

ARTICLE XV
PRETREATMENT

Section 1501 General Provisions

.1501.1 Purpose and Policy

This Article sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the Metropolitan Sewer District of Greater Cincinnati and enables the District to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] Section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). The objectives of this Article are:

- A. To prevent the introduction of pollutants into the POTW that will interfere with its operation;
- B. To prevent the introduction of pollutants into the POTW that will pass through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- C. To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To promote reuse and recycling of industrial wastewater and sludge from the POTW; and
- E. To enable the District to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the POTW is subject.

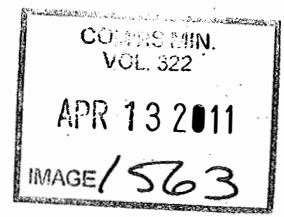
This Article shall apply to all Users that are not Residential Users of the POTW. The Article authorizes the issuance of individual wastewater discharge permits or General Wastewater Discharge Permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

.1501.2 Administration

Except as otherwise provided herein, the Director shall administer, implement, and enforce the provisions of this Article. Any powers granted to or duties imposed upon the Director may be delegated by the Director to a duly authorized employee of the District.

.1501.3 Abbreviations

The following abbreviations, when used in this Article, shall have the designated meanings:



BOD – Biochemical Oxygen Demand
BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – Code of Federal Regulations
CIU – Categorical Industrial User
COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
gpd – gallons per day
IU – Industrial User
mg/L – milligrams per liter
NPDES – National Pollutant Discharge Elimination System
NSCIU – Non-Significant Categorical Industrial User
O&M – Operation and Maintenance
O.A.C. – Ohio Administrative Code
OEPA – Ohio Environmental Protection Agency
O.R.C. – Ohio Revised Code
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
TSS – Total Suspended Solids
U.S.C. – United States Code

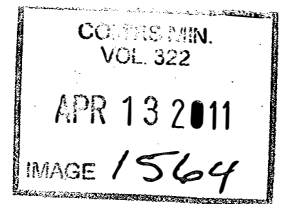
1501.4 Definitions

Definitions pertinent to this Article XV are included in Article I of these MSD Rules and Regulations.

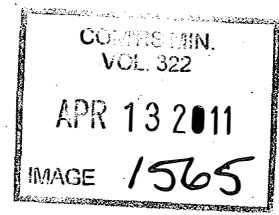
Section 1502 General Sewer Use Requirements

1502.1 Prohibited Discharge Standards

- A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater that causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other Federal, State, or local Pretreatment Standards or Requirements.
- B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - 1. Pollutants that create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;



2. Wastewater having a pH less than 5.0 or more than 12.5 standard units, or otherwise causing corrosive structural damage or any other adverse impact to the POTW or equipment; but in no case wastewater that causes the pH at the introduction into the wastewater treatment plant to be outside the range of 6 to 10 standard units; if there is a pH BMP approved by the Director, only occurrences exceeding the pH criteria of Table 3 and Table 4 of the Enforcement Response Plan will be considered in violation.
3. Solid or viscous substances in amounts that will cause obstruction of the flow in the POTW resulting in Interference, but in no case solids greater than 1/4 inch (0.25") or 0.6 centimeter (0.6 cm) in any dimension;
4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration that, either singly or by interaction with other pollutants, will cause Interference with the POTW;
5. Wastewater having a temperature greater than 150 degrees F (65 degrees C), or that will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater that causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
6. Floating oils, fat, or grease; petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through or containing more than 50 milligrams per liter of silica gel treated n-hexane extractable material (total petroleum hydrocarbons) as determined by analysis of a grab sample;
7. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
8. Trucked or hauled pollutants, except at discharge points designated by the Director in accordance with Section 1503.4 of this Article;
9. Noxious or malodorous liquids, gases, solids, or other wastewater that, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
10. Wastewater which imparts color that cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the District's NPDES permit;
11. Wastewater containing any radioactive wastes or isotopes, except in compliance with applicable State or Federal regulations;



12. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director;
13. Sludges, screenings, or other residues from the pretreatment of industrial wastes, except as specifically authorized by the Director;
14. Medical wastes, except as specifically authorized by the Director in an individual wastewater discharge permit or a General Wastewater Discharge Permit;
15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
16. Detergents, surface-active agents, or other substances that might cause excessive foaming in the POTW;
17. Wastes from garbage grinders except: wastes generated in preparation of food normally consumed on the premises, or wastes of a specific character whose discharge after grinding is authorized by a written permit signed by the Director. All garbage grinders shall shred the waste such that all particles will be carried freely under normal prevailing flow conditions in the public sewer. Wastes from garbage grinders used for grinding plastic, paper products, inert materials, or garden refuse shall not be discharged to the wastewater treatment system; and
18. Direct discharge of any substances into a manhole or other opening in the wastewater treatment system other than an approved building sewer, unless, upon written application to the Director and payment of the applicable User charges and fees, the Director issues a permit for such direct discharges.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

1502.2 National Categorical Pretreatment Standards

Users must comply with the Categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405 to 471.

- A. Where a Categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the District may impose equivalent concentration or mass limits in accordance with Sections 1502.2D and 1502.2E of this Section.
- B. When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the District may convert the limits to equivalent

limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual IUs.

- C. When wastewater subject to a Categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the District shall impose an alternate limit in accordance with 40 CFR 403.6(e).
- D. The District may convert the mass limits of the Categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual IUs. The conversion is at the discretion of the Director.
- E. Once included in its permit, the IU must comply with the equivalent limitations developed in this Section in lieu of the promulgated Categorical Standards from which the equivalent limitations were derived.
- F. Many Categorical Pretreatment Standards specify one limit for calculating Daily Maximum Limits and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitations.
- G. Any IU operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the District within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the District of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate.

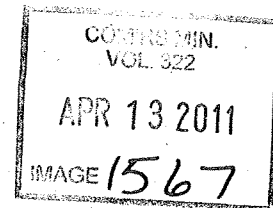
1502.3 State Pretreatment Standards

Users must comply with OEPA pretreatment standards codified in O.A.C. Rule 3745-3-03 *et sequens* ("State Pretreatment Standards"), incorporated herein by reference.

