection of inland lakes and streams, and Part 303 for wetlands protection. Such disposal shall not result in any unlawful pollution of the air, surface waters or groundwaters of the state.

#### 8. Right of Entry

The permittee shall allow the Department, any agent appointed by the Department, or the Regional Administrator, upon the presentation of credentials and, for animal feeding operation facilities, following appropriate biosecurity protocols:

- a. to enter upon the permittee's premises where an effluent source is located or any place in which records are required to be kept under the terms and conditions of this permit; and
- b. at reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect process facilities, treatment works, monitoring methods and equipment regulated or required under this permit; and to sample any discharge of pollutants.

#### 9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Act and Rule 2128 (R 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit, shall be available for public inspection at the offices of the Department and the Regional Administrator. As required by the Federal Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Act and Sections 3112, 3115, 4106 and 4110 of the NREPA.

#### 10. Duty to Provide Information

The permittee shall 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 the facility's COC, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information

**PART II****Section E. Activities Not Authorized by This Permit****1. Discharge to the Groundwaters**

This permit does not authorize any discharge to the groundwaters. Such discharge may be authorized by a groundwater discharge permit issued pursuant to the NREPA.

**2. POTW Construction**

This permit does not authorize or approve the construction or modification of any physical structures or facilities at a POTW. Approval for the construction or modification of any physical structures or facilities at a POTW shall be by permit issued under Part 41 of the NREPA.

**3. Civil and Criminal Liability**

Except as provided in permit conditions on "Bypass" (Part II.C.9. pursuant to 40 CFR 122.41(m)), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond the permittee's control, such as accidents, equipment breakdowns, or labor disputes.

**4. Oil and Hazardous Substance Liability**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee may be subject under Section 311 of the Federal Act except as are exempted by federal regulations.

**5. State Laws**

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

**6. Property Rights**

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other Department of Environmental Quality permits, or approvals from other units of government as may be required by law.

## BASIS FOR DECISION MEMO

Permit Processor: Marley Diatkar  
 Date: October 17, 2018  
 Permit No. MI0025381  
 Facility's Designated Name: Escanaba WWTP

Monitoring Point 001A: Authorization to discharge 2.2 MGD of treated municipal wastewater from Monitoring Point 001A through Outfall 001. Outfall 001 discharges to Lake Michigan (Little Bay de Noc).

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>	<u>Basis for Limits</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>			
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow	PWJ
Carbonaceous Biochemical Oxygen Demand (CBOD5)											
	460	730	(report)	lbs/day	25	40	(report)	mg/l	5xWeekly	24-Hr Composite	STS
Total Suspended Solids (TSS)											
	550	830	(report)	lbs/day	30	45	(report)	mg/l	5xWeekly	24-Hr Composite	STS
Ammonia Nitrogen (as N)											
May-September	(report)	---	(report)	lbs/day	(report)	---	(report)	mg/l	Weekly	24-Hr Composite	WQC
Total Phosphorus (as P)	18	---	(report)	lbs/day	1.0	---	(report)	mg/l	3xWeekly	24-Hr Composite	WQBEL
Fecal Coliform Bacteria	---	---	---	---	200	400	(report)	cts/100 ml	5xWeekly	Grab	WQS
Total Residual Chlorine	---	---	---	---	---	---	0.5	mg/l	5xWeekly	Grab	BPJ
<b>Total Copper</b>	---	---	<b>0.88</b>	lbs/day	---	---	<b>48</b>	ug/l	<b>2xMonthly</b>	<b>24-Hr Composite</b>	<b>WQBEL</b>
<b>Total Mercury</b>											
--Corrected	(report)	---	(report)	lbs/day	(report)	---	(report)	ng/l	Quarterly	Calculation	WQC
--Uncorrected	---	---	---	---	---	---	(report)	ng/l	Quarterly	Grab	WQC
--Field Duplicate	---	---	---	---	---	---	(report)	ng/l	Quarterly	Grab	WQC
--Field Blank	---	---	---	---	---	---	(report)	ng/l	Quarterly	Preparation	WQC



