GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

Summary Page

Name of Facility VLS Rail (Fitzgerald)

Pretreatment Permit No. GAP050369

This permit is an issuance of a new pretreatment permit for VLS Environmental Solutions, LLC. VLS Rail (Fitzgerald) operates a railcar cleaning facility and discharges a maximum of 0.030 MGD of railcar cleaning process wastewater. This facility discharges to Fitzgerald Water, Light and Bond Commission's C.A. Newcomer Jr. WWTP in the Suwanee River Basin.

The permit was placed on public notice from December 17, 2024 to January 24, 2025.

Final Permit Determinations and Public Comments

☒ Final issued permit did not change from the draft permit placed on public notice.

☒ Public comments were received during public notice period.

☐ Public hearing was held.

☐ Final permit includes changes from the draft permit placed on public notice. See attached permit revisions and/or permit fact sheet revisions document(s)

GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

Jeffrey W. Cown, Director

EPD Director's Office
2 Martin Luther King, Jr. Drive
Suite 1470A, East Tower
Atlanta, Georgia 30334
404-656-4713

02/26/2025

Mr. Luke Hatcher, Facility Manager
VLS Environmental Solutions, LLC
188 Rip Wiley Rd
Fitzgerald, Georgia 31750

RE: Permit Issuance
VLS Rail (Fitzgerald)
Pretreatment Permit GAP050369
Ben Hill County, Suwanee River Basin

Mr. Hatcher:

Pursuant to the Georgia Water Quality Control Act, as amended, the Federal Clean Water Act, as amended, and the Rules and Regulations promulgated thereunder, we have issued the attached permit for the above-referenced facility.

Your facility has been assigned to the following EPD office for reporting and compliance. Signed copies of all required reports shall be submitted to the following address:

Environmental Protection Division
Watershed Protection Branch
Watershed Compliance Program
2 Martin Luther King Jr., Suite 1470A East
Atlanta, Georgia 30334

Please be advised that on and after the effective date indicated in the permit, the permittee must comply with all terms, conditions, and limitations of the permit. If you have questions concerning this correspondence, please contact Ian McDowell at 470.604.9483 or *ian.mcdowell@dnr.ga.gov.*

Sincerely,

Jeffrey W. Cown

Jeffrey W. Cown
Director

JWC:im
Enclosure(s): Response to Comments, Final Permit, Permit Fact Sheet with Appendices
cc: EPD Watershed Compliance Program – Aaron Reuther (*aaron.reuther@dnr.ga.gov*)
VLS Rail (Fitzgerald), Environmental Manager – Ronidell Baluyot (*rd.baluyot@vlses.com*)
Fitzgerald Water, Light and Bond Commission, General Manager/CEO – Jeff Lewis (*jeff_lewis@fitzutilities.com*)

Public Comments and EPD Responses on Draft Pretreatment Permit
VLS Environmental Solutions, LLC – Pretreatment Permit No. GAP050369

COMMENT RECEIVED	EPD RESPONSE
The Notice of Application of December 17, 2024, for Pretreatment Permit Issuance of Permit No.: GAP050369, Facility Name: VLS Environmental Solutions, LLC, has some location errors. It says, River Basin: Suwanee However, the Facility Address included, 188 Rip Wiley Rd, Fitzgerald, Georgia 31750, is in the Satilla River Basin, upstream of Satilla Creek, in HUC 12-030702010101, according to USGS. (https://apps.nationalmap.gov/viewer/) Also, the Notice says: Receiving Waters: Fitzgerald Water, Light and Bond Commission – C.A. Newcomer Jr. WWTP According to EPD's Watershed Protection Branch – Lists: https://epd.georgia.gov/watershed-protection-branch-lists in the list of Wastewater Permits in Effect (Excel Format) [Revised October 2022]: https://epd.georgia.gov/document/document/ga-epd-wastewater-permit-inventory-october-2022xlsx/download that WWTP, permit number GA0047236, is at 31.680521, -83.247547, 201 Edward Rd, Fitzgerald, Georgia, 31750.	When identifying the River Basin associated with a pretreatment permit, it is EPD's standard practice to report the River Basin associated with the POTW which receives the proposed industrial wastewater discharge instead of the River Basin associated with the facility's location. This process allows EPD to accurately identify which River Basin will ultimately receive the wastewater discharge since facilities operating under a pretreatment permit do not directly discharge to Waters of the State in the vicinity of the facility. The draft pretreatment permit placed on public notice for VLS Environmental Solutions, LLC identifies the receiving POTW as Fitzgerald Water, Light and Bond Commission's C.A. Newcomer Jr. WWTP. This POTW is located at 201 Edward Rd, Fitzgerald, Georgia 31750 with facility coordinates of (31.247547, -83.247547). The receiving POTW discharges to Turkey Creek (formerly known as Turkey Branch) and is located within the Turkey Creek Subwatershed (HUC 12-031102020602) in the Suwanee River Basin. No corrections to the records are required.

Public Comments and EPD Responses on Draft Pretreatment Permit
VLS Environmental Solutions, LLC – Pretreatment Permit No. GAP050369

COMMENT RECEIVED	EPD RESPONSE
While that list says that location is in the Suwannee Basin, USGS says it is in the Ocmulgee River Basin, upstream from Otter Creek, in HUC 12-030701040801. Please correct the appropriate records.	

Permit No. GAP050369
Issuance Date: 02/26/2025

GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

Industrial Pretreatment Permit

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

VLS Environmental Solutions, LLC
188 Rip Wiley Rd
Fitzgerald, Georgia 31750

is authorized to discharge from a facility located at

VLS Rail (Fitzgerald)
188 Rip Wiley Rd
Fitzgerald, Georgia 31750
Ben Hill County

to the sewerage system tributary to the

Fitzgerald Water, Light and Bond Commission – C.A. Newcomer Jr. WWTP (Suwanee River Basin)

in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit.

This permit is issued in reliance upon the permit application signed on May 17, 2024, and any other applications upon which this permit is based, supporting data entered therein or attached thereto, and any subsequent submittal of supporting data.

This facility is subject to the terms, conditions and requirements of 40 Code of Federal Regulations (CFR) Part 403 and the Georgia Water Quality Control Act Chapter 391-3-6.

This facility is subject to the requirements of 40 CFR 442 Transportation Equipment Cleaning Point Source Category, Pretreatment Standards for Existing Sources (PSES).

This permit shall become effective on March 01, 2025.

This permit and the authorization to discharge shall expire at midnight February 28, 2030.

STATE OF GEORGIA
CONSTITUTION
WISDOM JUSTICE MODERATION
1776

Jeffrey W. Cown

Jeffrey W. Cown, Director
Environmental Protection Division

PART I

A.1 Effluent Limitations and Monitoring Requirements

Beginning on the effective date of the permit, the permittee is authorized to discharge from outfall no(s.) 001 – railcar cleaning process wastewater to the sewerage system and publicly owned treatment works (POTW) of the Fitzgerald Water, Light and Bond Commission's C.A. Newcomer Jr. WWTP.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics (Specify Units)	Discharge Limitations				Monitoring Requirements[1]		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	0.015	0.030	--	--	Daily	Recorder	Final Effluent[2]
BOD_5	--	--	230	230	1/Quarter	Grab	Final Effluent[2]
COD	--	--	1,000	1,000	1/Quarter	Grab	Final Effluent[2]
TSS	--	--	300	300	1/Quarter	Grab	Final Effluent[2]
Ammonia, as N	--	--	50	50	1/Quarter	Grab	Final Effluent[2]
Oil & Grease (HEM)	--	--	50	50	1/Quarter	Grab	Final Effluent[2]
Non-Polar Material (SGT-HEM)	--	--	26	26	1/Month	Grab	Final Effluent[2]
Copper, Total	--	--	0.14	0.21	1/Month	Grab	Final Effluent[2]
Mercury, Total	--	--	0.002	0.003	1/Month	Grab	Final Effluent[2]
Fluoranthene	--	--	0.076	0.076	1/Month	Grab	Final Effluent[2]
Phenanthrene	--	--	0.34	0.34	1/Month	Grab	Final Effluent[2]

The pH of the final efflent shall not be less than 5.5 standard units nor greater than 9.0 standard units and shall be monitored monthly by grab sample.

The Discharge Limitations outlined above are subject to revision if dictated by Title 40, Code of Federal Regulations Part 403, (40 CFR 403), 40 CFR 442, or EPD determinations. The Permittee will be notified in writing of any changes in the above listed discharge limitations

(1) All the parameters must be monitored, at a minimum, at the measurement frequency stated above if there is any discharge. If there is no discharge, state such in the discharge monitoring report for the monitoring period.

(2) The final effluent for purposes of sampling, monitoring and the application of pretreatment limitations is the final discharge point prior to entry into the sewerage system.

B. Monitoring

1. Representative Sampling

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

2. Sampling Period

a. Unless otherwise specified in this permit, quarterly samples shall be taken during the periods January-March, April-June, July-September, and October-December.

b. Unless otherwise specified in this permit, semiannual samples shall be taken during the periods January-June and July-December.

c. Unless otherwise specified in this permit, annual samples shall be taken during the period of January-December.

3. Monitoring Procedures

Analytical methods, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and methods listed in 40 CFR Part 136. The analytical method used shall be sufficiently sensitive. EPA-approved methods must be applicable to the concentration ranges of the NPDES permit samples.

4. Detection Limit

All parameters will be analyzed using the appropriate detection limits. If the results for a given sample are such that a parameter is not detected at or above the specified detection limit, a value of "NOT DETECTED" will be reported for that sample and the detection limit will also be reported.

5. Recording of Results

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

a. The exact place, date, and time of sampling or measurements, and the person(s) performing the sampling or the measurements;

b. The dates and times the analyses were performed, and the person(s) performing the analyses;

c. The analytical techniques or methods used;

d. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased monitoring frequency shall also be indicated. EPD may require, by written notification, more frequent monitoring or the monitoring of other pollutants not required in this permit.

7. Records Retention

The permittee shall retain records of all monitoring information, including all records of analyses performed, calibration and maintenance of instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a minimum of three (3) years from the date of the sample, measurement, report or application, or longer if requested by EPD.

8. Penalties

The Federal Clean Water Act and the Georgia Water Quality Control Act provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The Federal Clean Water Act and the Georgia Water Quality Control Act also provide procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of EPD.

C. Definitions

1. A "bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

2. A “calendar day” is defined as any consecutive 24-hour period.

3. A “composite” sample shall consist of samples collected at intervals not less frequently than every two hours for a period of 24 hours or for the actual time the pretreatment facility is discharging (if less than 24 hours), and composited according to flow.

4. The "daily average” mass means the total discharge by mass during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days sampled during the calendar month when the measurements were made.

5. The "daily maximum" mass means the total discharge by mass during any calendar day.

6. The "daily average" concentration means the arithmetic average of all the daily determinations of concentrations made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample.

7. The "daily maximum" concentration means the daily determination of concentration for any calendar day.

8. The “daily maximum flow” is the largest total volume determined for any 24 hour period.

9. “EPD” as used herein means the Environmental Protection Division of the Department of Natural Resources.

10. A “POTW” as used herein means Publicly-Owned Treatment Works.

11. The “Rules” as used herein means the Georgia Rules and Regulations for Water Quality Control.

12. "Severe property damage" means substantial physical damage to property, damage to treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

13. The “State Act” as used herein means the Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).

D. Reporting Requirements

1. The permittee must electronically report the DMR, OMR and additional monitoring data using the web based electronic NetDMR reporting system, unless a waiver is granted by EPD.

a. The permittee must comply with the Federal National Pollutant Discharge Elimination System Electronic Reporting regulations in 40 CFR §127. The permittee must electronically report the DMR, OMR, and additional monitoring data using the web based electronic NetDMR reporting system online at: https://npdes-ereporting.epa.gov/net-netdmr

b. Monitoring results obtained during the calendar month shall be summarized for each month and reported on the DMR. The results of each sampling event shall be reported on the OMR and submitted as an attachment to the DMR.

c. The permittee shall submit the DMR, OMR and additional monitoring data no later than 11:59 p.m. on the 15th day of the month following the sampling period.

d. All other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

2. **No later than December 21, 2025,** the permittee must electronically report the following compliance monitoring data and reports using the online web based electronic system approved by EPD, unless a waiver is granted by EPD:

a. Sewer Overflow/Bypass Event Reports;
b. Noncompliance Notification;
c. Other noncompliance; and
d. Bypass

3. Other Reports

All other reports required in this permit not listed above in Part I.D.2 or unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

4. Other Noncompliance

All instances of noncompliance not reported under Part I.B. and Part II.A. shall be reported to EPD at the time the monitoring report is submitted.

5. Signatory Requirements

All reports, certifications, data or information submitted in compliance with this permit or requested by EPD must be signed and certified as follows:

a. Any State or NPDES Permit Application form submitted to the EPD shall be signed as follows in accordance with the Federal Regulations, 40 C.F.R. 122.22:

1. For a corporation, by a responsible corporate officer. A responsible corporate officer means:

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

ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or

3. For a municipality, State, Federal, or other public facility, by either a principal executive officer or ranking elected official.

b. All other reports or requests for information required by the permit issuing authority shall be signed by a person designated in (a) above or a duly authorized representative of such person, if:

1. The representative so authorized is responsible for the overall operation of the facility from which the discharge originates, e.g., a plant manager, superintendent or person of equivalent responsibility;

2. The authorization is made in writing by the person designated under (a) above; and

3. The written authorization is submitted to the Director.

c. Any changes in written authorization submitted to the permitting authority under (b) above which occur after the issuance of a permit shall be reported to the permitting authority by submitting a copy of a new written authorization which meets the requirements of (b) and (b.1) and (b.2) above.

d. Any person signing any document under (a) or (b) above shall make the following certification:

"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.

PART II

A. Management Requirements

1. Notification of Changes

a. The permittee shall provide EPD at least 90 days advance notice of any planned physical alterations or additions to the permitted facility that meet the following criteria:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b);

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1); or

3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

b. The permittee shall give at least 90 days advance notice to EPD of any planned changes to the permitted facility or activity which may result in noncompliance with permit requirements.

c. Following the notice in paragraph a. or b. of this condition the permit may be modified. The permittee shall not make any changes, or conduct any activities, requiring notification in paragraph a. or b. of this condition without approval from EPD.

d. The permittee shall provide at least 30 days advance notice to EPD of:

1. any planned expansion or increase in production capacity; or

2. any planned installation of new equipment or modification of existing processes that could increase the quantity of pollutants discharged or result in the discharge of pollutants that were not being discharged prior to the planned change

if such change was not identified in the permit application(s) upon which this permit is based and for which notice was not submitted under paragraphs a. or b. of this condition.

e. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 100 µg/L, (ii) five times the maximum concentration reported for that pollutant in the permit application, or (iii) 200 µg/L for acrolein and acrylonitrile, 500 µg/L for 2,4 dinitrophenol and for 2-methyl-4-6-dinitrophenol, or 1 mg/L antimony.

f. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in any discharge on a nonroutine or infrequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 500 µg/L, (ii) ten times the maximum concentration reported for that pollutant in the permit application, or (iii) 1 mg/L antimony.

g. Upon the effective date of this permit, the permittee shall submit to EPD an annual certification in June of each year certifying whether or not there has been any change in processes or wastewater characteristics as described in the submitted NPDES permit application that required notification in paragraph a., b., or d. of this condition. The permittee shall also certify annually in June whether the facility has received offsite wastes or wastewater and detail any such occurrences.