1502.4 Local Limits

- A. The Director is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
- B. The following pollutant limits are established to protect against Pass Through and Interference. Wastewater containing pollutant concentrations in excess of the limits listed below shall not be discharged. Local Limits are established as required for each NPDES permit and are applicable to the sewer drain to the treatment plant. MIA = Little Miami WWTP; MIL = Mill Creek WWTP; MDD = Middle Creek WWTP; SYC = Sycamore Creek WWTP; LOV = Polk Creek WWTP.

Pollutant	MIA	MIL	MDD	SYC	LOV
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Cadmium (Total) mg/L	0.3	6.0	6.0	6.0	6.0
Chromium (Total) mg/L	10.0	10.0	10.0	10.0	10.0
Chromium (+6) mg/L	0.9	NA	NA	NA	NA
Copper (Total) mg/L	2.0	10.0	10.0	10.0	10.0
Lead (Total) mg/L	0.1	6.0	6.0	6.0	6.0
Mercury (Total) mg/L	0.02	0.02	0.02	0.02	0.005
Nickel (Total) mg/L	0.1	10.0	10.0	10.0	10.0
Silver (Total) mg/L	0.1	NA	NA	NA	NA
Zinc (Total) mg/L	2.0	10.0	10.0	10.0	2.0
Cyanide (Total) mg/L	0.1	15.0	15.0	15.0	15.0
Cyanide (Free) mg/L	0.1	3.0	3.0	3.0	3.0
Cyanide (Amenable) mg/L	0.1	3.0	3.0	3.0	3.0

The above limits apply to discharges to the POTW. All concentrations for discharges to the POTW are for discharges as stated otherwise. The Director may impose additional limitations in addition to the limitations above.

- C. The Director may impose Best Management Practices (BMPs) MSD R & R or in individual wastewater discharge permits or in General Wastewater Discharge Permits, to implement Local Limits and the requirements of Article XV.

.1502.5 The District’s Right of Revision

The District reserves the right to establish, by MSD R & R or in individual wastewater discharge permits or in General Wastewater Discharge Permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this Article.

.1502.6 Dilution

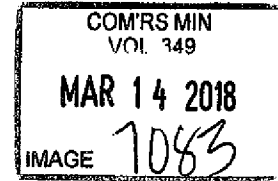
No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Director may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

Section 1503 Pretreatment of Wastewater

.1503.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this Article and shall achieve compliance with all Categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 1502.1 of this Article within the time limitations specified by

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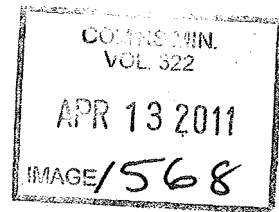
1502.4 Local Limits (Modified 2018)

- A. The Director is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
- B. The following pollutant limits are established to protect against Pass Through and Interference. Wastewater containing pollutants in excess of the limits listed below shall not be discharged. Local Limits are determined as required for each NPDES permit and are applicable to the sewer drainage into that treatment plant. IND = Indian Creek WWTP; LIT = Little Miami WWTP; MIL = Mill Creek WWTP; MUD = Muddy Creek WWTP; POL = Polk Run WWTP; SYC = Sycamore Creek WWTP; TAY = Taylor Creek WWTP.

Pollutant	IND	LIT	MIL	MUD	POL	SYC	TAY
Cadmium (Total) mg/L	0.52	0.3	6.0	6.0	6.0	6.0	0.52
Chromium (Total) mg/L	10.0	10.0	10.0	10.0	10.0	10.0	10.0
Chromium (+6) mg/L	NA	0.9	NA	NA	NA	NA	NA
Copper (Total) mg/L	1.53	2.2	10.0	10.0	1.53	1.53	4.6
Lead (Total) mg/L	6.0	5.7	6.0	6.0	6.0	6.0	5.4
Mercury (Total) mg/L	0.001	0.02	0.02	0.02	0.0005	0.0005	0.001
Nickel (Total) mg/L	7.8	10.0	10.0	10.0	10.0	10.0	10.0
Selenium (Total) mg/L	NA	NA	NA	NA	40.0	NA	0.31
Silver (Total) mg/L	NA	1.0	NA	NA	NA	NA	NA
Zinc (Total) mg/L	3.8	10.0	10.0	10.0	2.0	2.0	3.8
Cyanide (Total) mg/L	15.0	15.0	15.0	15.0	15.0	15.0	15.0
Cyanide (Free) mg/L	3.0	3.0	3.0	3.0	3.0	3.0	3.0

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Director may impose mass limitations in addition to the concentration-based limitations above.

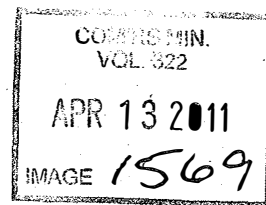
- C. The Director may develop Best Management Practices (BMPs), by MSD R & R or in individual wastewater discharge permits or in General Wastewater Discharge Permits, to implement Local Limits and the requirements of Article XV.



EPA, the State, or the Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director for review, and shall be acceptable to the Director before such facilities are constructed. Approval of proposed facilities or equipment by the Director does not, in any way, guarantee that these facilities or equipment will function in the manner described by the User, its owner, designer, constructor, or manufacturer; nor shall it relieve a User of the responsibility to enlarge or otherwise modify such facilities to accomplish the intended purpose. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Article. The User shall maintain operating records as required by the Director and, upon request, shall submit to the District reports of the character of influent and effluent to show the performance of the pretreatment or control facilities.

1503.2 Additional Pretreatment Measures

- A. Whenever deemed necessary, the Director may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Article.
- B. The Director may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit or a General Wastewater Discharge Permit may be issued solely for flow equalization.
- C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil or sand; except that such interceptors shall not be required for Residential Users. All interception units shall be of a type and capacity approved by the Director and shall be located so as to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired by the User at their expense. The owner, or User, shall have on site and available for inspection maintenance and cleaning records for each interception device. Notwithstanding the above, these devices shall be installed in all food service establishments such as restaurants, cafeterias, etc.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
- E. **Monitoring Facilities.** The Director may require any IU to construct, at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer or internal drainage systems, and may also require sampling or metering equipment to be provided, installed, and operated at the User's expense. The District shall also have the right to set up monitoring devices at the facilities.



Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the District's requirements and all applicable local agency construction standards and specifications. Construction of the monitoring facility shall not begin until plans have been submitted to and approved by the District. Unless a time extension is granted in writing by the Director, construction shall be completed within ninety (90) days following the issuance of written approval by the District.

The monitoring facility shall be situated on the User's premises and located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such monitoring facilities to allow accurate sampling and compositing of samples for analysis. The monitoring facilities and sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.

The personnel of the District shall have unimpeded access to the monitoring facilities at all times for inspection and sample collection. If the facilities are locked, special arrangements shall be made to allow access.

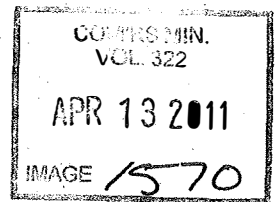
1503.3 Accidental Discharge/Slug Discharge Control Plans

The Director shall evaluate whether each SIU needs an Accidental Discharge/Slug Discharge Control Plan or other action to control Slug Discharges. The Director may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the Director may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including nonroutine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Director of any Accidental or Slug Discharge, as required by Section 1506.6 of this Article; and
- D. Procedures to prevent adverse impact from any Accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

1503.4 Hauled Wastewater

- A. For general rules on hauled waste see Article XIV of these MSD R & R.



- B. The Director may require haulers of industrial waste to obtain individual wastewater discharge permits or General Wastewater Discharge Permits. The Director may require generators of hauled industrial waste to obtain individual wastewater discharge permits or General Wastewater Discharge Permits. The Director also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this Article.
- C. Industrial waste haulers may discharge loads only at locations designated by the Director. No load may be discharged without prior consent of the Director. The Director may collect samples of each hauled load to ensure compliance with applicable Standards. The Director may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- D. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

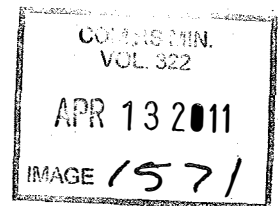
Section 1504 Individual Wastewater Discharge Permits and General Wastewater Discharge Permits

1504.1 Wastewater Analysis

When requested by the Director, a User must submit information on the nature and characteristics of its wastewater within ninety (90) days of the request. The Director is authorized to prepare a form for this purpose and may periodically require Users to update this information.

1504.2 Requirement for Individual Wastewater Discharge Permit or General Wastewater Discharge Permit

- A. No SIU shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit or a General Wastewater Discharge Permit from the Director, except that an SIU that has filed a timely application pursuant to Section 1504.3 of this Article may continue to discharge for the time period specified therein.
- B. The Director may require other Users to obtain individual wastewater discharge permits or General Wastewater Discharge Permits as necessary to carry out the purposes of this Article.
- C. Any violation of the terms and conditions of an individual wastewater discharge permit or a General Wastewater Discharge Permit shall be deemed a violation of this Article and subjects the wastewater discharge permittee to the sanctions set out in Sections 1510 through 1512 of this Article. Obtaining an individual wastewater discharge permit or a



General Wastewater Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

1504.3 Individual Wastewater Discharge and General Wastewater Discharge Permitting: Existing Connections

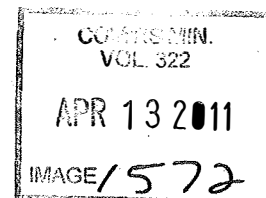
Any User required to obtain an individual wastewater discharge permit or a General Wastewater Discharge Permit who was discharging wastewater into the POTW prior to the effective date of this Article and who wishes to continue such discharges in the future shall, within ninety (90) days after said date, apply to the Director for an individual wastewater discharge permit or a General Wastewater Discharge Permit in accordance with Section 1504.5 of this Article, and shall not cause or allow discharges to the POTW to continue after one hundred eighty (180) days of the effective date of this Article, except in accordance with an individual wastewater discharge permit or a General Wastewater Discharge Permit issued by the Director.

1504.4 Individual Wastewater Discharge and General Wastewater Discharge Permitting: New Connections

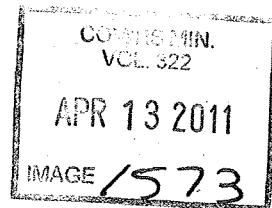
Any User required to obtain an individual wastewater discharge permit or a General Wastewater Discharge Permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit or General Wastewater Discharge Permit, in accordance with Section 1504.5 of this Article, must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

1504.5 Individual Wastewater Discharge and General Wastewater Discharge Permit Application Contents

- A. All Users required to obtain an individual wastewater discharge permit or a General Wastewater Discharge Permit must submit a permit application. Users that are eligible may request a General Wastewater Discharge Permit under Section 1504.6. The Director may require Users to submit all or some of the following information as part of a permit application:
1. Identifying information, including the following:
 - a. The name and address of the facility, including the name of the operator and owner;
 - b. Contact information; and
 - c. Description of activities, facilities, and plant production processes on the premises;
 2. A list of any environmental control permits held by or for the facility;
 3. Description of operations, including the following:



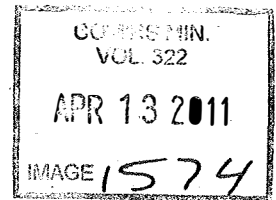
- a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram that indicates points of discharge to the POTW from the regulated processes;
 - b. Types of wastes generated and a list of all raw materials and chemicals used or stored at the facility that are, or could accidentally or intentionally be, discharged to the POTW;
 - c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - d. Type and amount of raw materials processed (average and maximum per day); and
 - e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
4. Time and duration of discharges;
 5. The location for monitoring all wastes covered by the permit;
 6. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in Section 1502.2C [40 CFR 403.6(e)];
 7. Measurement of Pollutants.
 - a. The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - b. The results of sampling and analysis identifying the nature and concentration and/or mass, where required by the Standard or by the Director, of regulated pollutants in the discharge from each regulated process.
 - c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 1506.10 of this Article. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Director or the applicable Standards to determine compliance with the Standard.
 - e. Sampling must be performed in accordance with procedures set out in Section 1506.11 of this Article.