<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>	<u>Basis for Limits</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>			
--Laboratory Method Blank	---	---	---	---	---	---	(report)	ng/l	Quarterly	Preparation	WQC
	<u>12-Month Rolling Avg</u>				<u>12-Month Rolling Avg</u>						
Total Mercury	0.000037	---	---	lbs/day	2.0	---	---	ng/l	Quarterly	Calculation	WQV
					<u>Minimum % Monthly</u>		<u>Minimum % Daily</u>				
CBOD5 Minimum % Removal	---	---	---	---	85	---	(report)	%	Monthly	Calculation	STS
TSS Minimum % Removal	---	---	---	---	85	---	(report)	%	Monthly	Calculation	STS
					<u>Minimum Daily</u>		<u>Maximum Daily</u>				
pH	---	---	---	---	6.5	---	9.0	S.U.	5xWeekly	Grab	WQS
Dissolved Oxygen	---	---	---	---	4.0	---	---	mg/l	5xWeekly	Grab	WQBEL

PERMIT CONDITIONS:

Final Effluent Limitations, Monitoring Point 001A

**Quantification Levels and Analytical Methods for Selected Parameters**

Additional Monitoring Requirements

Pollutant Minimization Program for Total Mercury

Untreated or Partially Treated Sewage Discharge Reporting and Testing Requirements

Facility Contact

Monthly Operating Reports

**Asset Management**

**Discharge Monitoring Report – Quality Assurance Study Program**

*Schedule of Compliance Not Required*

**Storm Water Pollution Prevention Not Required**

Industrial Waste Pretreatment Program

Residuals Management Program for Land Application of Biosolids

NOTES:

1. Review of conventional pollutants was bypassed - the Escanaba WWTP outfall is located one mile offshore and at a depth of 30'. There are no conventional concerns given the offshore, submerged discharge in addition to the 10:1 receiving water to effluent mix allowed in the Part 4 Water Quality Standards.
2. Daily concentration and/or loading reporting requirements for various parameters have been added to support the MiWaters Discharge Monitoring Report system requirements.

3. Quarterly monitoring requirement recommendations for benzidine, 3,3-dichlorobenzidine, hexachlorobenzene, hexachlorobutadiene, and hexachlorocyclopentadiene have not been included in the permit, however, the compounds and appropriate quantification levels (QL's) are now listed in Part I.2, and these parameters are included in the additional monitoring requirements under Part I.3.
4. The requirement to report total mercury results and associated data for corrected, uncorrected, field duplicate, field blank, and laboratory method blank results is added in order to be consistent with the sampling and QA/QC requirements of EPA Method 1631, Revision E, "*Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry*".
5. The WQBEL recommended a TRC limit of 38 ug/l. The current TRC limit is 0.5 mg/l. The permittee conducted a TRC correlation demonstration on August 8, 1988. The Department established the current limit which is measured two miles from the point of discharge to Lake Michigan. It was determined that the current TRC limit should be continued.
6. Based on comments received from the facility during the pre-public notice period, the following changes were made to the draft permit: 1) The monitoring frequency for total copper was revised to 2xmonthly in Part I.A.1., previously drafted as weekly. 2) The facility may request reduced monitoring for total copper after collecting 12 months of data in Part I.A.1.e., previously drafted as 24 months of data. 3) The Asset Management annual report due date was revised to November 1 of each year in Part I.A.8.b., previously drafted as August 1.

#### Limit Change Key

Normal Type = existing requirement - carried over from previous version of permit

**Bold Type** = new requirement - not in previous version of permit

*Italic* = deleted requirement - not carried over from previous version of permit

#### Basis for Limits Key

BPJ - Best Professional Judgment of appropriate treatment technology-based effluent limits in the absence of applicable federal guidelines

WQBEL - Water Quality-Based Effluent Limit

STS - Secondary Treatment Standard

WQC - Water Quality Concern

WQS - Water Quality Standard

WQV - Water Quality Variance

PWJ - Permit Writer's Judgment