2. Noncompliance Notification

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

a. A description of the discharge and cause of noncompliance; and

b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

3. Facility Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

a. Any diversion from or bypass of pretreatment facilities covered by this permit is prohibited, except where unavoidable to prevent personal injury, loss of life, or severe property damage. The permittee shall operate the pretreatment works to minimize discharge of the pollutants listed in this permit from overflows or bypasses. The permittee shall monitor all overflows, bypasses, or spills. EPD and the owner of the receiving POTW shall be notified, in advance if possible, of any overflows, bypasses or spills. A record of each overflow bypass and spill shall be kept with information on the location, cause, duration, a peak flow rate. Upon written notification by EPD, the permittee may be required to submit a plan and schedule for reducing overflows, bypasses or spills.

b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to EPD and the owner of the receiving POTW at least 10 days (if possible) before the date of the bypass. The permittee shall submit notice of any unanticipated bypass with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

1. A description of the discharge and cause of noncompliance; and

2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

6. Sludge Disposal Requirements

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State or creating an adverse impact on the environment. Handling and disposal of such substances shall be in accordance with all applicable State and Federal regulations. Records must be maintained of the quantity (volume and concentration or mass) of such substances; the method of disposal; the location or site; and the date and time of disposal.

Sludge shall be disposed of in accordance with the regulations and guidelines established by EPD, the Federal Clean Water Act, and the Resource Conservation and Recovery Act (RCRA). Prior to disposal of sludge by any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a sludge management plan to EPD for written

approval. For land application of nonhazardous sludge, the permittee shall comply with the applicable criteria outlined in the most current version of EPD's "Guidelines for Land Application of Sewage Sludge (Biosolids) at Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17. EPD may require more stringent control of this activity. Prior to land applying nonhazardous sludge, the permittee shall submit a sludge management plan to EPD for review and approval. Upon approval, the plan for land application will become a part of the NPDES permit upon modification of the permit.

7. Sludge Monitoring Requirements

The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor the volume and concentration of solids removed from the plant. Records shall be maintained which document the quantity of solids removed from the plant. The ultimate disposal of solids shall be reported (in the unit of lbs) to EPD as specified in Part I.D of this permit.

8. Power Failures

Upon the reduction, loss, or failure of the primary source of power to said water pollution control facilities, the permittee shall use an alternative source of power if available to reduce or otherwise control production and/or all discharges in order to maintain compliance with the effluent limitations and prohibitions of this permit.

If such alternative power source is not in existence, and no date for its implementation appears in Part I, the permittee shall halt, reduce or otherwise control production and/or all discharges from wastewater control facilities upon the reduction, loss, or failure of the primary source of power to said wastewater control facilities.

9. Operator Certification Requirements

The permittee shall, when required, have a certified operator in charge of the facility in accordance with Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant Operators And Laboratory Analysts Rule 43-51-6.(b).

10. Laboratory Analyst Certification Requirements

The permittee shall ensure that, when required, the person in responsible charge of the laboratory performing the analyses for determining permit compliance is certified in accordance with the Georgia Certification of Water and Wastewater Treatment Plant operators and Laboratory Analysts Act, as amended, and the Rules promulgated thereunder.

B. Responsibilities

1. Right of Entry

The permittee shall allow the Director of EPD, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials:

a. To enter upon the permittee's premises where a discharge source is located or in which any records are required to be kept under the terms and conditions of this permit; and

b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters in any location.

2. Transfer of Ownership or Control

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

a. The permittee notifies the Director of EPD and the owner of the receiving POTW in writing of the proposed transfer at least thirty (30) days in advance of the proposed transfer;

b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director at least thirty (30) days in advance of the proposed transfer; and

c. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of EPD’s intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

3. Availability of Reports

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

4. Permit Modification

After written notice and opportunity for a hearing, this permit may be modified, suspended, revoked or reissued in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any conditions of this permit;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or

d. To comply with any applicable effluent limitation issued pursuant to the order of the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et.al. v. Russell E. Train, 8 ERC 2120(D.D.C. 1976), if the effluent limitation so issued:

1. is different in conditions or more stringent than any effluent limitation in the permit; or

2. controls any pollutant not limited in the permit.

5. Toxic Pollutants

Notwithstanding Part II B.8 below, if a toxic discharge standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Federal Act for a toxic pollutant which is present in the discharge, and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic discharge standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

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

7. State Laws

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

8. Local Ordinances

Nothing in this permit shall be construed to relieve the permittee from the responsibility of compliance with any local ordinance whose requirements are more stringent than those contained in this permit.

9. Property Rights

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

10. Expiration of Permit

The permittee shall not discharge after the expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by EPD at least 180 days prior to the expiration date.

11. Contested Hearings

Any person who is aggrieved or adversely affected by an action of the Director of EPD shall petition the Director for a hearing within thirty (30) days of notice of such action.

12. Severability

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

13. Best Management Practices

The permittee will implement best management practices to control the discharge of hazardous and/or toxic materials from ancillary manufacturing activities. Such activities include, but are not limited to, materials storage, in-plant transfer, process and material handling, loading and unloading operations, plant site runoff, and sludge and waste disposal.

14. Need to Halt or Reduce Activity Not a Defense

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

15. Duty to Provide Information

a. The permittee shall furnish to the EPD Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request copies of records required to be kept by this permit.

b. When the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts and information.

16. Duty to Comply

a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) and is grounds for enforcement action; for permit termination; revocation and reissuance, or modification; or for denial of a permit renewal application. Any instances of noncompliance must be reported to EPD as specified in Part I.D and Part II.A of this permit.

b. Penalties for violations of permit conditions. The Federal Clean Water Act and the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine or by imprisonment, or by both. The Georgia Water Quality Control Act (Act) also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director**.**

17. Upset Provisions

Provisions of 40 CFR 122.41(n)(1)-(4), regarding "Upset" shall be applicable to any civil, criminal, or administrative proceeding brought to enforce this permit.

PART III

A. Previous Permits

1. All previous State waste water permits issued to this facility, whether for construction or operation, are hereby revoked by the issuance of this permit. This action is taken to assure compliance with the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act, as amended. Receipt of the permit constitutes notice of such action. The conditions, requirements, terms and provisions of this permit authorizing discharge under the National Pollutant Discharge Elimination System govern discharges from this facility.

B. Schedule of Compliance

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule: N/A

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. Special Conditions

1. The permittee shall not discharge substances in amounts, concentrations or combinations thereof which:

   a. interfere with the operation of the Fitzgerald Water, Light & Bond Commission – C.A. Newcomer Jr. WWTP**;**

   b. cause pass-through of pollutants in violation of the effluent limitations specified in National Pollutant Discharge Elimination System Permit No. GA0047236;

   c. cause municipal sludge contamination; or

   d. cause pass-through of pollutants that result in toxicity in aquatic life in the receiving stream.

2. Slug Discharges

   a. Slug discharge shall be defined as any discharge of a non-routine, episodic nature including, but not limited to an accidental spill or a non-customary batch discharge.

   b. The permittee shall notify the EPD and the owner of the receiving POTW immediately of any discharge or discharges including slug discharges that could result in operational problems at the POTW.

   c. Upon notification from the EPD, the permittee shall develop and implement a plan to control slug discharges in accordance with the requirements of 40 CFR Part 403.8.

3. If sampling performed by the permittee indicates a violation, the permittee shall immediately notify the EPD Compliance Office within twenty-four (24) hours of becoming aware of the violation. For continuous dischargers, the permittee shall also immediately, within 24 hours, repeat the sampling and analysis of all of the constituents that may have contributed to the violation. For intermittent dischargers, repeat sampling and analysis should be conducted on the subsequent discharge. The sampling results shall be submitted to the EPD Compliance Office within 30 days after becoming aware of the violation.

GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

The Georgia Environmental Protection Division proposes to issue a Pretreatment permit to the applicant identified below. The draft permit places conditions on the discharge of pollutants from the wastewater treatment plant to waters of the State.

Technical Contact: Ian McDowell (*ian.mcdowell@dnr.ga.gov*)
470-604-9483

Draft permit:
- ☒ first issuance
- ☐ reissuance with no or minor modifications from previous permit
- ☐ reissuance with substantial modifications from previous permit
- ☐ modification of existing permit

1.0 FACILITY INFORMATION

1.1 Pretreatment Permit No.: GAP050369

1.2 Name and Address of Owner/Applicant

VLS Environmental Solutions, LLC
188 Rip Wiley Rd
Fitzgerald, Georgia 31750
Ben Hill County

1.3 Name and Address of Facility

VLS Rail (Fitzgerald)
188 Rip Wiley Rd
Fitzgerald, Georgia 31750
Ben Hill County

1.4 Facility Information

a. Average Flow: 15,000 GPD

b. Categorical (Y/N): Y

c. Production Based (Y/N): N

d. Max Flow: 30,000 GPD

e. Significant Industrial User (Y/N): Y

f. Production Capacity: N/A

1.5 SIC Code & Description:

4789 – Transportation Services, Not Elsewhere Classified (Primary)
4953 – Refuse Systems

1.6 Description of Industrial Processes

VLS Rail (Fitzgerald) operates a railcar cleaning facility. All cleaning operations occur within secondary containment at a cleaning rack.

1.7 Description of the Industrial Wastewater Treatment Facility

Wastewater generated from the cleaning operations is collected in totes, inspected for oil & grease, then transferred to a 30,000 gallon storage tank for subsequent analysis, treatment, and discharge to the Fitzgerald Water, Light & Bond Commission – C.A. Newcomer Jr. WWTP. Wastewater is batch discharged to the POTW and it typically takes 2 days to empty the storage tank, resulting in an average flow rate of 15,000 gallons per day. The facility is evaluating the addition of additional wastewater storage capacity at the site. There is no planned increase in wastewater flow associated with the increased storage capacity.

1.8 Type of Wastewater Discharge

☒ process wastewater ☐ stormwater

☐ domestic wastewater ☐ combined

☐ other

1.9 Name and Address of Receiving POTW

Fitzgerald Water, Light & Bond Commission – C.A. Newcomer Jr. WWTP
201 Ed Ward Road
Fitzgerald, Georgia 31750
Ben Hill County

1.10 Location and Description of the discharge (as reported by applicant)

Outfall #	Receiving POTW	Receiving POTW Permit No.	Max Receiving POTW Permitted Flow	River Basin
001	C.A. Newcomer Jr. WWTP	GA0047236	7.5 MGD (Weekly Average)	Suwanee

1.11 Receiving POTW Design Capacity: 6.0 MGD (Monthly Average)

1.12 Description of the POTW Wastewater Treatment

Wastewater treatment:

Wastewater treatment consists of screening, grit removal, activated sludge treatment (orbal oxidation ditch), clarification, chlorination, dechlorination, and cascade aeration,

Solids processing:

Sludge is aerobically digested and dewatered via belt press and sludge drying beds prior to transport to a landfill for disposal.

1.13 Characterization of Effluent Discharge as Reported by Applicant

The table below indicates all pollutants of concern believed present in the facility's wastewater effluent.

Outfall No. 001 – Final Effluent

Effluent Characteristics (as Reported by Applicant)	Maximum Daily Value	Average Daily Value
Flow (MGD)	0.030	0.015
BOD_5 (mg/L)	7.2	N/A
TSS (mg/L)	<2.5	N/A
Oil & Grease (mg/L)	<5.1	N/A
Total Phosphorus (mg/L)	0.54	N/A
Copper, Total (mg/L)	<0.020	N/A
Mercury, Total (mg/L)	<0.20	N/A
Zinc, Total (mg/L)	0.078	N/A
Iron, Total (mg/L)	0.18	N/A
Fluoranthene (mg/L)	<0.010	N/A
Phenanthrene (mg/L)	<0.010	N/A
pH (SU)	7.9	N/A

2.0 APPLICABLE REGULATIONS

2.1 Local Regulations

City of Fitzgerald Code of Ordinances, Chapter 23, Article II – Sewage (Sewer Use Ordinance)

See Appendix C for Sewer Use Ordinance

2.2 State Regulations

Chapter 391-3-6 of the Georgia Rules and Regulations for Water Quality Control

2.3 Federal Regulations

Source	Activity	Applicable Regulation
Industrial	Pretreatment	40 CFR 403
	Process Water Discharges	40 CFR 122 40 CFR 125 40 CFR 442

2.4 Industrial Effluent Limit Guideline(s)

Code of Federal Regulations, 40 CFR Part 403.
Code of Federal Regulations, 40 CFR Part 442 – Transportation Equipment Cleaning Point Source Category (PSES)

- Subpart A – Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos
- Subpart B – Rail Tank Cars Transporting Chemical and Petroleum Cargos

See Appendix A For Applicable Federal Regulations.

3.0 EFFLUENT LIMITS AND PERMIT CONDITIONS

3.1 Permit Development

"The national pretreatment program objectives are achieved by applying and enforcing three types of pretreatment standards:"

- General and specific prohibitions
- Categorical pretreatment standards
- Local limits

"All three types of standards can be enforced by EPA, the state, and local government, even though they are developed at different levels of government (i.e., federal, state, and local). Pretreatment standards and requirements can be expressed as numeric limits, narrative prohibitions, and best management practices."

"The control authority is responsible for identifying standard(s) applicable to each IU and applying the most stringent requirements where multiple provisions exist." EPA Guidance - *Applicability of Pretreatment Standards and Requirements* (https://www.epa.gov/npdes/pretreatment-standards-and-requirements)

"Local limits are developed for pollutants (e.g. metals, cyanide, BOD5, TSS, oil and grease, organics) that may cause interference, pass through, sludge contamination, and/or worker health and safety problems if discharged in excess of the receiving POTW treatment plant's capabilities and/or receiving water quality standards." EPA Guidance Document – *Introduction to the National Pretreatment Program, February 1999*

Local limit considerations can be broken down into several categories consisting of: sewer use ordinances, state level local limits, POTW NPDES limits, water quality standards, and POTW inhibition.

3.2 Conventional Pollutants

Pollutants of Concern	Basis
pH	Local Limit The City of Fitzgerald Sewer Use Ordinance establishes an allowable range of 5.5 – 9.0 s.u. for pH. Effluent limitations of no less than 5.5 s.u. nor greater than 9.0 s.u. have been included in the permit.
	Categorical Limit There is no applicable federally based categorical limit.
5-Day Biochemical Oxygen Demand	Local Limit The public sewer connection agreement made with the Fitzgerald Water, Light & Bond Commission requires the BOD_5 concentration in the final effluent to be less than or equal to 230 mg/L. Effluent limitations of 230 mg/L daily average and 230 mg/L daily maximum have been included in the permit.
	Categorical Limit There is no applicable federally based categorical limit.

Chemical Oxygen Demand	Local Limit The public sewer connection agreement made with the Fitzgerald Water, Light & Bond Commission requires the COD concentration in the final effluent to be less than or equal to 1,000 mg/L. Effluent limitations of 1,000 mg/L daily average and 1,000 mg/L daily maximum have been included in the permit.
	Categorical Limit There is no applicable federally based categorical limit.
Total Suspended Solids	Local Limit The public sewer connection agreement made with the Fitzgerald Water, Light & Bond Commission requires the TSS concentration in the final effluent to be less than or equal to 300 mg/L. Effluent limitations of 300 mg/L daily average and 300 mg/L daily maximum have been included in the permit.
	Categorical Limit There is no applicable federally based categorical limit.
Oil & Grease (HEM)	Local Limit The public sewer connection agreement made with the Fitzgerald Water, Light & Bond Commission requires the oil & grease concentration in the final effluent to be less than or equal to 50 mg/L. Effluent limitations of 50 mg/L daily average and 50 mg/L daily maximum have been included in the permit.
	Categorical Limit There is no applicable federally based categorical limit.
Non-Polar Material (SGT-HEM)	Local Limit The City of Fitzgerald sewer use ordinance does not establish effluent limitations for non-polar material.
	Categorical Limit A daily maximum effluent limitation of 26 mg/L is required for non-polar material in accordance with 40 CFR 442.15 and 40 CFR 442.25 Pretreatment Standards for Existing Sources (PSES). Effluent limitations of 26 mg/L daily average and 26 mg/L daily maximum have been included in the permit.