8. Any requests for a Monitoring Waiver (or a renewal of an approved Monitoring Waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 1506.4B [40 CFR 403.12(e)(2)];
 9. Any request to be covered by a General Wastewater Discharge Permit based on Section 1504.6; and
 10. Any other information as may be deemed necessary by the Director to evaluate the permit application.
- B. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

1504.6 Wastewater Discharge Permitting: General Wastewater Discharge Permits

- A. At the discretion of the Director, the Director may use General Wastewater Discharge Permits to control SIU discharges to the POTW if the conditions listed in paragraphs B through D, below, are met. All facilities to be covered by a General Wastewater Discharge Permit must:
1. Involve the same or substantially similar types of operations;
 2. Discharge the same types of wastes;
 3. Require the same effluent limitations;
 4. Require the same or similar monitoring; and
 5. In the opinion of the Director, are more appropriately controlled under a General Wastewater Discharge Permit than under individual wastewater discharge permits.
- B. To be covered by the General Wastewater Discharge Permit, the SIU must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the General Wastewater Discharge Permit, any requests in accordance with Section 1506.4B for a Monitoring Waiver for a pollutant neither present nor expected to be present in the discharge, and any other information the POTW deems appropriate. A Monitoring Waiver for a pollutant neither present nor expected to be present in the discharge is not effective in the General Wastewater Discharge Permit until after the Director has provided written notice to the SIU that such a waiver request has been granted in accordance with Section 1506.4B.
- C. The Director will retain a copy of the General Wastewater Discharge Permit, documentation to support the POTW's determination that a specific SIU meets the criteria in Section 1504.6A(1) to (5) and applicable State regulations, and a copy of the



User's written request for coverage for three (3) years after the expiration of the General Wastewater Discharge Permit.

- D. The Director may not control an SIU through a General Wastewater Discharge Permit where the facility is subject to production-based Categorical Pretreatment Standards or Categorical Pretreatment Standards expressed as mass of pollutant discharged per day, or for IUs whose limits are based on the combined waste stream formula (Section 1502.2C) or net/gross calculations (Section 1502.2D).

1504.7 Application Signatories and Certifications

- A. All wastewater discharge permit applications, User reports, and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 1506.14A.
- B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Director prior to or together with any reports to be signed by an Authorized Representative.
- C. A facility determined to be a Non-Significant Categorical Industrial User (NSCIU) by the Director must annually submit the signed certification statement in Section 1506.14B.

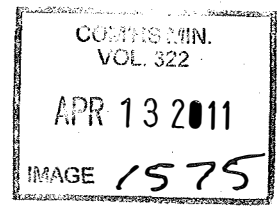
1504.8 Individual Wastewater Discharge Permit and General Wastewater Discharge Permit Decisions

The Director will evaluate the data furnished by the User and may require additional information. Within ninety (90) days of receipt of a complete permit application, the Director will determine whether to issue an individual wastewater discharge permit or a General Wastewater Discharge Permit. The Director may deny any application for an individual wastewater discharge permit or a General Wastewater Discharge Permit.

Section 1505 Individual Wastewater Discharge and General Wastewater Discharge Permit Issuance

1505.1 Individual Wastewater Discharge and General Wastewater Discharge Permit Duration

An individual wastewater discharge permit or a General Wastewater Discharge Permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit or a General Wastewater Discharge Permit may be issued for a period less than five (5) years, at the discretion of the Director. Each

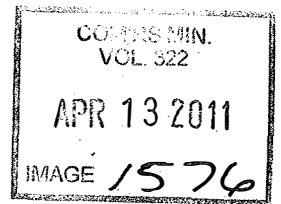


individual wastewater discharge permit or General Wastewater Discharge Permit will indicate a specific date upon which it will expire.

.1505.2 Individual Wastewater Discharge Permit and General Wastewater Discharge Permit Contents

An individual wastewater discharge permit or a General Wastewater Discharge Permit shall include such conditions as deemed reasonably necessary by the Director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

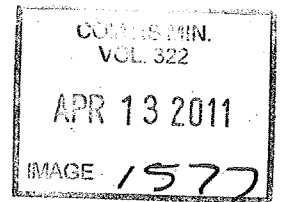
- A. Individual wastewater discharge permits and General Wastewater Discharge Permits may contain:
1. A statement that indicates the wastewater discharge permit issuance date, expiration date, and effective date;
 2. A statement that the wastewater discharge permit is nontransferable without prior notification to the District in accordance with Section 1505.5 of this Article, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 3. Effluent limits, including BMPs, based on applicable Pretreatment Standards;
 4. Self-monitoring, sampling, reporting, notification, and recordkeeping requirements. These requirements shall include an identification of pollutants (or BMPs) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law;
 5. The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the discharge in accordance with Section 1506.4B;
 6. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law;
 7. Requirements to control Slug Discharge, if determined by the Director to be necessary; and
 8. Any grant of the Monitoring Waiver by the Director (Section 1506.4B).
- B. Individual wastewater discharge permits or General Wastewater Discharge Permits may contain, but need not be limited to, the following conditions:



1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
2. Requirements for the installation or construction of pretreatment technology, pollution control, or appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
3. Requirements for the development and implementation of spill control plans or other special conditions, including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
4. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
5. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
6. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
7. A statement that compliance with the individual wastewater discharge permit or the General Wastewater Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit or the General Wastewater Discharge Permit; and
8. Other conditions as deemed appropriate by the Director to ensure compliance with this Article and State and Federal laws, rules, and regulations.