3.3 Nonconventional Pollutants

Pollutants of Concern	Basis
Ammonia, as N	Local Limit The public sewer connection agreement made with the Fitzgerald Water, Light & Bond Commission requires the ammonia concentration in the final effluent to be less than or equal to 50 mg/L. Effluent limitations of 50 mg/L daily average and 50 mg/L daily maximum have been included in the permit.
	Categorical Limit There is no applicable federally based categorical limit.

3.4 Toxics & Manmade Organic Compounds (126 priority pollutants and metals)

Pollutants of Concern	Basis
Copper, Total	Local Limit The local limits evaluation for pass-through based on instream water quality standards indicates no allowable loading for copper. Discharges should not exceed a typical background domestic/commercial concentration of 0.14 mg/L. Effluent limitations of 0.14 mg/L daily average and 0.21 mg/L daily maximum have been included in the permit. The daily maximum is multiplied by 1.5 times the daily average to account for day-to-day variability.
	Categorical Limit A daily maximum effluent limitation of 0.84 mg/L is required for copper in accordance with 40 CFR 442.15 Pretreatment Standards for Existing Sources (PSES). The more stringent local limits have been included in the permit.
Mercury, Total	Local Limit The local limits evaluation for pass-through based on instream water quality standards indicates no allowable loading for mercury. Discharges should not exceed a typical background domestic/commercial concentration of 0.002 mg/L. Effluent limitations of 0.002 mg/L daily average and 0.003 mg/L daily maximum have been included in the permit. The daily maximum is multiplied by 1.5 times the daily average to account for day-to-day variability.
	Categorical Limit A daily maximum effluent limitation of 0.0031 mg/L is required for mercury in accordance with 40 CFR 442.15 Pretreatment Standards for Existing

	Sources (PSES). The more stringent local limits have been included in the permit.
Fluoranthene	Local Limit The local limits evaluation for pass-through based on instream water quality standards indicates a maximum allowable concentration of 31.1 mg/L for fluoranthene. The more stringent categorical effluent limitations have been included in the permit.
	Categorical Limit A daily maximum effluent limitation of 0.076 mg/L is required for fluoranthene in accordance with 40 CFR 442.25 Pretreatment Standards for Existing Sources (PSES). Effluent limitations of 0.076 mg/L daily average and 0.076 mg/L daily maximum have been included in the permit.
Phenanthrene	Local Limit The local limits evaluation for interference based on activated sludge inhibition indicates a maximum allowable concentration of 43,650 mg/L for phenanthrene. The more stringent categorical effluent limitations have been included in the permit.
	Categorical Limit A daily maximum effluent limitation of 0.34 mg/L is required for phenanthrene in accordance with 40 CFR 442.25 Pretreatment Standards for Existing Sources (PSES). Effluent limitations of 0.34 mg/L daily average and 0.34 mg/L daily maximum have been included in the permit.

3.5 Comparison and Summary of Limits

The highlighted limits shown below indicate the most stringent allowable limits for the permit based on all pretreatment standards.

Pollutant	Categorical	SUO	Sludge Regulations[1]	POTW NPDES - Based Limit	WQS[2] (acute & chronic)	POTW Inhibition	Other
BOD_5	None	300 mg/L	N/A	2,944 mg/L	N/A	None	230 mg/L
COD	None	None	N/A	None	N/A	None	1,000 mg/L
TSS	None	300 mg/L	N/A	17,580 mg/L	N/A	None	300 mg/L
Oil & Grease (HEM)	None	100 mg/L	N/A	None	N/A	None	50 mg/L
Non-Polar Material (SGT-HEM)	26 mg/L	None	N/A	None	N/A	None	None
Ammonia, as N	None	None	N/A	N/A	N/A	432 mg/L	50 mg/L
Copper, Total	0.84 mg/L	1.00 mg/L	N/A	None	0.14 mg/L	17.7 mg/L	None
Mercury, Total	0.0031 mg/L	0.01 mg/L	N/A	None	0.002 mg/L	9.51 mg/L	None
Fluoranthene	0.076 mg/L	None	N/A	None	31.1	None	None
Phenanthrene	0.34 mg/L	None	N/A	None	N/A	43,650 mg/L	None
pH	None	5.5-9.0 s.u.	N/A	N/A	N/A	None	5.5-9.0 s.u.

(1) The C.A. Newcomer Jr. WWTP hauls its sludge to a landfill; hence sludge criteria don't apply.
(2) There are no numerical water quality standards for the pollutants marked as N/A.

3.6 Example Limit Calculations

An example calculation for each standard that required consideration has been included below. Complete results can be found in Appendix B – Local Limits Evaluation.

3.6.a. NPDES Permit Limit Calculations

$$TSS\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times NPDES\ Limit\left(\frac{mg}{L}\right) \times POTW\ Flow\ (MGD)}{1 - \frac{POTW\ Removal\ Efficiency\ (\%)}{100}}$$

$$TSS\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times 30\left(\frac{mg}{L}\right) \times 2.91\ (MGD)}{1 - \frac{92\%}{100}}$$

$$TSS\ MAHL\left(\frac{lbs}{day}\right) = 9{,}101$$

$$TSS\ MAIL\left(\frac{lbs}{day}\right) = MAHL\left(\frac{lbs}{day}\right) \times \left(1 - \frac{Safety\ Factor(\%)}{100}\right) - Dom.|Com.Load\left(\frac{lbs}{day}\right)$$

$$TSS\ MAIL\left(\frac{lbs}{day}\right) = 9{,}101\left(\frac{lbs}{day}\right) \times \left(1 - \frac{20\%}{100}\right) - 2{,}882\left(\frac{lbs}{day}\right)$$

$$TSS\ MAIL\left(\frac{lbs}{day}\right) = 4{,}399$$

$$TSS\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{MAIL\ \left(\frac{lbs}{day}\right)}{8.34 \times IU\ Pollutant\ Flow\ (MGD)}$$

$$TSS\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{4{,}399\ \left(\frac{lbs}{day}\right)}{8.34 \times 0.030\ (MGD)}$$

$TSS\ Local\ Limit\left(\frac{mg}{L}\right) = 17{,}580$ (Not Most Stringent Value)

3.6.b. Acute Water Quality Standard Calculations

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times Acute\ WQS\left(\frac{mg}{L}\right) \times \left(POTW\ Flow(MGD) + 1Q10(MGD)\right)}{1 - \frac{POTW\ Removal\ Efficiency(\%)}{100}}$$

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times 0.300\left(\frac{mg}{L}\right) \times 2.91\ (MGD)}{1 - \frac{79\%}{100}}$$

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = 34.7$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = MAHL\left(\frac{lbs}{day}\right) \times \left(1 - \frac{Safety\ Factor(\%)}{100}\right) - Dom.|Com.Load\left(\frac{lbs}{day}\right)$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = 34.7\left(\frac{lbs}{day}\right) \times \left(1 - \frac{10\%}{100}\right) - 5.55\left(\frac{lbs}{day}\right)$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = 25.7$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{MAIL\ \left(\frac{lbs}{day}\right)}{8.34 \times IU\ Pollutant\ Flow\ (MGD)}$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{25.7\ \left(\frac{lbs}{day}\right)}{8.34 \times 0.030\ (MGD)}$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = 103 \text{ (Not Most Stringent Value)}$$

3.6.c. Chronic Water Quality Standard Calculations

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times Chronic\ WQS\left(\frac{mg}{L}\right) \times \left(POTW\ Flow(MGD) + 7Q10(MGD)\right)}{1 - \frac{POTW\ Removal\ Efficiency(\%)}{100}}$$

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times 0.302\left(\frac{mg}{L}\right) \times 2.91\ (MGD)}{1 - \frac{79\%}{100}}$$

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = 34.9$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = MAHL\left(\frac{lbs}{day}\right) \times \left(1 - \frac{Safety\ Factor(\%)}{100}\right) - Dom.|Com.Load\left(\frac{lbs}{day}\right)$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = 34.9\left(\frac{lbs}{day}\right) \times \left(1 - \frac{10\%}{100}\right) - 5.55\left(\frac{lbs}{day}\right)$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = 25.9$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{MAIL\ \left(\frac{lbs}{day}\right)}{8.34 \times IU\ Pollutant\ Flow\ (MGD)}$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{25.9\ \left(\frac{lbs}{day}\right)}{8.34 \times 0.030\ (MGD)}$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = 103 \text{ (Not Most Stringent Value)}$$

3.6.d. POTW Inhibition Calculations

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times Inhibition\ Level\left(\frac{mg}{L}\right) \times POTW\ Flow\ (MGD)}{1 - \frac{POTW\ Removal\ Efficiency(\%)}{100}}$$

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times 0.08\left(\frac{mg}{L}\right) \times 2.91\ (MGD)}{1 - \frac{79\%}{100}}$$

$$Zinc\ MAHL\left(\frac{lbs}{day}\right) = 9.25$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = MAHL\left(\frac{lbs}{day}\right) \times \left(1 - \frac{Safety\ Factor(\%)}{100}\right) - Dom.|Com.Load\left(\frac{lbs}{day}\right)$$

$$Zinc\ MAIL\left(\frac{lbs}{day}\right) = 9.25\left(\frac{lbs}{day}\right) \times \left(1 - \frac{10\%}{100}\right) - 5.55\left(\frac{lbs}{day}\right)$$

$$Zinc\ MAIL = \left(\frac{lbs}{day}\right) = 2.77$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{MAIL\ \left(\frac{lbs}{day}\right)}{8.34 \times IU\ Pollutant\ Flow\ (MGD)}$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{2.77\ \left(\frac{lbs}{day}\right)}{8.34 \times 0.030\ (MGD)}$$

$$Zinc\ Local\ Limit\left(\frac{mg}{L}\right) = 11.1$$

4.0 OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS

4.1 *Anti-Backsliding*

N/A – This is the first pretreatment permit issuance for the facility.

5.0 REPORTING

The facility has been assigned to the following EPD office for reporting, compliance and enforcement.

Georgia Environmental Protection Division
Watershed Compliance Program
2 Martin Luther King Jr. Drive
Suite 1470A East
Atlanta, Georgia 30334

5.1 E-Reporting

The permittee is required to electronically submit documents in accordance with 40 CFR Part 127.

6.0 REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

Not applicable

7.0 PERMIT EXPIRATION

The permit will expire five years from the effective date.

8.0 PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

8.1 Comment Period

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

Georgia Environmental Protection Division
Wastewater Regulatory Program
2 Martin Luther King Jr. Drive
Suite 1470A East
Atlanta, Georgia 30334

The permit application, draft permit, and other information are available for review at 2 Martin Luther King Jr. Drive, Suite 1470A East, Atlanta, Georgia 30334, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. For additional information, you can contact 404-463-1511.

8.2 Public Comments

Persons wishing to comment upon or object to the proposed determinations are invited to submit same in writing to the EPD address above, or via e-mail at *EPDcomments@dnr.ga.gov* within 30 days of the initiation of the public comment period. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit number should be placed on the top of the first page of comments to ensure that your comments will be forwarded to the appropriate staff.

8.3 Public Hearing

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

The Director shall hold a hearing if he determines that there is sufficient public interest in holding such a hearing. If a public hearing is held, notice of same shall be provided at least thirty (30) days in advance of the hearing date.

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

Following a public hearing, the Director, unless it is decided to deny the permit, may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue the permit.

If no public hearing is held, and, after review of the written comments received, the Director determines that a permit should be issued and that the determinations as set forth in the proposed permit are substantially unchanged, the permit will be issued and will become final in the absence of a request for a contested hearing. Notice of issuance or denial will be made available to all interested persons and those persons that submitted written comments to the Director on the proposed permit.

If no public hearing is held, but the Director determines, after a review of the written comments received, that a permit should be issued but that substantial changes in the proposed permit are warranted, public notice of the revised determinations will be given and written comments accepted in the same manner as the initial notice of application was given and written comments accepted pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.08(7)(b). The Director shall provide an opportunity for public hearing on the

revised determinations. Such opportunity for public hearing and the issuance or denial of a permit thereafter shall be in accordance with the procedures as are set forth above.

8.4 Final Determination

At the time that any final permit decision is made, the Director shall issue a response to comments. The issued permit and responses to comments can be found at the following address:

http://epd.georgia.gov/watershed-protection-branch-permit-and-public-comments-clearinghouse-0

8.5 Contested Hearings

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

Petitions for a contested hearing must include the following:

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

APPENDIX A – Applicable Federal Regulations

(C) A description of the operation at the dental facility including: The total number of chairs, the total number of chairs at which dental amalgam may be present in the resulting wastewater, and a description of any existing amalgam separator(s) or equivalent device(s) currently operated to include, at a minimum, the make, model, year of installation.

(D) Certification that the amalgam separator(s) or equivalent device is designed and will be operated and maintained to meet the requirements specified in §441.30 or §441.40.

(E) Certification that the dental discharger is implementing BMPs specified in §441.30(b) or §441.40(b) and will continue to do so.

(F) The name of the third-party service provider that maintains the amalgam separator(s) or equivalent device(s) operated at the dental office, if applicable. Otherwise, a brief description of the practices employed by the facility to ensure proper operation and maintenance in accordance with §441.30 or §441.40.

(4) *Transfer of ownership notification.* If a dental discharger transfers ownership of the facility, the new owner must submit a new One-Time Compliance Report to the Control Authority no later than 90 days after the transfer.

(5) *Retention period.* As long as a Dental Discharger subject to this part is in operation, or until ownership is transferred, the Dental Discharger or an agent or representative of the dental discharger must maintain the One-Time Compliance Report required at paragraph (a) of this section and make it available for inspection in either physical or electronic form.

(b) Dental Dischargers or an agent or representative of the dental discharger must maintain and make available for inspection in either physical or electronic form, for a minimum of three years:

(1) Documentation of the date, person(s) conducting the inspection, and results of each inspection of the amalgam separator(s) or equivalent device(s), and a summary of follow-up actions, if needed.

(2) Documentation of amalgam retaining container or equivalent container replacement (including the date, as applicable).

(3) Documentation of all dates that collected dental amalgam is picked up or shipped for proper disposal in accordance with 40 CFR 261.5(g)(3), and the name of the permitted or licensed treatment, storage or disposal facility receiving the amalgam retaining containers.

(4) Documentation of any repair or replacement of an amalgam separator or equivalent device, including the date, person(s) making the repair or replacement, and a description of the repair or replacement (including make and model).

(5) Dischargers or an agent or representative of the dental discharger must maintain and make available for inspection in either physical or electronic form the manufacturers operating manual for the current device.

PART 442—TRANSPORTATION EQUIPMENT CLEANING POINT SOURCE CATEGORY

Sec.

Subpart A—Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos

Subpart B—Rail Tank Cars Transporting Chemical and Petroleum Cargos

Subpart C—Tank Barges and Ocean/Sea Tankers Transporting Chemical and Petroleum Cargos

Subpart D—Tanks Transporting Food Grade Cargos

AUTHORITY: 33 U.S.C. 1311, 1314, 1316, 1317, 1318, 1342 and 1361.

SOURCE: 65 FR 49700, Aug. 14, 2000, unless otherwise noted.

§ 442.1 General applicability.

(a) As defined more specifically in each subpart, and except for discharges specified in paragraph (b) of this section, this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos. This part does not apply to facilities that clean only the exteriors of transportation equipment. Operations which may be subject to this part typically are reported under a wide variety of Standard Industrial Classification (SIC) codes. Several of the most common SIC codes include: SIC 7699, SIC 4741, or SIC 4491 (1987 SIC Manual).

(b) This part is not applicable to the following discharges:

(1) Wastewaters associated with tank cleanings operated in conjunction with other industrial, commercial, or Publicly Owned Treatment Works (POTW) operations, provided that the cleaning is limited to tanks that previously contained raw materials, by-products, or finished products that are associated with the facility's on-site processes.

(2) Wastewaters resulting from cleaning the interiors of drums, intermediate bulk containers, or closed-top hoppers.

(3) Wastewater from a facility that discharges less than 100,000 gallons per year of transportation equipment cleaning process wastewater.

§ 442.2 General definitions.

(a) In addition to the general definitions and abbreviations at 40 CFR part 401, the following definitions shall apply to this part:

Chemical cargos mean, but are not limited to, the following: latex, rubber, plastics, plasticizers, resins, soaps, detergents, surfactants, agricultural chemicals and pesticides, hazardous waste, organic chemicals including: alcohols, aldehydes, formaldehydes, phenols, peroxides, organic salts, amines, amides, other nitrogen compounds, other aromatic compounds, aliphatic organic chemicals, glycols, glycerines, and organic polymers; refractory organic compounds including: ketones, nitriles, organo-metallic compounds containing chromium, cadmium, mercury, copper, zinc; and inorganic chemicals including: aluminum sulfate, ammonia, ammonium nitrate, ammonium sulfate, and bleach. Cargos which are not considered to be food grade or petroleum cargos are considered to be chemical cargos.

Closed-top hopper means a completely enclosed storage vessel used to transport dry bulk cargos, either by truck,

rail, or barge. Closed-top hoppers are not designed or constructed to carry liquid cargos and are typically used to transport grain, soybeans, soy meal, soda ash, lime, fertilizer, plastic pellets, flour, sugar, and similar commodities or cargos. The cargos transported come in direct contact with the hopper interior. Closed-top hoppers are also commonly referred to as dry bulk hoppers.

Drums mean metal or plastic cylindrical containers with either an open-head or a tight-head (also known as bung-type top) used to hold liquid, solid, or gaseous commodities or cargos which are in direct contact with the container interior. Drums typically range in capacity from 30 to 55 gallons.

Food grade cargos mean edible and non-edible food products. Specific examples of food grade cargos include, but are not limited to, the following: alcoholic beverages, animal by-products, animal fats, animal oils, caramel, caramel coloring, chocolate, corn syrup and other corn products, dairy products, dietary supplements, eggs, flavorings, food preservatives, food products that are not suitable for human consumption, fruit juices, honey, lard, molasses, non-alcoholic beverages, sweeteners, tallow, vegetable oils, and vinegar.

Heel means any material remaining in a tank following unloading, delivery, or discharge of the transported cargo. Heels may also be referred to as container residue, residual materials or residuals.

Intermediate bulk container (''IBC'' or ''Tote'') means a completely enclosed storage vessel used to hold liquid, solid, or gaseous commodities or cargos which are in direct contact with the container interior. IBCs may be loaded onto flat beds for either truck or rail transport, or onto ship decks for water transport. IBCs are portable containers with 450 liters (119 gallons) to 3000 liters (793 gallons) capacity. IBCs are also commonly referred to as totes or tote bins.

Intermodal tank container means a completely enclosed storage vessel used to hold liquid, solid, or gaseous commodities or cargos which come in direct contact with the tank interior. Intermodal tank containers may be loaded onto flat beds for either truck or rail transport, or onto ship decks for water transport. Containers larger than 3000 liters capacity are considered intermodal tank containers. Containers smaller than 3000 liters capacity are considered IBCs.

Ocean/sea tanker means a self or non-self-propelled vessel constructed or adapted to transport liquid, solid or gaseous commodities or cargos in bulk in cargo spaces (or tanks) through oceans and seas, where the commodity or cargo carried comes in direct contact with the tank interior. There are no maximum or minimum vessel or tank volumes.

On-site means within the contiguous and non-contiguous established boundaries of a facility.

Petroleum cargos mean products of the fractionation or straight distillation of crude oil, redistillation of unfinished petroleum derivatives, cracking, or other refining processes. For purposes of this rule, petroleum cargos also include products obtained from the refining or processing of natural gas and coal. For purposes of this rule, specific examples of petroleum products include but are not limited to: asphalt; benzene; coal tar; crude oil; cutting oil; ethyl benzene; diesel fuel; fuel additives; fuel oils; gasoline; greases; heavy, medium, and light oils; hydraulic fluids, jet fuel; kerosene; liquid petroleum gases (LPG) including butane and propane; lubrication oils; mineral spirits; naphtha; olefin, paraffin, and other waxes; tall oil; tar; toluene; xylene; and waste oil.

Pollution Prevention Allowable Discharge for this subpart means the quantity of/concentrations of pollutants in wastewaters being discharged to publicly owned treatment works after a facility has demonstrated compliance with the Pollutant Management Plan provisions in § 442.15(b), § 442.16(b), § 442.25(b), or § 442.26(b) of this part.

Prerinse/presteam means a rinse, typically with hot or cold water, performed at the beginning of the cleaning sequence to remove residual material from the tank interior.

Presolve wash means the use of diesel, kerosene, gasoline, or any other type of fuel or solvent as a tank interior cleaning solution.

Rail Tank Car means a completely enclosed storage vessel pulled by a locomotive that is used to transport liquid, solid, or gaseous commodities or cargos over railway access lines. A rail tank car storage vessel may have one or more storage compartments and the stored commodities or cargos come in direct contact with the tank interior. There are no maximum or minimum vessel or tank volumes.

Tank barge means a non-self-propelled vessel constructed or adapted primarily to carry liquid, solid or gaseous commodities or cargos in bulk in cargo spaces (or tanks) through rivers and inland waterways, and may occasionally carry commodities or cargos through oceans and seas when in transit from one inland waterway to another. The commodities or cargos transported are in direct contact with the tank interior. There are no maximum or minimum vessel or tank volumes.

Tank truck means a motor-driven vehicle with a completely enclosed storage vessel used to transport liquid, solid or gaseous materials over roads and highways. The storage vessel or tank may be detachable, as with tank trailers, or permanently attached. The commodities or cargos transported come in direct contact with the tank interior. A tank truck may have one or more storage compartments. There are no maximum or minimum vessel or tank volumes. Tank trucks are also commonly referred to as cargo tanks or tankers.

Transportation equipment cleaning (TEC) process wastewater means all wastewaters associated with cleaning the interiors of tanks including: tank trucks; rail tank cars; intermodal tank containers; tank barges; and ocean/sea tankers used to transport commodities or cargos that come into direct contact with the interior of the tank or container. At those facilities that clean tank interiors, TEC process wastewater also includes wastewater generated from washing vehicle exteriors, equipment and floor washings, TEC-contaminated stormwater, wastewater prerinse cleaning solutions, chemical cleaning solutions, and final rinse solutions. TEC process wastewater is defined to include only wastewater generated from a regulated TEC subcategory. Therefore, TEC process wastewater does not include wastewater generated from cleaning hopper cars, or from food grade facilities discharging to a POTW. Wastewater generated from cleaning tank interiors for purposes of shipping products (*i.e.*, cleaned for purposes other than maintenance and repair) is considered TEC process wastewater. Wastewater generated from cleaning tank interiors for the purposes of maintenance and repair on the tank is not considered TEC process wastewater. Facilities that clean tank interiors solely for the purposes of repair and maintenance are not regulated under this part.

(b) The parameters regulated in this part and listed with approved methods of analysis in Table IB at 40 CFR 136.3, are defined as follows:

(1) BOD_5 means 5-day biochemical oxygen demand.

(2) *Cadmium* means total cadmium.

(3) *Chromium* means total chromium.

(4) *Copper* means total copper.

(5) *Lead* means total lead.

(6) *Mercury* means total mercury

(7) *Nickel* means total nickel.

(8) *Oil and Grease (HEM)* means oil and grease (Hexane-Extractable Material) measured by Method 1664.

(9) *Non-polar material (SGT-HEM)* means the non-polar fraction of oil and grease (Silica Gel Treated Hexane-Extractable Material) measured by Method 1664.

(10) *TSS* means total suspended solids.

(11) *Zinc* means total zinc.

(c) The parameters regulated in this part and listed with approved methods of analysis in Table IC at 40 CFR 136.3, are as follows:

(1) Fluoranthene.

(2) Phenanthrene.

§ 442.3 General pretreatment standards.

Any source subject to this part that introduces process wastewater pollutants into a publicly owned treatment works (POTW) must comply with 40 CFR part 403.

Subpart A—Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos

§ 442.10 Applicability.

This subpart applies to discharges resulting from the cleaning of tank trucks and intermodal tank containers which have been used to transport chemical or petroleum cargos.

§ 442.11 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BPT:

(a) Effluent Limitations

Regulated parameter	Maximum daily [1]	Maximum monthly avg. [1]
BOD_5	61	22
TSS	58	26
Oil and grease (HEM)	36	16
Copper	0.84	.....
Mercury	0.0031	.....
pH	([2])	([2])

[1] Mg/L (ppm)
[2] Within 6 to 9 at all times.

§ 442.12 Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD_5, TSS, oil and grease (HEM) and pH are the same as the corresponding limitation specified in § 442.11.

§ 442.13 Effluent limitations attainable by the application of best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BAT: Limitations for copper, mercury, and oil and grease (HEM) are the same as the corresponding limitation specified in § 442.11.

§ 442.14 New source performance standards (NSPS).

Any new point source subject to this subpart must achieve the following performance standards: Standards for BOD_5, TSS, oil and grease (HEM), copper, mercury, and pH are the same as the corresponding limitation specified in § 442.11.

§ 442.15 Pretreatment standards for existing sources (PSES).

(a) Except as provided in 40 CFR 403.7 and 403.13 or in paragraph (b) of this section, no later than August 14, 2003, any existing source subject to this subpart which introduces pollutants into a publicly owned treatment works must achieve PSES as follows:

TABLE—PRETREATMENT STANDARDS

Regulated parameter	Maximum daily [1]
Non-polar material (SGT-HEM)	26
Copper	0.84
Mercury	0.0031

[1] Mg/L (ppm).

(b) As an alternative to achieving PSES as defined in paragraph (a) of this section, any existing source subject to paragraph (a) of this section may have a pollution prevention allowable discharge of wastewater pollutants, as defined in § 442.2, if the source agrees to control mechanism with the control authority as follows:

(1) The discharger shall prepare a Pollutant Management Plan that satisfies the requirements as specified in paragraph (b)(5) of this section, and the discharger shall conduct its operations in accordance with that plan.

(2) The discharger shall notify its local control authority prior to renewing or modifying its individual control mechanism or pretreatment agreement of its intent to achieve the pollution prevention allowable discharge pretreatment standard by submitting to the local control authority a certification statement of its intent to utilize a Pollutant Management Plan as specified in paragraph (b)(1) of this section. The certification statement must be

signed by the responsible corporate officer as defined in 40 CFR 403.12(l);

(3) The discharger shall submit a copy of its Pollutant Management Plan as described in paragraph (b)(1) of this section to the appropriate control authority at the time he/she applies to renew, or modify its individual control mechanism or pretreatment agreement; and

(4) The discharger shall maintain at the offices of the facility and make available for inspection the Pollutant Management Plan as described in paragraph (b)(1) of this section.

(5) The Pollutant Manager Plan shall include:

(i) Procedures for identifying cargos, the cleaning of which is likely to result in discharges of pollutants that would be incompatible with treatment at the POTW;

(ii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that heels be fully drained, segregated from other wastewaters, and handled in an appropriate manner;

(iii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that the tank be prerinsed or presteamed as appropriate and the wastewater segregated from wastewaters to be discharged to the POTW and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(iv) All spent cleaning solutions, including interior caustic washes, interior presolve washes, interior detergent washes, interior acid washes, and exterior acid brightener washes shall be segregated from other wastewaters and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(v) Provisions for appropriate recycling or reuse of cleaning agents;

(vi) Provisions for minimizing the use of toxic cleaning agents (solvents, detergents, or other cleaning or brightening solutions);

(vii) Provisions for appropriate recycling or reuse of segregated wastewaters (including heels and prerinse/pre-steam wastes);

(viii) Provisions for off-site treatment or disposal, or effective pre-treatment of segregated wastewaters (including heels, prerinse/pre-steam wastes, spent cleaning solutions);

(ix) Information on the volumes, content, and chemical characteristics of cleaning agents used in cleaning or brightening operations; and

(x) Provisions for maintaining appropriate records of heel management procedures, prerinse/pre-steam management procedures, cleaning agent management procedures, operator training, and proper operation and maintenance of any pre-treatment system;

§ 442.16 Pretreatment standards for new sources (PSNS).

(a) Except as provided in 40 CFR 403.7 and 403.13 or in paragraph (b) of this section, any new source subject to this subpart which introduces pollutants into a publicly owned treatment works must achieve PSNS as follows:

TABLE—PRETREATMENT STANDARDS

Regulated parameter	Maximum daily [1]
Non-polar material (SGT-HEM)	26
Copper	0.84
Mercury	0.0031

[1] Mg/L (ppm).

(b) As an alternative to achieving PSNS as defined in paragraph (a) of this section, any new source subject to paragraph (a) of this section may have a pollution prevention allowable discharge of wastewater pollutants, as defined in § 442.2, if the source agrees to a control mechanism with the control authority as follows:

(1) The discharger shall prepare a Pollutant Management Plan that satisfies the requirements as specified in paragraph (b)(5) of this section, and the discharger shall conduct its operations in accordance with that plan.

(2) The discharger shall notify its local control authority prior to obtaining, renewing, or modifying its individual control mechanism or pretreatment agreement of its intent to achieve the pollution prevention allowable discharge pretreatment standard by submitting to the local control authority a certification statement of

its intent to utilize a Pollutant Management Plan as specified in paragraph (b)(1) of this section. The certification statement must be signed by the responsible corporate officer as defined in 40 CFR 403.12(l);

(3) The discharger shall submit a copy of its Pollutant Management Plan as described in paragraph (b)(1) of this section to the appropriate control authority at the time he/she applies to renew, or modify its individual control mechanism or pretreatment agreement; and

(4) The discharger shall maintain at the offices of the facility and make available for inspection the Pollutant Management Plan as described in paragraph (b)(1) of this section.

(5) The Pollutant Management Plan shall include:

(i) Procedures for identifying cargos, the cleaning of which is likely to result in discharges of pollutants that would be incompatible with treatment at the POTW;

(ii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that heels be fully drained, segregated from other wastewaters, and handled in an appropriate manner;

(iii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that the tank be prerinsed or presteamed as appropriate and the wastewater segregated from wastewaters to be discharged to the POTW and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(iv) All spent cleaning solutions, including interior caustic washes, interior presolve washes, interior detergent washes, interior acid washes, and exterior acid brightener washes shall be segregated from other wastewaters and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(v) Provisions for appropriate recycling or reuse of cleaning agents;

(vi) Provisions for minimizing the use of toxic cleaning agents (solvents, detergents, or other cleaning or brightening solutions);

(vii) Provisions for appropriate recycling or reuse of segregated wastewaters (including heels and prerinse/pre-steam wastes);

(viii) Provisions for off-site treatment or disposal, or effective pre-treatment of segregated wastewaters (including heels, prerinse/pre-steam wastes, spent cleaning solutions);

(ix) Information on the volumes, content, and chemical characteristics of cleaning agents used in cleaning or brightening operations; and

(x) Provisions for maintaining appropriate records of heel management procedures, prerinse/pre-steam management procedures, cleaning agent management procedures, operator training, and proper operation and maintenance of any pre-treatment system.