1505.3 Permit Issuance Process

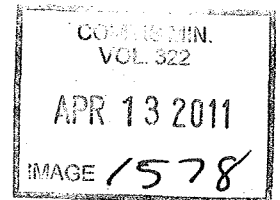
- A. The Director shall publish the list of permitted Users on the District website.
- B. The District shall provide a copy of a proposed individual or general wastewater discharge permit, whether a new permit or renewal permit, to the User at least fifteen (15) days prior to its effective date. The User shall have the right to petition the Director for a modified permit or meet with the Director's designee at any time prior to the effective date of the permit. Within fifteen (15) days after meeting with the Director, the Director will issue a final permit. Until the Director issues a final permit, all previous conditions regarding wastewater discharge, before the new or renewal permit was proposed, shall remain in effect.
- C. The User shall have the right to appeal the terms and conditions of a final permit to the Hamilton County Court of Common Pleas pursuant to O.R.C. Chapter 2506 and any other remedy of appeal provided by law. Wastewater discharge limits contained in any



renewal permit shall take effect upon the effective date of the renewal permit; all other new terms and conditions of any renewal permit that is appealed shall be stayed, and the remaining terms and conditions of the existing permit shall continue in full force and effect, provided that the District or User may seek relief from such stay or lack thereof in accordance with law from the Hamilton County Court of Common Pleas pending adjudication of any appeal. The terms and conditions of a new permit to a new User that is appealed shall take effect upon the effective date of the new permit, subject to modification by the Hamilton County Court of Common Pleas pending adjudication of any appeal.

.1505.4 Permit Modification

- A. The Director may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
 2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
 3. In response to a change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 4. Information indicating that the permitted discharge poses a threat to the POTW, operating personnel, or the receiving waters;
 5. Violation of any terms or conditions of the individual wastewater discharge permit;
 6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 7. Revision of or a grant of variance from Categorical Pretreatment Standards pursuant to 40 CFR 403.13;
 8. To correct typographical or other errors in the individual wastewater discharge permit; or
 9. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 1505.5.
- B. The Director may modify a General Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:



1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
2. In response to a change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
3. To correct typographical or other errors in the General Wastewater Discharge Permit; or
4. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 1505.5.

1505.5 Individual Wastewater Discharge Permit and General Wastewater Discharge Permit Transfer

Individual wastewater discharge permits or coverage under General Wastewater Discharge Permits may be transferred to a new owner or operator only if the permittee gives at least ninety (90) days advance notice to the Director and the Director approves the individual wastewater discharge permit or the General Wastewater Discharge Permit coverage transfer. The notice to the Director must include a written certification by the new owner or operator which:

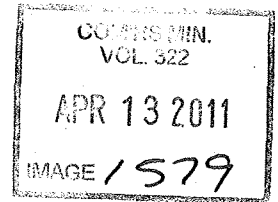
- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit or General Wastewater Discharge Permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit or coverage under the General Wastewater Discharge Permit void as of the date of facility transfer.

1505.6 Individual Wastewater Discharge Permit and General Wastewater Discharge Permit Revocation

The Director may revoke an individual wastewater discharge permit or coverage under a General Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Director of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Director of changed conditions pursuant to Section 1506.5 of this Article;



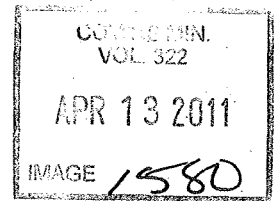
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the District representatives timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges, including permit fees, monitoring fees, and any other fee derived from activities authorized by these Rules and Regulations;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- M. Violation of any Pretreatment Standard or Requirement, or any terms of the individual wastewater discharge permit or the General Wastewater Discharge Permit or this Article.

Individual wastewater discharge permits or coverage under General Wastewater Discharge Permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits or General Wastewater Discharge Permits issued to a User are void upon the issuance of a new individual wastewater discharge permit or a General Wastewater Discharge Permit to that User.

1505.7 Individual Wastewater Discharge Permit and General Wastewater Discharge Permit Reissuance

A User with an expiring individual wastewater discharge permit or General Wastewater Discharge Permit shall apply for individual wastewater discharge permit or General Wastewater Discharge Permit reissuance by submitting a complete permit application, in accordance with Section 1504.5 of this Article, a minimum of sixty (60) days prior to the expiration of the User's existing individual wastewater discharge permit or General Wastewater Discharge Permit.

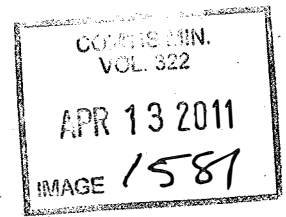
1505.8 Regulation of Waste Received from Other Jurisdictions



- A. If another municipality, or User located within another municipality, contributes wastewater to the POTW, the Control Authority shall enter into an intermunicipal agreement with the contributing municipality.

- B. Prior to entering into an agreement required by paragraph A, above, the Director shall request the following information from the contributing municipality:
 - 1. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - 2. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - 3. Such other information as the Director may deem necessary.

- C. An intermunicipal agreement, as required by paragraph A, above, shall contain the following conditions:
 - 1. A requirement for the contributing municipality to adopt a sewer use ordinance that is at least as stringent as this Article and Local Limits, including required BMPs that are at least as stringent as those set out in Section 1502.4 of this Article. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the District's Article or Local Limits;
 - 2. A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;
 - 3. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit or General Wastewater Discharge Permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Director; and which of these activities will be conducted jointly by the contributing municipality and the Director;
 - 4. A requirement for the contributing municipality to provide the Director with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - 5. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 - 6. Requirements for monitoring the contributing municipality's discharge;

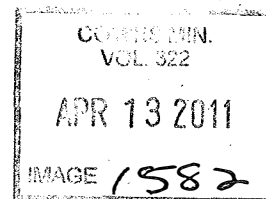


7. A provision ensuring the Director access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Director; and
8. A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

Section 1506 Reporting Requirements

1506.1 Baseline Monitoring Reports

- A. Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing CIUs currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report that contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become CIUs subsequent to the promulgation of an applicable Categorical Standard, shall submit to the Director a report that contains the information listed in paragraph B, below. A New Source shall report the method of pretreatment it intends to use to meet applicable Categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- B. Users described above shall submit the information set forth below.
 1. All information required in Section 1504.5A(1)(a), Section 1504.5A(2), Section 1504.5A(3)(a), and Section 1504.5A(6).
 2. Measurement of Pollutants.
 - a. The User shall provide the information required in Section 1504.5A(7)(a) through (d);
 - b. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph;
 - c. Samples should be taken immediately downstream from pretreatment facilities, if such exist, or immediately downstream from the regulated process, if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e), this adjusted limit, along with supporting data, shall be submitted to the Control Authority;
 - d. Sampling and analysis shall be performed in accordance with Section 1506.10;