[65 FR 49700, Aug. 14, 2000, as amended at 70 FR 5061, Feb. 1, 2005]

Subpart B—Rail Tank Cars Transporting Chemical and Petroleum Cargos

§ 442.20 Applicability.

This subpart applies to discharges resulting from the cleaning of rail tank cars which have been used to transport chemical or petroleum cargos.

§ 442.21 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BPT:

TABLE—EFFLUENT LIMITATIONS

Regulated parameter	Maximum daily [1]	Maximum monthly avg. [1]
BOD_5	61	22
TSS	58	26
Oil and grease (HEM)	36	16
Fluoranthene	0.076	
Phenanthrene	0.34	
pH	([2])	([2])

[1] Mg/L (ppm).
[2] Within 6 to 9 at all times.

§ 442.22 Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD_5, TSS, oil and grease (HEM) and pH are the same as the corresponding limitation specified in § 442.21.

§ 442.23 Effluent limitations attainable by the application of best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BAT: Limitations for fluoranthene, phenanthrene, and oil and grease (HEM) are the same as the corresponding limitation specified in § 442.21.

§ 442.24 New source performance standards (NSPS).

Any new point source subject to this subpart must achieve the following performance standards: Standards for BOD_5, TSS, oil and grease (HEM), fluoranthene, phenanthrene and pH are the same as the corresponding limitation specified in § 442.21.

§ 442.25 Pretreatment standards for existing sources (PSES).

(a) Except as provided in 40 CFR 403.7 and 403.13 or in paragraph (b) of this section, no later than August 14, 2003 any existing source subject to this subpart which introduces pollutants into a publicly owned treatment works must achieve PSES as follows:

TABLE—PRETREATMENT STANDARDS'

Regulated parameter	Maximum daily [1]
Non-polar material (SGT-HEM)	26
Fluoranthene	0.076
Phenanthrene	0.34

[1] Mg/L (ppm).

(b) As an alternative to achieving PSES as defined in paragraph (a) of this section, any existing source subject to paragraph (a) of this section may have a pollution prevention allowable discharge of wastewater pollutants, as defined in § 442.2, if the source agrees to a control mechanism with the control authority as follows:

(1) The discharger shall prepare a Pollutant Management Plan that satisfies the requirements as specified in paragraph (b)(5) of this section, and the discharger shall conduct its operations in accordance with that plan.

(2) The discharger shall notify its local control authority prior to renewing or modifying its individual control mechanism or pretreatment agreement of its intent to achieve the pollution prevention allowable discharge pretreatment standard by submitting to the local control authority a certification statement of its intent to utilize a Pollutant Management Plan as specified in paragraph (b)(1) of this section. The certification statement must be signed by the responsible corporate officer as defined in 40 CFR 403.12(l);

(3) The discharger shall submit a copy of its Pollutant Management Plan as described in paragraph (b)(1) of this section to the appropriate control authority at the time he/she applies to renew, or modify its individual control mechanism or pretreatment agreement; and

(4) The discharger shall maintain at the offices of the facility and make available for inspection the Pollutant Management Plan as described in paragraph (b)(1) of this section.

(5) The Pollutant Management Plan shall include:

(i) Procedures for identifying cargos, the cleaning of which is likely to result in discharges of pollutants that would be incompatible with treatment at the POTW;

(ii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that heels be fully drained, segregated from other wastewaters, and handled in an appropriate manner;

(iii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that the tank be prerinsed or presteamed as appropriate and the wastewater segregated from wastewaters to be discharged to the POTW and handled in

an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(iv) All spent cleaning solutions, including interior caustic washes, interior presolve washes, interior detergent washes, interior acid washes, and exterior acid brightener washes shall be segregated from other wastewaters and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(v) Provisions for appropriate recycling or reuse of cleaning agents;

(vi) Provisions for minimizing the use of toxic cleaning agents (solvents, detergents, or other cleaning or brightening solutions);

(vii) Provisions for appropriate recycling or reuse of segregated wastewaters (including heels and prerinse/pre-steam wastes);

(viii) Provisions for off-site treatment or disposal, or effective pre-treatment of segregated wastewaters (including heels, prerinse/pre-steam wastes, spent cleaning solutions);

(ix) Information on the volumes, content, and chemical characteristics of cleaning agents used in cleaning or brightening operations; and

(x) Provisions for maintaining appropriate records of heel management procedures, prerinse/pre-steam management procedures, cleaning agent management procedures, operator training, and proper operation and maintenance of any pre-treatment system;

§ 442.26 Pretreatment standards for new sources (PSNS).

(a) Except as provided in 40 CFR 403.7 and 403.13 or in paragraph (b) of this section, any new source subject to this subpart which introduces pollutants into a publicly owned treatment works must achieve PSNS as follows:

TABLE—PRETREATMENT STANDARDS

Regulated parameter	Maximum daily [1]
Non-polar material (SGT-HEM)	26
Fluoranthene	0.076
Phenanthrene	0.34

[1] Mg/L (ppm).

(b) As an alternative to achieving PSNS as defined in paragraph (a) of this section, any new source subject to paragraph (a) of this section may have a pollution prevention allowable discharge of wastewater pollutants, as defined in § 442.2, if the source agrees to a control mechanism with the control authority as follows:

(1) The discharger shall prepare a Pollutant Management Plan that satisfies the requirements as specified in paragraph (b)(5) of this section, and the discharger shall conduct its operations in accordance with that plan.

(2) The discharger shall notify its local control authority prior to obtaining, renewing, or modifying its individual control mechanism or pretreatment agreement of its intent to achieve the pollution prevention allowable discharge pretreatment standard by submitting to the local control authority a certification statement of its intent to utilize a Pollutant Management Plan as specified in paragraph (b)(1) of this section. The certification statement must be signed by the responsible corporate officer as defined in 40 CFR 403.12(l);

(3) The discharger shall submit a copy of its Pollutant Management Plan as described in paragraph (b)(1) of this section to the appropriate control authority at the time he/she applies to obtain, renew, or modify its individual control mechanism or pretreatment agreement; and

(4) The discharger shall maintain at the offices of the facility and make available for inspection the Pollutant Management Plan as described in paragraph (b)(1) of this section.

(5) The Pollutant Management Plan shall include:

(i) Procedures for identifying cargos, the cleaning of which is likely to result in discharges of pollutants that would be incompatible with treatment at the POTW;

(ii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that heels be fully drained, segregated from other wastewaters, and handled in an appropriate manner;

(iii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that the

tank be prerinsed or presteamed as appropriate and the wastewater segregated from wastewaters to be discharged to the POTW and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(iv) All spent cleaning solutions, including interior caustic washes, interior presolve washes, interior detergent washes, interior acid washes, and exterior acid brightener washes shall be segregated from other wastewaters and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(v) Provisions for appropriate recycling or reuse of cleaning agents;

(vi) Provisions for minimizing the use of toxic cleaning agents (solvents, detergents, or other cleaning or brightening solutions);

(vii) Provisions for appropriate recycling or reuse of segregated wastewaters (including heels and prerinse/pre-steam wastes);

(viii) Provisions for off-site treatment or disposal, or effective pre-treatment of segregated wastewaters (including heels, prerinse/pre-steam wastes, spent cleaning solutions);

(ix) Information on the volumes, content, and chemical characteristics of cleaning agents used in cleaning or brightening operations; and

(x) Provisions for maintaining appropriate records of heel management procedures, prerinse/pre-steam management procedures, cleaning agent management procedures, operator training, and proper operation and maintenance of any pre-treatment system;

Subpart C—Tank Barges and Ocean/Sea Tankers Transporting Chemical and Petroleum Cargos

§ 442.30 Applicability.

This subpart applies to discharges resulting from the cleaning of tank barges or ocean/sea tankers which have been used to transport chemical or petroleum cargos.

§ 442.31 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BPT:

TABLE—EFFLUENT LIMITATIONS

Regulated parameter	Maximum daily [1]	Maximum monthly avg. [1]
BOD_5	61	22
TSS	58	26
Oil and grease (HEM)	36	16
Cadmium	0.020	.....
Chromium	0.42	.....
Copper	0.10	.....
Lead	0.14	.....
Mercury	0.0013	.....
Nickel	0.58	.....
Zinc	8.3	.....
pH	[2]	[2]

[1] Mg/L (ppm).
[2] Within 6 to 9 at all times.

§ 442.32 Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD_5, TSS, oil and grease (HEM) and pH are the same as the corresponding limitation specified in § 442.31.

§ 442.33 Effluent limitations attainable by the application of best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BAT: Limitations for cadmium, chromium, copper, lead, mercury, nickel, and zinc are the same as the corresponding limitation specified in § 442.31.

§ 442.34 New source performance standards (NSPS).

Any new point source subject to this subpart must achieve the following

performance standards: Standards for BOD_5, TSS, oil and grease (HEM), cadmium, chromium, copper, lead, mercury, nickel, zinc and pH are the same as the corresponding limitation specified in § 442.31.

§ 442.35 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to this subpart must achieve the following pretreatment standards:

TABLE—PRETREATMENT STANDARDS

Regulated parameter	Maximum daily [1]
Non-polar material (SGT-HEM)	26
Cadmium	0.020
Chromium	0.42
Copper	0.10
Lead	0.14
Mercury	0.0013
Nickel	0.58
Zinc	8.3

[1] Mg/L (ppm).

§ 442.36 Pretreatment standards for new sources (PSNS).

Except as provided in 40 CFR 403.7, any new source subject to this subpart must achieve the following pretreatment standards: Standards for non-polar materials (SGT-HEM), cadmium, chromium, copper, lead, mercury, nickel and zinc are the same as the corresponding standard specified in § 442.35.

Subpart D—Tanks Transporting Food Grade Cargos

§ 442.40 Applicability.

This subpart applies to discharges resulting from the cleaning of tank trucks, intermodal tank containers, rail tank cars, tank barges and ocean/sea tankers which have been used to transport food grade cargos. If wastewater generated from cleaning tanks used to transport food grade cargos is mixed with wastewater resulting from cleaning tanks used to transport chemical or petroleum cargos, then the combined wastewater is subject to the provisions established for the corresponding tanks (*i.e.*, truck, railcar or barge) in subparts A, B, or C of this part.

§ 442.41 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BPT:

TABLE—EFFLUENT LIMITATIONS

Regulated parameter	Maximum daily [1]	Maximum monthly avg. [1]
BOD_5	56	24
TSS	230	86
Oil and grease (HEM)	20	8.8
pH	([2])	([2])

[1] Mg/L (ppm).
[2] Within 6 to 9 at all times.

§ 442.42 Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD_5, TSS, oil & grease (HEM) and pH are the same as the corresponding limitation specified in § 442.41.

§ 442.43 Effluent limitations attainable by the application of best available technology economically achievable (BAT). [Reserved]

§ 442.44 New source performance standards (NSPS).

Any new point source subject to this subpart must achieve the following performance standards: Standards for BOD_5, TSS, oil and grease (HEM) and pH are the same as the corresponding limitation specified in § 442.41.

PART 443—EFFLUENT LIMITATIONS GUIDELINES FOR EXISTING SOURCES AND STANDARDS OF PERFORMANCE AND PRETREATMENT STANDARDS FOR NEW SOURCES FOR THE PAVING AND ROOFING MATERIALS (TARS AND ASPHALT) POINT SOURCE CATEGORY

Subpart A—Asphalt Emulsion Subcategory

Sec.

Subpart B—Asphalt Concrete Subcategory

Subpart C—Asphalt Roofing Subcategory

Subpart D—Linoleum and Printed Asphalt Felt Subcategory

AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c) and 307(c), Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c), 1317(c), 86 Stat. 816 *et seq.;* Pub. L. 92–500.

SOURCE: 40 FR 31191, July 24, 1975, unless otherwise noted.

Subpart A—Asphalt Emulsion Subcategory

§ 443.10 Applicability; description of the asphalt emulsion subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of asphalt paving and roofing emulsions.

§ 443.11 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in part 401 of this chapter shall apply to this subpart.

(b) The term ''production area size'' shall mean that area in which the oxidation towers, loading facilities, and all buildings that house product processes are located.

Appendix B – Local Limit Evaluation

Local Limits Evaluation

Local Limits Determination Based on NPDES Daily Effluent Limits **TABLE 1**

	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING		INDUSTRIAL		
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Removal Efficiency (%) (Rpotw)	NPDES Daily Limit (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N	0.030	2.91	95	1.2	--	2.88	582.4656	#VALUE!	#VALUE!	#VALUE!	20
Arsenic						0	-	0	-	-	
BOD	0.030	2.91	95	15	131	2.88	7280.82	3146.5152	2678.1408	10704	20
Cadmium						0	-	0	-	-	
Chromium						0	-	0	-	-	
Hex. Chrom.						0	-	0	-	-	
COD						0	-	0	-	-	
Copper						0	-	0	-	-	
Cyanide						0	-	0	-	-	
Lead						0	-	0	-	-	
Mercury						0	-	0	-	-	
Nickel						0	-	0	-	-	
Oil & Grease						0	-	0	-	-	
Phosphorus						0	-	0	-	-	
Silver						0	-	0	-	-	
TSS	0.030	2.91	92	45	120	2.88	13651.5375	2882.304	8038.926	32130	20
TTO						0	-	0	-	-	
Zinc						0	-	0	-	-	

(Qind) Permitted "daily average" industrial user flow in million gallons per day (MGD).
(Qpotw) POTW's average flow rate in million gallons per day (MGD).
(Rpotw) Removal efficiency across POTW as a percent (headworks to final effluent).
(Ccrit) NPDES "weekly average" permit limit for a particular pollutant in mg/l.
(Cdom) Domestic/commercial background concentration for a particular pollutant in mg/l.
(Qdom) Domestic/commercial background flow in MGD.
(Lhw) Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).
(Ldom) Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).
(Lind) Maximum allowable industrial loading to the POTW in pounds per day.
(Cind) Industrial allowable local limit for a given pollutant in mg/l.
(SF) Safety factor as a percent.
8.34 Unit conversion factor

$$Lhw = \frac{8.34 * Ccrit * Qpotw}{1 - Rpotw}$$

::

Local Limits Evaluation

TABLE 2

Local Limits Determination Based on NPDES Monthly Effluent Limits

	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING		INDUSTRIAL				
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Removal Efficiency (%) (Rpotw)	NPDES Monthly Limit (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)		
Ammonia-N	0.030	2.91	95	0.8	--	2.88	388.3104	#VALUE!	#VALUE!	#VALUE!	20		
Arsenic						0	-	0	-	-			
BOD	0.030	2.91	95	10	131	2.88	4853.88	3146.5152	736.5888	2944	20		
Cadmium						0	-	0	-	-			
Chromium						0	-	0	-	-			
Hex. Chrom.						0	-	0	-	-			
COD						0	-	0	-	-			
Copper						0	-	0	-	-			
Cyanide						0	-	0	-	-			
Lead						0	-	0	-	-			
Mercury						0	-	0	-	-			
Nickel						0	-	0	-	-			
Oil & Grease						0	-	0	-	-			
Phosphorus						0	-	0	-	-			
Silver						0	-	0	-	-			
TSS	0.030	2.91	92	30	120	2.88	9101.025	2882.304	4398.516	17580	20		
TTO						0	-	0	-	-			
Zinc						0	-	0	-	-			

(Qind) Permitted "daily average" industrial user flow in million gallons per day (MGD).

(Qpotw) POTW's average flow rate in million gallons per day (MGD).

(Rpotw) Removal efficiency across POTW as a percent (headworks to final effluent).

(Ccrit) NPDES "monthly average" permit limit for a particular pollutant in mg/l.

(Cdom) Domestic/commercial background concentration for a particular pollutant in mg/l.

(Qdom) Domestic/commercial background flow in MGD.

(Lhw) Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).

(Ldom) Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).

(Lind) Maximum allowable industrial loading to the POTW in pounds per day.