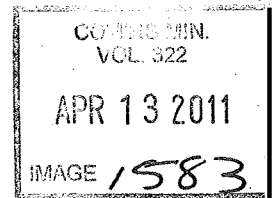


- e. The Director may allow the submission of a baseline report that utilizes only historical data so long as the data provide information sufficient to determine the need for industrial pretreatment measures; and
 - f. The baseline report shall indicate the time, date, and place of sampling and the methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
3. **Compliance Certification.** A statement, reviewed by the User's Authorized Representative as defined in Article I and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional O&M and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.
4. **Compliance Schedule.** If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 1506.2 of this Article.
5. **Signature and Report Certification.** All BMRs must be certified in accordance with Section 1506.14A of this Article and signed by an Authorized Representative as defined in Article I.

1506.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 1506.1B(4) of this Article:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards. Such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation;
- B. No increment referred to above shall exceed nine (9) months;
- C. The User shall submit a progress report to the Director no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and



- D. In no event shall more than nine (9) months elapse between such progress reports to the Director.

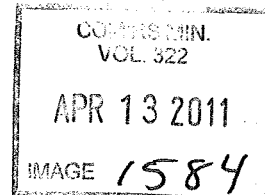
1506.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable Categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Director a report containing the information described in Sections 1504.5A(6) and (7) and 1506.1B(2) of this Article. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 1502.2, this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 1506.14A of this Article. All sampling will be done in conformance with Section 1506.11.

1506.4 Periodic Compliance Reports

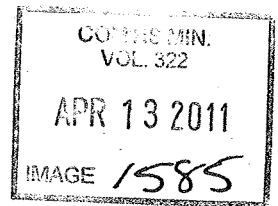
[Note: All SIUs are required to submit periodic compliance reports even if they have been designated an NSCIU under the provisions of Section 1506.4C.]

- A. Except as specified in Section 1506.4C, all SIUs must, at a frequency determined by the Director, submit no less than twice per year (June and December or on dates specified) reports indicating the nature and concentration of pollutants in the discharge that are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a BMP or pollution prevention alternative, the User must submit documentation required by the Director or the Pretreatment Standard necessary to determine the compliance status of the User.
- B. The District may authorize an IU subject to a Categorical Pretreatment Standard to forego sampling of a pollutant regulated by a Categorical Pretreatment Standard if the IU has demonstrated, through sampling and other technical factors, that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the IU [see 40 CFR 403.12(e)(2)]. This authorization is subject to the following conditions:
 - 1. The Monitoring Waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable Categorical Standard and otherwise includes no process wastewater.
 - 2. The Monitoring Waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than five (5) years.



The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit [see Section 1504.5A(8)].

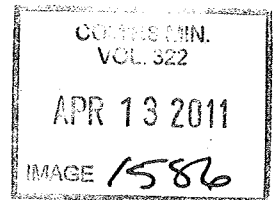
3. In making a demonstration that a pollutant is not present, the IU must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
 4. The request for a Monitoring Waiver must be signed in accordance with Article I and include the certification statement in 1506.14A [see 40 CFR 403.6(a)(2)(ii)].
 5. Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA-approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
 6. Any grant of the Monitoring Waiver by the Director must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Director for three (3) years after expiration of the waiver.
 7. Upon approval of the Monitoring Waiver and revision of the User's permit by the Director, the IU must certify on each report, with the statement in Section 1506.14C below, that there has been no increase in the pollutant in its waste stream due to activities of the IU.
 8. In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately comply with the monitoring requirements of Section 1506.4A, or other more frequent monitoring requirements imposed by the Director, and notify the Director.
 9. This provision does not supersede certification processes and requirements established in Categorical Pretreatment Standards, except as otherwise specified in the Categorical Pretreatment Standard.
- C. The District may reduce the requirement for periodic compliance reports (see Section 1506.4A [40 CFR 403.12(e)(1)]) to a requirement to report no less frequently than once a year for Mid-Tier Categorical Industrial Users, unless required more frequently in the Pretreatment Standard or by the OEPA, where the IU's total categorical wastewater flow does not exceed any of the following:
- (1) The Industrial User's total categorical wastewater flow does not exceed any of the following:
 - a. Zero point zero one per cent of the design dry weather hydraulic capacity of the POTW, or five thousand gallons per day, whichever is smaller, as measured by a



- continuous effluent flow monitoring device unless the Industrial User discharges in batches;
- b. Zero point zero one per cent of the design dry weather organic treatment capacity of the POTW; and
 - c. Zero point zero one per cent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standards for which approved local limits were developed by the District in accordance with paragraph (C)(4) of rule 3745-3-03 of the Ohio Administrative Code;
- (2) The Industrial User has not been in significant noncompliance, as defined in Section 1509 of these Rules and Regulations, for any time in the past two years;
 - (3) The Industrial User does not have daily flow rates, production levels, or pollutant levels that vary so significantly that decreasing the reporting requirement would result in data that are not representative of conditions occurring during the reporting period pursuant to Sections 1506.1 and 1506.3 of these Rules and Regulations;
 - (4) The Industrial User is not located upstream of a combined sewer overflow or sanitary sewer overflow, unless the procedures for the categorization of such a user as a Mid-Tier Categorical Industrial User and issues related to combined sewer overflows or sanitary sewer overflows are specifically addressed in:
 - a. The District's approved long term control plan;
 - b. The District's approved combined sewer system operation plan implementing the nine minimum controls; or
 - c. The District's program modification request submitted to the director.
- D. All periodic compliance reports must be signed and certified in accordance with Section 1506.14A of this Article.
- E. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- F. If a User subject to the reporting requirement in this Section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Director, using the procedures prescribed in Section 1506.11 of this Article, the results of this monitoring shall be included in the report.
- G. Users that send electronic (digital) documents to the District to satisfy the requirements of this Section must meet the criteria of the District's electronic reporting protocol applicable on the date the report is submitted.

1506.5 Reports of Changed Conditions

Each User must notify the Director of any significant changes to the User's operations or system that might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change.



- A. The Director may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 1504.5 of this Article.
- B. The Director may issue an individual wastewater discharge permit or a General Wastewater Discharge Permit under Section 1505.7 of this Article or modify an existing wastewater discharge permit or a General Wastewater Discharge Permit under Section 1505.4 of this Article in response to changed conditions or anticipated changed conditions.

1506.6 Reports of Potential Problems

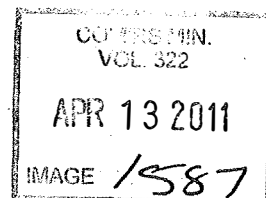
- A. In the case of any discharge, including, but not limited to, Accidental Discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- B. Within five (5) days following such discharge, the User shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability that might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability that may be imposed pursuant to this Article.
- C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees who could cause such a discharge to occur are advised of the emergency notification procedure.
- D. SIUs are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge.

1506.7 Reports from Unpermitted Users

All Users not required to obtain an individual wastewater discharge permit or a General Wastewater Discharge Permit shall provide appropriate reports to the Director as the Director may require.

1506.8 Notice of Violation/Repeat Sampling and Reporting

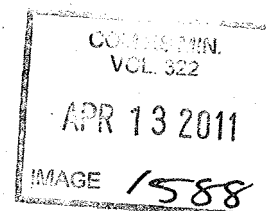
If sampling performed by a User indicates a violation, the User must notify the Director within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the



sampling and analysis and submit the results of the repeat analysis to the Director within thirty (30) days after becoming aware of the violation. Resampling by the IU is not required if the District performs sampling at the User's facility at least once a month, or if the District performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling, or if the District has performed the sampling and analysis in lieu of the IU.

1506.9 Notification of the Discharge of Hazardous Waste

- A. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: 1) an identification of the hazardous constituents contained in the wastes; 2) an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month; and 3) an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 1506.5 of this Article. The notification requirement in this Section does not apply to pollutants already reported by Users subject to Categorical Pretreatment Standards under the self-monitoring requirements of Sections 1506.1, 1506.3, and 1506.4 of this Article.
- B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Director, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.



- D. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Article, a permit issued thereunder, or any applicable Federal or State law.

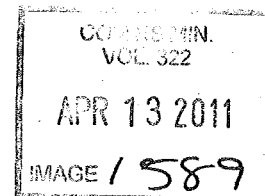
1506.10 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Director or other parties approved by EPA.

1506.11 Sample Collection

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that are representative of conditions occurring during the reporting period.

- A. Except as indicated in paragraphs B and C, below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Director. Where time-proportional composite sampling or grab sampling is authorized by the Director, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the District, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- B. Samples for oil and grease, temperature, pH, cyanide, hexavalent chrome, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- C. For sampling required in support of BMRs and 90-day compliance reports required in Sections 1506.1 and 1506.3 [40 CFR 403.12(b) and (d)], a minimum of four (4) grab



samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Director may authorize a lower minimum. For the reports required by Section 1506.4 [40 CFR 403.12(e) and (h)], the IU is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

1506.12 Date of Receipt of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports that are not mailed, postage prepaid, into a mail facility serviced by the U.S. Postal Service, the date of receipt of the report shall govern.

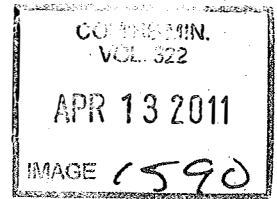
1506.13 Recordkeeping

Users subject to the reporting requirements of this Article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Article, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with BMPs established under Section 1502.4C. Records shall include the date, exact place, method, and time of sampling and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the District, or where the User has been specifically notified of a longer retention period by the Director.

1506.14 Certification Statements

- A. Certification of Permit Applications, User Reports, and Initial Monitoring Waivers. The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 1504.7; Users submitting BMRs under Section 1506.1B(5); Users submitting reports on compliance with the Categorical Pretreatment Standard deadlines under Section 1506.3; Users submitting periodic compliance reports required by Sections 1506.4A through D; and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 1506.4B(4). The following certification statement must be signed by an Authorized Representative as defined in Article I:

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



are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- B. Annual Certification for Non-Significant Categorical Industrial Users. A facility determined to be a Non-Significant Categorical Industrial User by the Director pursuant to Article I and 1504.7C must annually submit the following certification statement signed in accordance with the signatory requirements in 1501.4C. This certification must accompany an alternative report required by the Director:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR _____, I certify that, to the best of my knowledge and belief, during the period from _____, _____ to _____, _____ [months, days, year]:

- (a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Article I;
- (b) The facility complied with all applicable Pretreatment Standards and Requirements during this reporting period; and
- (c) The facility never discharged more than one hundred (100) gallons of total categorical wastewater on any given day during this reporting period.

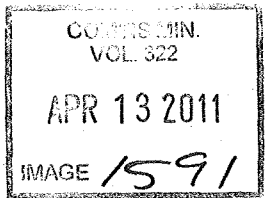
This compliance certification is based on the following information.
_____ [specify information]

- C. Certification of Pollutants Not Present. Users that have an approved Monitoring Waiver based on Section 1506.4B must certify on each report with the following statement that there has been no increase in the pollutant in its waste stream due to activities of the User.

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 1506.4A.

Section 1507 Compliance Monitoring

1507.1 Right of Entry: Inspection and Sampling



The Director shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Article and any individual wastewater discharge permit, General Wastewater Discharge Permit, or order issued hereunder. Users shall allow the Director ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

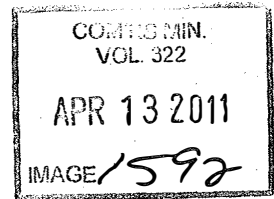
- A. Where a User has security measures in force that require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Director shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The Director shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- C. The Director may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated to ensure their accuracy.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be born by the User.
- E. Unreasonable delays in allowing the Director access to the User's premises shall be a violation of this Article.