(Cind) Industrial allowable local limit for a given pollutant in mg/l.

(SF) Safety factor as a percent.

8.34 Unit conversion factor

Lhw = 8.34 * Ccrit * Qpotw / (1 - Rpotw)

::

Local Limits Evaluation

TABLE 3

Local Limits Determination Based on Activated Sludge Inhibition Level

	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING		INDUSTRIAL				
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Removal Efficiency (%) (Rprim)	Activated Sludge Inhibition Level (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)		
Ammonia-N	0.030	2.91	0	480		2.88	11649.312	0	10484.381	432	10		
Arsenic	0.030	2.91	0	0.1	0.007	2.88	2.42694	0.1681344	2.0161116	8.06	10		
BOD						0	-	0	-	-			
Cadmium	0.030	2.91	15	1	0.008	2.88	28.55223529	0.1921536	25.504858	102	10		
Chromium	0.030	2.91	27	1	0.034	2.88	33.24575342	0.8166528	29.104525	116	10		
Hex. Chrom.	0.030	2.91	27	1	0.034	2.88	33.24575342	0.8166528	29.104525	116	10		
COD						0	-	0	-	-			
Copper	0.030	2.91	22	1	0.14	2.88	31.11461538	3.362688	24.640466	98.5	10		
Cyanide	0.030	2.91	27	0.1	0.082	2.88	3.324575342	1.9695744	1.0225434	4.09	10		
Lead	0.030	2.91	57	1.0	0.058	2.88	56.44046512	1.3931136	49.403305	197	10		
Mercury	0.030	2.91	10	0.1	0.002	2.88	2.6966	0.0480384	2.3789016	9.51	10		
Nickel	0.030	2.91	14	1.0	0.047	2.88	28.22023256	1.1289024	24.269307	97.0	10		
Oil & Grease						0	-	0	-	-			
Phosphorus						0	-	0	-	-			
Silver						0	-	0	-	-			
TSS						0	-	0	-	-			
TTO						0	-	0	-	-			
Zinc	0.030	2.91	27	0.3	0.231	2.88	9.973726027	5.5484352	3.4279182	13.7	10		
Phenanthrene	0.030	2.91	0	500	0	2.88	12134.7	0	10921.23	43650	10		

(Qind) Permitted "daily average" industrial user flow in million gallons per day (MGD).

(Qpotw) POTW's average flow rate in million gallons per day (MGD).

(Rprim) POTW removal efficiency across primary treatment as a percent (headworks to primary treated effluent).

(Ccrit) Activated sludge threshold inhibition level in mg/l.

(Cdom) Domestic/commercial background concentration for a particular pollutant in mg/l.

(Qdom) Domestic/commercial background flow in MGD.

(Lhw) Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).

(Ldom) Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).

(Lind) Maximum allowable industrial loading to the POTW in pounds per day.

(Cind) Industrial allowable local limit for a given pollutant in mg/l.

(SF) Safety factor as a percent.

8.34 Unit conversion factor

Lhw = 8.34 * Ccrit * Qpotw

1 - Rprim

::

Local Limits Evaluation

						TABLE	**4**						
	Local Limits Determination Based on Nitrification Inhibition Level												
	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING		INDUSTRIAL				
	IU Pollut.	POTW	Removal	Nitrification	Domestic and	Commercial	Allowable	Domestic/	Allowable	Local	Safety		
Pollutant	Flow	Flow	Efficiency	Inhibition Level	Conc.	Flow	Headworks	Commercial	Loading	Limit	Factor		
	(MGD)	(MGD)	(%)	(mg/l)	(mg/l)	(MGD)	(lbs/day)	(lbs/day)	(lbs/day)	(mg/l)	(%)		
	(Qind)	(Qpotw)	(Rsec)	(Ccrit)	(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Cind)	(SF)		
Ammonia-N						0	-	0	-	-			
Arsenic	0.030	2.91	45	1.5	0.007	2.88	66.18927273	0.1681344	59.402211	237	10		
BOD						0	-	0	-	-			
Cadmium	0.030	2.91	67	5.2	0.008	2.88	382.4269091	0.1921536	343.99206	1375	10		
Chromium	0.030	2.91	82	0.25	0.034	2.88	33.7075	0.8166528	29.520097	118	10		
Hex. Chrom.	0.030	2.91	82	1	0.034	2.88	134.83	0.8166528	120.53035	482	10		
COD						0	-	0	-	-			
Copper	0.030	2.91	86	0.05	0.14	2.88	8.667642857	3.362688	4.4381906	17.7	10		
Cyanide	0.030	2.91	69	0.34	0.082	2.88	26.61805161	1.9695744	21.986672	87.9	10		
Lead	0.030	2.91	61	0.5	0.058	2.88	31.11461538	1.3931136	26.61004	106	10		
Mercury						0	-	0	-	-			
Nickel	0.030	2.91	42	0.25	0.047	2.88	10.46094828	1.1289024	8.285951	33.1	10		
Oil & Grease						0	-	0	-	-			
Phosphorus						0	-	0	-	-			
Silver						0	-	0	-	-			
TSS						0	-	0	-	-			
TTO						0	-	0	-	-			
Zinc	0.030	2.91	79	0.08	0.231	2.88	9.245485714	5.5484352	2.7725019	11.1	10		
(Qind)	Permitted "daily average" industrial user flow in million gallons per day (MGD).												
(Qpotw)	POTW's average flow rate in million gallons per day (MGD).												
(Rsec)	POTW removal efficiency across secondary treatment as a percent (headworks to secondary treated effluent).												
(Ccrit)	Nitrification threshold inhibition level in mg/l.												
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.												
(Qdom)	Domestic/commercial background flow in MGD.												
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).												
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).												
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.												
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.												
(SF)	Safety factor as a percent.												
8.34	Unit conversion factor												
Lhw =	8.34 * Ccrit * Qpotw												
	1 - Rsec												
::													

Local Limits Evaluation

							TABLE	**5**						
	Local Limits Determination Based on USEPA 503 Sludge Regulations (Conservative Pollutants) - N/A, Sludge is Landfilled													
	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE									MAXIMUM LOADING		INDUSTRIAL		
	IU Pollut.	POTW	Sludge	Percent	Removal	503 Sludge	Domestic and	Commercial	Allowable	Domestic/	Allowable	Local	Safety	
Pollutant	Flow	Flow	Flow	Solids	Efficiency	Criteria	Conc.	Flow	Headworks	Commercial	Loading	Limit	Factor	
	(MGD)	(MGD)	(MGD)	(%)	(%)	(mg/kg)	(mg/l)	(MGD)	(lbs/day)	(lbs/day)	(lbs/day)	(mg/l)	(%)	
	(Qind)	(Qpotw)	(Qsldg)	(PS)	(Rpotw)	(Cslcrit)	(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Cind)	(SF)	
Ammonia-N								0	-	0	-	-		
Arsenic								0	-	0	-	-		
BOD								0	-	0	-	-		
Cadmium								0	-	0	-	-		
Chromium								0	-	0	-	-		
Hex. Chrom.								0	-	0	-	-		
COD								0	-	0	-	-		
Copper								0	-	0	-	-		
Cyanide								0	-	0	-	-		
Lead								0	-	0	-	-		
Mercury								0	-	0	-	-		
Nickel								0	-	0	-	-		
Oil & Grease								0	-	0	-	-		
Phosphorus								0	-	0	-	-		
Silver								0	-	0	-	-		
TSS								0	-	0	-	-		
TTO								0	-	0	-	-		
Zinc								0	-	0	-	-		
(Qind)	Permitted "daily average" industrial user flow in million gallons per day (MGD).													
(Qpotw)	POTW's average flow rate in million gallons per day (MGD).													
(Qsldg)	Sludge flow to disposal in MGD.													
(PS)	Percent solids of sludge to disposal.													
(Rpotw)	Removal efficiency across POTW as a percent (headworks to final effluent).													
(Cslcrit)	503 sludge criteria in mg/kg dry sludge.													
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.													
(Qdom)	Domestic/commercial background flow in MGD.													
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).													
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).													
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.													
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.													
(SF)	Safety factor as a percent.													
8.34	Unit conversion factor													
Lhw =	8.34 * Cslcrit * (PS/100) * Qsldg													
	Rpotw													
::														

Local Limits Evaluation

						TABLE	6							
		Local Limits Determination Based on State Sludge Criteria (Conservative Pollutants) - N/A, Sludge is Landfilled												
	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE								MAXIMUM LOADING		INDUSTRIAL			
	IU Pollut.	POTW	Sludge	Percent	Removal	State Sludge	Domestic and	Commercial	Allowable	Domestic/	Allowable	Local	Safety	
Pollutant	Flow	Flow	Flow	Solids	Efficiency	Criteria	Conc.	Flow	Headworks	Commercial	Loading	Limit	Factor	
	(MGD)	(MGD)	(MGD)	(%)	(%)	(mg/kg)	(mg/l)	(MGD)	(lbs/day)	(lbs/day)	(lbs/day)	(mg/l)	(%)	
	(Qind)	(Qpotw)	(Qsldg)	(PS)	(Rpotw)	(Cslcrit)	(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Cind)	(SF)	
Ammonia-N								0	-	0	-	-		
Arsenic								0	-	0	-	-		
BOD								0	-	0	-	-		
Cadmium								0	-	0	-	-		
Chromium								0	-	0	-	-		
Hex. Chrom.								0	-	0	-	-		
COD								0	-	0	-	-		
Copper								0	-	0	-	-		
Cyanide								0	-	0	-	-		
Lead								0	-	0	-	-		
Mercury								0	-	0	-	-		
Nickel								0	-	0	-	-		
Oil & Grease								0	-	0	-	-		
Phosphorus								0	-	0	-	-		
Silver								0	-	0	-	-		
TSS								0	-	0	-	-		
TTO								0	-	0	-	-		
Zinc								0	-	0	-	-		
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.													
(Qpotw)	POTW's average flow rate in million gallons per day (MGD).													
(Qsldg)	Sludge flow to disposal in MGD.													
(PS)	Percent solids of sludge to disposal.													
(Rpotw)	Removal efficiency across POTW as a percent.													
(Cslcrit)	State sludge criteria in mg/kg dry sludge.													
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.													
(Qdom)	Domestic/commercial background flow in MGD.													
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).													
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).													
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.													
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.													
(SF)	Safety factor as a percent.													
8.34	Unit conversion factor													
Lhw =	8.34 * Cslcrit * (PS/100) * Qsldg													
	Rpotw													
::														

Local Limits Evaluation

TABLE 7

Local Limits Determination Based on Chronic Water Quality Standards

	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE								MAXIMUM LOADING		INDUSTRIAL		
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Upstream Flow (MGD) (Qstr)	Upstream Conc. (mg/l) (Cstr)	Removal Efficiency (%) (Rpotw)	Chronic WQS (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N								0	-	0	-	-	
Arsenic	0.030	2.91	0	0	45	0.28	0.007	2.88	12.355331	0.1681344	10.951663	43.8	10
BOD								0	-	0	-	-	
Cadmium*	0.030	2.91	0	0	67	0.0023	0.008	2.88	0.1654732	0.1921536	-0.0432277	-0.173	10
Chromium*	0.030	2.91	0	0	82	0.278	0.034	2.88	37.48274	0.8166528	32.917813	132	10
Hex. Chrom.	0.030	2.91	0	0	82	0.054	0.034	2.88	7.28082	0.8166528	5.7360852	22.9	10
COD								0	-	0	-	-	
Copper*	0.030	2.91	0	0	86	0.019	0.14	2.88	3.2937043	3.362688	-0.3983541	-1.59	10
Cyanide	0.030	2.91	0	0	69	0.0052	0.082	2.88	0.4070996	1.9695744	-1.6031847	-6.41	10
Lead*	0.030	2.91	0	0	61	0.0094	0.058	2.88	0.5849548	1.3931136	-0.8666543	-3.46	10
Mercury	0.030	2.91	0	0	60	0.000012	0.002	2.88	0.0007281	0.0480384	-0.0473831	-0.189	10
Nickel*	0.030	2.91	0	0	42	0.088	0.047	2.88	3.6822538	1.1289024	2.185126	8.73	10
Oil & Grease								0	-	0	-	-	
Phosphorus								0	-	0	-	-	
Silver								0	-	0	-	-	
TSS								0	-	0	-	-	
TTO								0	-	0	-	-	
Zinc*	0.030	2.91	0	0	79	0.302	0.231	2.88	34.901709	5.5484352	25.863103	103	10
Selenium	0.030	2.91	0	0	50	0.005	0	2.88	0.242694	0	0.2184246	0.873	10
Human Health WQS													
Fluoranthene	0.030	2.91	4.52	0	0	0.140	0.001	2.88	8.675268	0.0240192	7.783722	31.1	10

(Qind) Permitted "daily average" industrial user flow in million gallons per day (MGD).

(Qpotw) POTW's average flow rate in million gallons per day (MGD).

(Qstr) Receiving stream (upstream) **7Q10 flow** in MGD.

(Cstr) Receiving stream background level in mg/l.

(Rpotw) Removal efficiency across POTW as a percent (headworks to final effluent).

(Ccrit) State chronic water quality standard for a particular pollutant in mg/l (**expressed in total recoverable form**).

(Cdom) Domestic/commercial background concentration for a particular pollutant in mg/l.

(Qdom) Domestic/commercial background flow in MGD.

(Lhw) Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).

(Ldom) Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).

(Lind) Maximum allowable industrial loading to the POTW in pounds per day.

(Cind) Industrial allowable local limit for a given pollutant in mg/l.

(SF) Safety factor as a percent.

8.34 Unit conversion factor

$$Lhw = \frac{8.34 * (Ccrit * (Qstr + Qpotw) - (Cstr * Qstr))}{1 - Rpotw}$$

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Local Limits Evaluation

TABLE 8

Local Limits Determination Based on Acute Water Quality Standards

	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE								MAXIMUM LOADING		INDUSTRIAL		
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Upstream Flow (MGD) (Qstr)	Upstream Conc. (mg/l) (Cstr)	Removal Efficiency (%) (Rpotw)	Acute WQS (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N								0	-	0	-	-	
Arsenic	0.030	2.91	0	0	45	0.634	0.007	2.88	27.975999	0.1681344	25.010265	100	10
BOD								0	-	0	-	-	
Cadmium*	0.030	2.91	0	0	67	0.0053	0.008	2.88	0.3897813	0.1921536	0.1586495	0.634	10
Chromium*	0.030	2.91	0	0	82	2.137	0.034	2.88	288.13171	0.8166528	258.50189	1033	10
Hex. Chrom.	0.030	2.91	0	0	82	0.079	0.034	2.88	10.65157	0.8166528	8.7697602	35.1	10
COD								0	-	0	-	-	
Copper*	0.030	2.91	0	0	86	0.0278	0.14	2.88	4.8192094	3.362688	0.9746005	3.90	10
Cyanide								0	-	0	-	-	
Lead*	0.030	2.91	0	0	61	0.240	0.058	2.88	14.935015	1.3931136	12.0484	48.2	10
Mercury	0.030	2.91	0	0	60	0.0014	0.002	2.88	0.0849429	0.0480384	0.0284102	0.114	10
Nickel*	0.030	2.91	0	0	42	0.795	0.047	2.88	33.265816	1.1289024	28.810332	115	10
Oil & Grease								0	-	0	-	-	
Phosphorus								0	-	0	-	-	
Silver								0	-	0	-	-	
TSS								0	-	0	-	-	
TTO								0	-	0	-	-	
Zinc	0.030	2.91	0	0	79	0.300	0.231	2.88	34.670571	5.5484352	25.655079	103	10

(Qind) Permitted "daily average" industrial user flow in million gallons per day (MGD).

(Qpotw) POTW's average flow rate in million gallons per day (MGD).

(Qstr) Receiving stream (upstream) **1Q10** flow in MGD.

(Cstr) Receiving stream background level in mg/l.

(Rpotw) Removal efficiency across POTW as a percent (headworks to final effluent).

(Ccrit) State acute water quality standard for a particular pollutant in mg/l (**expressed in total recoverable form**).

(Cdom) Domestic/commercial background concentration for a particular pollutant in mg/l.

(Qdom) Domestic/commercial background flow in MGD.

(Lhw) Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).

(Ldom) Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).

(Lind) Maximum allowable industrial loading to the POTW in pounds per day.

(Cind) Industrial allowable local limit for a given pollutant in mg/l.

(SF) Safety factor as a percent.

8.34 Unit conversion factor

$$Lhw = \frac{8.34 * (Ccrit * (Qstr + Qpotw) - (Cstr * Qstr))}{1 - Rpotw}$$

::

Local Limits Evaluation

TABLE 9

Local Limits Determination Based on Anaerobic Digester Inhibition Level - N/A, an anaerobic digester is not utilized by the POTW

	ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING		INDUSTRIAL		
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Sludge Flow to Digester (MGD) (Qdig)	Removal Efficiency (%) (Rpotw)	Anaerobic Digester Inhibition Level (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercia (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N							0	-	0	-	-	
Arsenic							0	-	0	-	-	
BOD							0	-	0	-	-	
Cadmium							0	-	0	-	-	
Chromium							0	-	0	-	-	
Hex. Chrom.							0	-	0	-	-	
COD							0	-	0	-	-	
Copper							0	-	0	-	-	
Cyanide							0	-	0	-	-	
Lead							0	-	0	-	-	
Mercury							0	-	0	-	-	
Nickel							0	-	0	-	-	
Oil & Grease							0	-	0	-	-	
Phosphorus							0	-	0	-	-	
Silver							0	-	0	-	-	
TSS							0	-	0	-	-	
TTO							0	-	0	-	-	
Zinc							0	-	0	-	-	

(Qind) Permitted "daily average" industrial user flow in million gallons per day (MGD).

(Qpotw) POTW's average flow rate in million gallons per day (MGD).

(Qdig) Sludge flow to digester in MGD.

(Rpotw) Removal efficiency across POTW as a percent (headworks to final effluent).

(Ccrit) Anaerobic digester threshold inhibition level in mg/l.

(Cdom) Domestic/commercial background concentration for a particular pollutant in mg/l.

(Qdom) Domestic/commercial background flow in MGD.

(Lhw) Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).

(Ldom) Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).

(Lind) Maximum allowable industrial loading to the POTW in pounds per day.

(Cind) Industrial allowable local limit for a given pollutant in mg/l.

(SF) Safety factor as a percent.

8.34 Unit conversion factor

$$Lhw = \frac{8.34 * Ccrit * Qdig}{Rpotw}$$

Local Limits Evaluation

TABLE 10

Local Limits Determination Based on Most Stringent Criteria or Domestic Levels

MONTHLY AVERAGE INDUSTRIAL EFFLUENT LIMITS - USING TOTAL INDUSTRIAL FLOW

Pollutant	Local Limit (mg/l)	Basis in Derivation of Limit	Local Limit Loading (lbs/day)	Sewer Use Ordinance (mg/l)
Ammonia-N	#VALUE!	#VALUE!	#VALUE!	
Arsenic	8.06	I	2.02	0.05
BOD	2944	P	737	300
Cadmium	0.008	D	0.002	0.02
Chromium	116	I	29.1	10.0
Hex. Chrom.	22.9	W	5.74	1.0
COD	--	--	--	
Copper	0.14	D	0.035	1.00
Cyanide	0.082	D	0.021	0.20
Lead	0.058	D	0.015	1.0
Mercury	0.002	D	0.0005	0.01
Nickel	8.73	W	2.19	0.10
Oil & Grease	--	--	--	100
Phosphorus	--	--	--	
Silver	--	--	--	0.20
TSS	17580	P	4399	300
TTO	--	--	--	
Zinc	11.1	I	2.77	3.00
Selenium	0.873	W	0.218	
Fluoranthene	31.1	W	7.78	
Phenanthrene	43650	I	10921	

D	Local Limit based on domestic or default values.
I	Local Limit based on activated sludge, nitrification or digester inhibition levels.
P	Local Limit based on NPDES Permit effluent limits.
S	Local Limit based on sludge regulations or criteria.
W	Local Limit based on chronic or acute water quality standards.
C	Local Limit based on Categorical Standard

EPA Guidance http://water.epa.gov/polwaste/npdes/pretreatment/Pretreatment-Standards-Limits.cfm#local

Metals Conversion Calculator

Permit Name: VLS Rail (Fitzgerald)

Pretreatment Permit No.: GAP050369

Stream Data:

Receiving stream Hardness:	**72**	mg/L
Upstream TSS:	**10**	mg/L
7Q10:	**0**	ft^3/s
	0	gal/day
1Q10:	**0**	ft^3/s
	0	gal/day

POTW Effluent Data:

Flow	**2,910,000**	gal/day
TSS	**9**	mg/L

Instream TSS: 9 mg/L

Acute Water Quality Criteria (WQC_{Acute})

Metal	K_{PO}	α	f_D	Total Recoverable WQC_{Acute} (µg/L)	Dissolved WQC_{Acute} (µg/L)
Arsenic	4.80.E+05	-0.729	0.536	634	340
Cadmium	4.00.E+06	-1.131	0.249	5.3	1.32
Chromium III	3.36.E+06	-0.930	0.204	2137	435
Chromium VI	3.36.E+06	-0.930	0.204	79	16
Copper	1.04.E+06	-0.744	0.355	27.8	9.9
Lead	2.80.E+06	-0.800	0.188	240	45.1
Mercury	NA	NA	NA	1.4	1.4
Nickel	4.90.E+05	-0.572	0.446	795	355
Zinc	1.25.E+06	-0.704	0.296	300	89

$$f_D = \frac{1}{1 + K_{PO} \times TSS_{Instream}(mg/L)^{(1+\alpha)} \times 10^{-6}}$$

Chronic Water Quality Criteria ($WQC_{Chronic}$)

Metal	K_{PO}	α	f_D	Total Recoverable $WQC_{Chronic}$ (µg/L)	Dissolved $WQC_{Chronic}$ (µg/L)
Arsenic	4.80.E+05	-0.729	0.536	280	150
Cadmium	4.00.E+06	-1.131	0.249	2.25	0.56
Chromium III	3.36.E+06	-0.930	0.204	278	57
Chromium VI	3.36.E+06	-0.930	0.204	54	11
Copper	1.04.E+06	-0.744	0.355	19.0	6.8
Lead	2.80.E+06	-0.800	0.188	9.4	1.76
Mercury	NA	NA	NA	0.012	0.012
Nickel	4.90.E+05	-0.572	0.446	88	39.4
Zinc	1.25.E+06	-0.704	0.296	302	89
Selenium	NA	NA	NA	5.0	5.0

$$f_D = \frac{1}{1 + K_{PO} \times TSS_{Instream}(mg/L)^{(1+\alpha)} \times 10^{-6}}$$

NOTES:

*Water Quality Criteria (WQC) from State of Georgia Rules and Regulations 391-3-6-.03.

Local Limits Calculations - Supporting Data

Permit Name:	**VLS Rail (Fitzgerald)**
Permit No.:	**GAP050369**

Table No. 1 - C.A. Newcomer Jr. WWTP Removal Efficiency

TSS		BOD5	
Date	**Removal Efficiency (%)**	**Date**	**Removal Efficiency (%)**
Aug-22	93	Aug-22	97
Sep-22	96	Sep-22	95
Oct-22	95	Oct-22	97
Nov-22	97	Nov-22	97
Dec-22	96	Dec-22	97
Jan-23	89	Jan-23	96
Feb-23	95	Feb-23	95
Mar-23	93	Mar-23	94
Apr-23	94	Apr-23	96
May-23	93	May-23	96
Jun-23	87	Jun-23	96
Jul-23	96	Jul-23	95
Aug-23	98	Aug-23	94
Sep-23	88	Sep-23	93
Oct-23	93	Oct-23	96
Nov-23	95	Nov-23	96
Dec-23	86	Dec-23	92
Jan-24	85	Jan-24	94
Feb-24	91	Feb-24	95
Mar-24	90	Mar-24	93
Apr-24	93	Apr-24	95
May-24	92	May-24	94
Jun-24	87	Jun-24	88
Jul-24	91	Jul-24	91
Average	**92**	**Average**	**95**

Table No. 2 - C.A. Newcomer Jr. WWTP Influent Loading

TSS		BOD5	
Date	**Influent (mg/L)**	**Date**	**Influent (mg/L)**
Aug-22	111	Aug-22	177
Sep-22	103	Sep-22	158
Oct-22	116	Oct-22	238
Nov-22	135	Nov-22	238
Dec-22	111	Dec-22	170
Jan-23	84	Jan-23	155
Feb-23	114	Feb-23	110
Mar-23	82	Mar-23	102
Apr-23	90	Apr-23	121
May-23	114	May-23	134
Jun-23	97	Jun-23	119
Jul-23	121	Jul-23	91
Aug-23	237	Aug-23	100
Sep-23	79	Sep-23	97
Oct-23	81	Oct-23	99
Nov-23	132	Nov-23	135
Dec-23	99	Dec-23	107
Jan-24	88	Jan-24	87
Feb-24	138	Feb-24	124
Mar-24	139	Mar-24	110
Apr-24	179	Apr-24	143
May-24	124	May-24	114
Jun-24	104	Jun-24	112
Jul-24	190	Jul-24	113
Average	**120**	**Average**	**131**

Table No. 3 - C.A. Newcomer Jr. WWTP Flow

Flow	
Date	**Monthly Average (MGD)**
Aug-22	1.84
Sep-22	1.96
Oct-22	1.38
Nov-22	1.44
Dec-22	1.92
Jan-23	3.29
Feb-23	4.84
Mar-23	3.08
Apr-23	2.82
May-23	1.99
Jun-23	2.78
Jul-23	2.73
Aug-23	2.53
Sep-23	2.53
Oct-23	2.10
Nov-23	1.58
Dec-23	2.28
Jan-24	3.41
Feb-24	3.68
Mar-24	5.02
Apr-24	4.74
May-24	5.06
Jun-24	2.57
Jul-24	4.27
Average	**2.91**

Table No. 4 - C.A. Newcomer Jr. WWTP Effluent Loading

TSS	
Date	**Effluent (mg/L)**
Aug-22	7.9
Sep-22	4.5
Oct-22	6.2
Nov-22	4.5
Dec-22	4.4
Jan-23	9.3
Feb-23	5.6
Mar-23	6.1
Apr-23	5.0
May-23	7.5
Jun-23	12.5
Jul-23	4.3
Aug-23	5.9
Sep-23	9.6
Oct-23	6.0
Nov-23	7.1
Dec-23	14.3
Jan-24	12.9
Feb-24	11.9
Mar-24	14.1
Apr-24	11.9
May-24	9.5
Jun-24	13.2
Jul-24	16.4
Average	**8.8**

Appendix C – Sewer Use Ordinance

FITZGERALD UTILITIES

P.O. Box 667 • Fitzgerald, GA 31750 • 229-426-5400 • Fax 229-426-5443

September 17, 2024

RD Baluyot, CHMM
VLS Rail- Fitzgerald
188 Rip Wiley Road
Fitzgerald, GA 31750

RE: Discharge Limitations for VLS Rail

Mr. Baluyot:

The following are the limitations on the railcar washout water that the Fitzgerald Water, Light & Bond Commission requires before you can discharge into our sewerage system:

BOD equal to or less than 230mg/L

COD equal to or less than 1,000 mg/L

TSS equal to or less than 300 mg/L

O & G equal to or less than 50 mg/L

Ammonia equal to or less than 50Mg/L

pH equal to or greater than 5.5 and equal to or less than 9.0

Sincerely,

Jeff Lewis
General Manager/CEO

ORDINANCE NO. 959

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FITZGERALD BY ADDING A NEW CHAPTER 31 ENTITLED "SEWAGE"; AND TO DEFINE TERMS; AND TO REQUIRE USE OF PUBLIC SEWERS; AND TO PROVIDE FOR PRIVATE SEWAGE DISPOSAL; AND TO REGULATE BUILDING OF SEWERS AND CONNECTIONS AND USE OF THE PUBLIC SEWERS; AND TO PROVIDE FOR PROTECTION FROM DAMAGE, POWER AND AUTHORITY OF INSPECTORS, PENALTIES, REPEAL OF CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES.

CHAPTER 31 - SEWERS

Article 1

Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 31-1-01. "Sewerage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Section 31-1-02. "Superintendent" shall mean the superintendent of Fitzgerald Water, Light and Bond Commission, or his authorized deputy, agent or representative, as designated by the Fitzgerald Water, Light and Bond Commission.

Section 31-1-03. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground surface and storm waters as may be present.

Section 31-1-04. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 31-1-05. "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 31-1-06. "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Section 31-1-07. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Section 31-1-08. "Sewage Treatment Plant" shall mean any arrangement of

devices and structures or lagoons used for treating sewage presently owned or afterward acquired by the City of Fitzgerald.

Section 31-1-09. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage,

Section 31-1-10. "Garbage" shall mean solid wastes from the preparation, cooking and disposing of food, and from the handling, storage and sale of produce.

Section 31-1-11. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

Section 31-1-12. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

Section 31-1-13. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 31-1-14. "B.O.D" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees C., expressed in milligrams per liter.

Section 31-1-15. "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration in moles per liter.

Section 31-1-16. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

Section 31-1-17. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Section 31-1-18. "Watercourse" shall mean a channel in which a flow of

water occurs, either continuously or intermittently.

Section 31-1-19. "Person" shall mean any individual, firm, company, association, society, corporation or group.

Section 31-1-20. "Shall" is mandatory; "May" is permissive.

Article 2

Use of Public Sewers Required

Section 31-2-01. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City of Fitzgerald or in any area under the jurisdiction of said Town, any human or animal excrement, garbage or other objectionable waste.

Section 31-2-02. It shall be unlawful to discharge to any natural outlet within the City of Fitzgerald, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

Section 31-2-03. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 31-2-04. The owner of all houses, buildings, or properties used for human occupancy, employment recreation or other purposes within the corporate limits of the said City of Fitzgerald and located within two hundred (200) feet of a line of public sanitary sewer now in existence or after constructed to which such house, building or property may be connected so that sewage will flow therefrom and into such sewer line by gravity, is hereby required at his own expense to install suitable toilet facilities therein and to connect such facilities directly with said line of public sanitary sewer in accordance with the provisions of this Ordinance within sixty (60) days after date of official notice so to do. However, if, in the sole and absolute discretion of the ~~XXXXXXXX~~ Fitzgerald Water, Light and Bond Commission, the City does not require connection by an owner and does not so notify an owner requiring said connection, nevertheless, such owner shall pay to the City the minimum sewer charge as determined by the City of Fitzgerald.

ARTICLE 3

Private Sewage Disposal

Section 31-3-01. Where a public sanitary sewer is not available under the provisions of Section 31-2-04, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Section 31-3-02. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the Fitzgerald Water, Light and Bond Commission, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and the inspection fee as determined by the Fitzgerald Water, Light and Bond Commission shall be paid to the Fitzgerald Water, Light and Bond Commission at the time the application is filed.

Section 31-3-03. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event the applicant for the permit shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Superintendent.