.1507.2 Search Warrants

If the Director has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the District designed to verify compliance with this Article or any permit or order issued hereunder, or to protect the overall public health, safety, and welfare of the community, the Director may seek issuance of a search warrant from the appropriate Court.

Section 1508 Confidential Information

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, General Wastewater Discharge Permits, and monitoring programs, and from the Director's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Director, that the release of such information would divulge

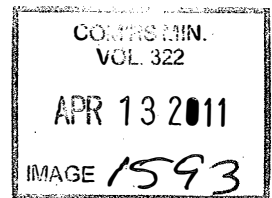


information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report that might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302, shall not be recognized as confidential information and shall be available to the public without restriction.

Section 1509 Publication of Users in Significant Noncompliance

The Director shall publish annually, in *The Cincinnati Enquirer*, a list of the Users that, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all SIUs (or any other IU that violates paragraphs C, D, or H of this Section) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits, as defined in Section 1502;
- B. Technical Review Criteria violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement, including Instantaneous Limits, as defined by Section 1502 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 1502 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Director determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Director's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit, General Wastewater



Discharge Permit, or enforcement order for starting construction, completing construction, or attaining final compliance;

- F. Failure to provide, within forty-five (45) days after the due date, any required reports, including BMRs, reports on compliance with Categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), including a violation of BMPs, that the Director determines will adversely affect the operation or implementation of the local pretreatment program.

Section 1510 Administrative Enforcement Remedies

1510.1 Notification of Violation

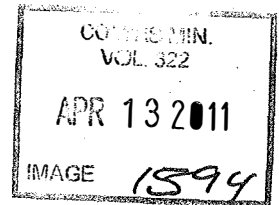
When the Director finds that a User has violated, or continues to violate, any provision of this Article, an individual wastewater discharge permit, a General Wastewater Discharge Permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may serve upon that User a written Notice of Violation. Within thirty (30) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Director. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

1510.2 Consent Orders

The Director may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 1510.4 and 1510.5 of this Article and shall be judicially enforceable.

1510.3 Show Cause Hearing

The Director may order a User that has violated, or continues to violate, any provision of this Article, an individual wastewater discharge permit, a General Wastewater Discharge Permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Director and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the



proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least fourteen (14) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Article I and required by Section 1504.7A. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

1510.4 Compliance Orders

When the Director finds that a User has violated, or continues to violate, any provision of this Article, an individual wastewater discharge permit, a General Wastewater Discharge Permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

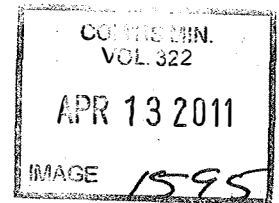
1510.5 Cease and Desist Orders

When the Director finds that a User has violated, or continues to violate, any provision of this Article, an individual wastewater discharge permit, a General Wastewater Discharge Permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Director may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

1510.6 Administrative Fines

- A. When the Director finds that a User has violated, or continues to violate, any provision of this Article, an individual wastewater discharge permit, a General Wastewater Discharge Permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may fine such User in an amount not to exceed \$10,000. Such fines shall be assessed on a per-violation, per-day basis.



- B. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

1510.7 Emergency Suspensions

The Director may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge that reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW or that presents, or may present, an endangerment to the environment.

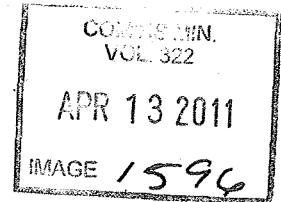
- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Section 1510.8 of this Article are initiated against the User.
- B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the Director prior to the date of any show cause or termination hearing under Sections 1510.3 or 1510.8 of this Article.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

1510.8 Termination of Discharge

In addition to the provisions in Section 1505.6 of this Article, any User who violates the following conditions is subject to discharge termination:

- A. Violation of individual wastewater discharge permit or General Wastewater Discharge Permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or



E. Violation of the Pretreatment Standards in Section 1502 of this Article.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 1510.3 of this Article why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to, or a prerequisite for, taking any other action against the User.

Section 1511 Judicial Enforcement Remedies

.1511.1 Injunctive Relief

See Section 2109 of these Rules and Regulations

.1511.2 Civil Penalties

See Section 2203 of these Rule and Regulations

.1511.3 Criminal Prosecution

See Section 2205 of these Rules and Regulations

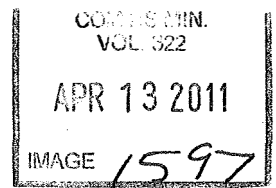
.1511.4 Remedies Nonexclusive

The remedies provided for in this Article are not exclusive. The Director may take any, all, or a combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the District's Enforcement Response Plan. However, the Director may take other action against any User when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any noncompliant User.

Section 1512 Supplemental Enforcement Action

.1512.1 Penalties for Late Reports

A penalty of \$100 shall be assessed to any User for each day that a report required by this Article, an individual wastewater discharge permit, a General Wastewater Discharge Permit, or an order issued hereunder is late, beginning five (5) days after the date the report is due [higher penalties may also be assessed where reports are more than thirty (30) to forty-five (45) days late]. Actions taken by the Director to collect late reporting penalties shall not limit the Director's authority to initiate other enforcement actions that may include penalties for late reporting violations.



.1512.2 Payment of Outstanding Fees and Penalties

The Director may decline to issue or reissue an individual wastewater discharge permit or General Wastewater Discharge Permit to any User who has failed to pay any outstanding fees, fines, or penalties incurred as a result of any provision of this Article, a previous individual wastewater discharge permit, a previous General Wastewater Discharge Permit, or an order issued hereunder.

.1512.3 Public Nuisances

Upon a violation of any provision of this Article, an individual wastewater discharge permit, a General Wastewater Discharge Permit, or an order issued hereunder, or any other Pretreatment Standard or Requirement, the Director may determine that the violation is a public nuisance and shall take all actions necessary to obtain a judicial order for the abatement of such nuisance.