Section 31-3-04. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Georgia. No permit shall be issued for any private sewage disposal system employing sub-surface soil absorption facilities where the area of the lot is less than fifteen thousand (15,000) square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

Section 31-3-05. At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Section 31-2-04, a direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools and similar private sewage

disposal facilities shall be abandoned and filled with suitable material. However, from the date a public sewer becomes available to the property, the property owners shall pay to the Fitzgerald Water, Light and Bond Commission the minimum sewer charge as determined by the Fitzgerald Water, Light and Bond Commission.

Section 31-3-06. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City or the Fitzgerald Water, Light and Bond Commission.

Section 31-3-07. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

ARTICLE 4

Building Sewers and Connections

Section 31-4-01. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Superintendent.

Section 31-4-02. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Fitzgerald Water, Light and Bond Commission. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee in an amount determined by the Fitzgerald Water, Light and Bond Commission for a residential or commercial building sewer permit and a permit and inspection fee in an amount determined by the City for an industrial building sewer permit shall be paid to the City at the time the application is filed.

Section 31-4-03. All cost and expense incident to the connection of the building sewer from the owner's building to the City property line shall be borne by the owner. The owner shall indemnify the City and the Fitzgerald Water, Light and Bond Commission from any loss or damage that may be directly or indirectly occasioned by the connection of the building sewer. Any connect-

ion from the City property line into the public sewer shall be made by the Fitzgerald Water, Light and Bond Commission, for which the owner shall pay the Fitzgerald Water, Light and Bond Commission a standard sewer tap fee in an amount determined by the Fitzgerald Water, Light and Bond Commission for residential taps, and in an amount determined by the Fitzgerald Water, Light and Bond Commission for commercial taps.

Section 31-4-04. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 31-4-05. Old building sewers may be used in connection with new buildings when they are found, on examination and test by the Superintendent, to meet all requirements of this Ordinance.

Section 31-4-06. The building sewer shall be cast iron pipe, ASTM Specifications A74; vitrified clay sewer pipe, ASTM Specifications C13; or concrete sewer pipe, ASTM Specification C14. Joints shall be tight and waterproof. Any part of the building sewer that is located within ten(10) feet of a water service shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipe with leaded joints may be required by the Superintendent where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Superintendent.

Section 31-4-07. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four (4) inches. The slope of such 4-inch pipe shall not be less than one-eighth (1/8) inch per foot.

Section 31-4-08. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might

thereby be weakened. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings.

Section 31-4-09. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

Section 31-4-10. All excavations required for the installation of a build ing sewer shall be open trench work unless otherwise approved by the Superinten dent. Pipe laying and back fill shall be performed in accordance with ASTM Specification C12; except that no back fill shall be placed until the work has been inspected.

Section 31-4-11. All joints and connections shall be made gastight and watertight.

Cast iron pipe joints shall be firmly placed with oakum or hemp and filled with molten lead, Federal Specification QQL-156, not less than one (1) inch deep. Lead shall be run in one pouring and calked tight. No paint, varnish or other coatings shall be permitted on the joint material until after the join has been tested and approved. Rubber joint cast iron pipe may be used as an alternate.

All joints in vitrified clay or concrete pipe or between such pipe and metals shall be made with approved hot-pouring jointing material, as specified below or by using rubber gaskets or preformed, factory-applied couplings having resilient properties in accordance with ASTM Specification C443-59T for concret pipe and ASTM Specification C425-64 for vitrified clay pipe, or the latest revisions thereof.

Material for hot-poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of one hundred sixty (160^{o}) degrees Fahrenheit, not be soluble in any of the wastes carried by the drainage system. The joint shall first be calked tight with jute, hemp, or similar approved material.

Other jointing materials and methods may be used only by approval of the Superintendent.

Section 31-4-12. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the City shall install a "Y" branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than twelve (12) inches in diameter, and no properly located "Y" is available, a neat hole may be cut into the public sewer to receive the building sewer, which entry in the downstream direction at an angle of about forty-five (45) degrees. A forty-five (45) degree ell may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent.

Section 31-4-13. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer.

Section 31-4-14. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Fitzgerald Water, Light and Bond Commission.

Renum 31-4-15

ARTICLE 5

Use of the Public Sewer

Section 31-5-01. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 31-5-02. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the City Engineer. Industrial cooling water or unpolluted process waters may be discharged upon approval of the City Engineer

to a storm sewer or natural outlet.

Section 31-5-03. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than 150 degrees F.

(b) Any water or waste which may contain more than 100 milligrams per liter of fat, oil or greases.

(c) Any gasoline, benzene, naptha, fuel oil or other flammable or explosiv liquid, solid or gas.

(d) Any garbage that has not been properly shredded.

(e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar plastics, wood paunch, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewerage works.

(g) Any waters orwastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(j) Any water or wastes containing a toxic or poisonous substance such as plating or heat treating wastes in sufficient quantity to injure or interfere with any sewage treatment or to create any hazard in the receiving waters of th sewage treatment plant.

(k) Any heavy metals as follows:

Cyanide greater than 1.0 part per million, as CN.

Hexavalent chromium greater than 1.0 part per million

Travalent chromium greater than 10 parts per million

Copper greater than 1.0 part per million

Nickel greater than 1.0 part per million

Cadmium greater than 1.0 part per million

Zinc greater than 1.0 part per million

Phenols greater than 12 parts per million

Iron greater than 5 parts per million

Tin greater than 1.0 part per million

Radioactive wastes greater than allowable release as specified by current United States Bureau of Standards.

(1) (m)(n)(o)

Section 31-5-04. Grease, oil and sand interceptors shall be provided wher in the opinion of the Superintendent, they are necessary for the proper handlir of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

Section 31-5-05. When installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Section 31-5-06. The admission into the public sewers of any water or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 230 milligrams per liter, or (b) containing more than 300 milligrams per liter of suspended solids, or (c) containing any quantity of substance having the characteristics described in Section 31-5-03, or (d) having an average daily flow greater than 2% of the average daily sewage flow of the City, shall be subject to the review and approval of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide at his expense, such preliminary treat-

ment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 230 milligrams per liter and the suspended solids to 300 milligrams per liter, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 31-5-03, or (c) control the quantities and rates of discharge of such water or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approval is obtained in writing.

(add new 4)

Section 31-5-07. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

Section 31-5-08. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and the owner at his expense shall maintain the same so as to be safe and accessible at all times.

Section 31-5-09. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in Sections 31-5-03 and and 31-5-06 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", shall be determined at the control manhole provided in Section 31-5-08, or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

Section 31-5-10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Fitzgerald Water, Light and Bond Commission and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Fitzgerald Water, Light and Bond Commission for treatment, subject to payment therefor by the

industrial concern.

ARTICLE 6

Protection from Damage

Section 31-6-01. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the municipal sewerage work. Any person violating this provision shall be subject to immediate arrest and punishment as set forth in the City of Fitzgerald Code for the violation of City Ordinances.

ARTICLE 7

Power and Authority of Inspectors

Section 31-7-01. The Superintendent and other fuly authorized employees of the Fitzgerald Water, Light and Bond Commission bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Ordinance.

ARTICLE 8

Penalties

Section 31-8-01. Any person found to be violating any provision of this Ordinance, except Section 31-6-01, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 31-8-02. Any person who shall violate the provisions of Section 31-6-01 of this Ordinance or who shall continue any violation hereof beyond the time limit provided for in Section 31-2-04 hereof or who shall continue any other violation hereof beyond the time limit provided for in Section 31-8-01 hereof, shall be guilty of a violation of this Ordinance, and upon conviction thereof, shall be punished as prescribed by the Fitzgerald Code for the violation of City Ordinances. Each day in which such a violation shall continue shall constitute a separate offense and violation.

ARTICLE 9

Validity

Section 31-9-01. All ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 31-9-02. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part of parts.

First reading: 10/14/74

Second reading: 10/21/74

Passed by the following vote:

"Yes" 7

"No" 0

Approved: 10/21/74

MAYOR

ATTEST:

CLERK

ORDINANCE NO. 973

AN ORDINANCE AMENDING ORDINANCE NO. 959 OF THE CODE OF ORDINANCES OF THE CITY OF FITZGERALD BY ADDING A NEW SECTION TO CHAPTER 31, SAID NEW SECTION TO REQUIRE ANY INDUSTRY OR ESTABLISHMENT PRODUCING INDUSTRIAL WASTE TO COMPLY WITH THE REGULATIONS OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TREATMENT REGULATIONS; AND TO AMEND AND TO ADD ADDITIONAL PARAGRAPHS TO ARTICLE 5 ENTITLED "USE OF PUBLIC SEWER" SO AS TO PROHIBIT DISCHARGE OF CERTAIN DESCRIBED WATERS AND WASTES TO ANY PUBLIC SEWER; AND TO REQUIRE THAT SEWER SERVICE PROVIDED TO ADJACENT UNINCORPORATED AREAS SHALL MEET THE MINIMUM STANDARDS ESTABLISHED BY THIS ORDINANCE; AND TO ADD TO SAID ORDINANCE PROVISIONS ADDING TO AND LIMITING THE AUTHORITY OF THE SUPERINTENDENT OF THE FITZGERALD WATER, LIGHT AND BOND COMMISSION AND HIS REPRESENTATIVES; AND TO PROVIDE FOR A FINE FOR VIOLATIONS OF THIS ORDINANCE, AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Council of the City of Fitzgerald, Georgia, that Ordinance Number 959 of the Code of Ordinances of the City of Fitzgerald, and that Chapter 31 of the Code of Ordinances of the City of Fitzgerald are hereby amended as follows:

1.

A new section 31-4-15 is hereby added to Article 1 of Chapter 31 as follows: Section 31-4-15 Any industry or establishment producing industrial wastes shall comply with the United States Environmental Protection Agency Pretreatment Regulations (40 CFR Part 128) prior to connection with the system.

Effluent limitations promulgated by the Federal Act shall apply in any instance where they are more stringent than those in this ordinance. Under Section 307 (b) of the Act, federal pretreatment standards are designed to achieve two purposes: (1) to protect the operation of publicly owned treatment works, and (2) to prevent the discharge of pollutants which pass through such works inadequately treated. Users in industrial categories subject to effluent guidelines issued under Section 304 (b) of the Act, which are discharging incompatible pollutants to publicly owned treatment works, are required to adopt

best practicable control technology currently available, as defined by the Administrator pursuant to Section 304 (b) of the Act.

Where the City treatment works was designed to and does achieve substantial removal of pollutants, suspended solids, pH, and fecal coliform bacteria, it is not appropriate to require the industrial user to achieve best practical control technology currently available, since this would lead to an uneconomical duplication of treatment facilities. While the term "substantial removal" is not subject to precise definition, it generally contemplates removals in the order of 80 percent or greater. Minor incidental removals in the order of 10 to 30 percent are not considered "substantial". For some industrial categories it may be necessary to define pretreatment guidelines for problems that may arise as a result of the discharge into publicly owned treatment works. However, any adjustments required for particular industrial categories should be considered in connection with the City's requirements rather than in the national pretreatment standard. Limitations on wastewater strength may be supplemented with more stringent limitations if the City determines that the limitations set in this ordinance may not be sufficient to protect the operation of the City's treatment works, or if the City determines that the limitations in this ordinance may not be sufficient to enable the city's treatment works to comply with water quality standards or effluent limitations specified in the City's National Pollutant Discharge Elimination System (NPDES) permit.

2.

Section 31-5-03 is hereby amended by adding the following:

(l) Wastewater containing greater than 25 mg/l of petroleum oil, non-biodegradable cutting oil or products of mineral origin.

(m) Water or waste resulting in an unacceptable condition by interaction with water or waste in the public sewer system.

(n) Discharge of sanitary wastewater to the storm sewer system is prohibited.

(o) Discharge of ground paper products to the sewer system is prohibited.

3.

Section 31-4-03 (k) is hereby stricken and the following substituted in

lieu thereof:

(k) No person shall discharge wastewater containing in excess of:

0.05 mg/l arsenic	0.01 mg/l mercury
0.02 mg/l cadmium	1.0 mg/l lead
1.00 mg/l copper	5.0 mg/l tin
0.20 mg/l cyanide	0.05 mg/l phenol
0.10 mg/l nickel	0.02 mg/l chlorinated hydrocarbons
0.20 mg/l silver	
3.00 mg/l zinc	1.0 mg/l hexavalent chromium
5.0 mg/l iron	10.0 mg/l travalent chromium

Radioactive wastes greater than allowable release as specified by current U.S. Bureau of Standards.

4.

Section 31-5-06 is hereby amended by adding the following:

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers which contain the substances or possess the characteristics enumerated in Section 31-5-03 of this Ordinance, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

(a) reject the waste

(b) require pretreatment to an acceptable condition for discharge to the public sewers.

(c) require control over the quantities and rates of discharge, and/or

(d) require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

5.

Section 31-2-01 is hereby amended by adding the following:

Sewer service provided to adjacent unincorporated areas shall meet the minimum standards established by this ordinance and wastes discharged into the City's sewer system from these areas shall be subject to all the provisions of Section 31-5-06 of this Ordinance.

6.

Section 31-7-01 is hereby amended by adding the following:

The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond the point having a direct bearing

GEORGIA, BEN HILL COUNTY,

CITY OF FITZGERALD.

The undersigned does hereby certify that he is the duly elected, authorized, and acting Clerk of the Mayor and Council of the City of Fitzgerald and that the within and foregoing Ordinance No. 973 was duly and legally adopted by the Mayor and Council of the City of Fitzgerald at meetings duly and legally held and that said ordinance is now in full force and effect.

This 15th day of September, 1975.

Alvie L. Dorminy

ALVIE DORMINY, CITY CLERK

ORDINANCE NO. 14-1450

AN ORDINANCE TO AMEND CHAPTER 23, "UTILITIES" OF THE CODE OF ORDINANCES OF THE CITY OF FITZGERALD, GEORGIA; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT ORDINANCES AND PARTS OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, it is necessary to update and amend Chapter 23 "Utilities" of the Code of Ordinances of the City of Fitzgerald, Georgia; and

WHEREAS, the Mayor and Council of the City of Fitzgerald, Georgia find it necessary and proper to amend said Chapter 23 "Utilities";

NOW, THEREFORE, it is hereby ordained by Mayor and Council of the City of Fitzgerald, Georgia, as follows:

SECTION 1: That Section 23-20, "Use of Public Sewer", Article II, "Sewage", of Chapter 23, "Utilities", of the Code of Ordinances of the City of Fitzgerald, Georgia is hereby amended by the addition of a new subparagraph (g)(1) and a new subparagraph (h)(1) which shall read as follows:

Sec. 23-20. Use of Public Sewer

(g) The review and approval of the superintendent shall govern the admission into the public sewers of any waters or wastes:

(1) Having a five-day biochemical oxygen demand greater than three hundred (300) milligrams per liter;

This is to certify that this is a copy of an original document on file with the City of Fitzgerald City Clerk.

Cristina Evans April 16, 2014

Cristina Evans

Sec. 23-20. **Use of Public Sewer**

(h) Where necessary in the opinion of the superintendent, the owner shall provide at his expense, such preliminary treatment as may be necessary to:

(1) Reduce the biochemical oxygen demand to three hundred (300) milligrams per liter and the suspended solids to three hundred (300) milligrams per liter;

SECTION 2: This Ordinance shall become effective immediately upon its final approval.

SECTION 3: In the event that any provision or portion of this ordinance shall be deemed unconstitutional or invalid, the remaining portion shall remain in full force and effect.

SECTION 4. Any portion of any ordinance in conflict with this ordinance is hereby repealed.

DATE OF FIRST READING: March 10, 2014

DATE OF SECOND READING: April 14, 2014

PASSED BY THE FOLLOWING VOTE:

"YES" 8

"NO" 0

"ABSTAIN" 0

APPROVED: _____
MAYOR

ATTEST: _____
CITY CLERK