

**Georgia Department of Natural Resources**

**Environmental Protection Division**

2 Martin Luther King Jr. Drive, Suite 1456, Atlanta, Georgia 30334

Judson H. Turner, Director

(404) 656-4713

October 21, 2015

Mr. Don Powers, City Administrator  
City of Thomson  
P.O. Box 1017  
Thomson, Georgia 30824

RE: City of Thomson  
Land Application System (LAS)  
LAS Permit No. GAJ020252  
McDuffie County

Dear Mr. Powers:

Pursuant to the Georgia Water Quality Control Act, as amended; the Federal Water Pollution Control Act, as amended; and the Rules and Regulations promulgated thereunder, we have today issued the attached National Pollutant Discharge Elimination System (NPDES) permit for the referenced water pollution control plant.

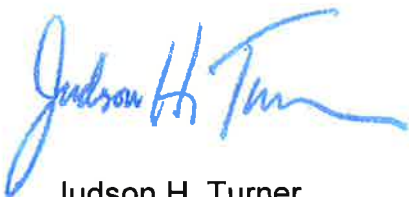
Your facility has been assigned to the following EPD office for reporting and compliance. Signed copies of all required reports shall be submitted to the following address:

Georgia Environmental Protection Division  
Watershed Compliance Program  
Municipal Compliance Unit  
2 Martin Luther King, Jr. Drive, Suite 1152 East  
Atlanta, GA 30334

Please be advised that on and after the effective date indicated in the attached NPDES permit, the permittee must comply with all the terms, conditions and limitations of this permit.

If you have questions, please contact Jennifer Goodman at 404-463-4936 or [Jennifer.Goodman@dnr.ga.gov](mailto:Jennifer.Goodman@dnr.ga.gov).

Sincerely,



Judson H. Turner  
Director

JHT/jmg  
Attachment: Permit

**STATE OF GEORGIA  
DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION**

**LAND APPLICATION SYSTEM PERMIT  
PERMIT NO. GAJ020252**

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), and the Rules and Regulations promulgated pursuant thereto, this permit is issued to the following:

**City of Thomson  
P.O. Box 1017  
Thomson, Georgia 30824**

is authorized to operate the land treatment system located at:

**Thomson Land Application System  
425 Stage Coach Road  
Thomson, Georgia 30824  
(McDuffie County)**

**Savannah 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 December 12, 2014, any other applications upon which this permit is based, supporting data entered therein or attached thereto, and any subsequent submittal of supporting data.

This permit shall become effective on November 1, 2015.

This permit and the authorization to discharge shall expire at midnight on October 31, 2020.

Issued this 21<sup>st</sup> day of October, 2015.



  
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Director,  
Environmental Protection Division

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## PART I.

### A. CONDITIONS

#### 1. DEFINITIONS

- a. **“Composite Sample”** means a combination of at least 8 discrete sample aliquots of at least 100 milliliters, collected over periodic intervals from the same location, during the operating hours of a facility over a 24 hour period. The composite must be flow proportional.
- b. **“Daily Discharge”** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.
- c. For the purposes of this permit **“Discharge of a Pollutant”** means any addition of any “pollutant” or combination of pollutants to “waters of the State” from any “point source.” This definition includes additions of pollutants into waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any “indirect discharger.”
- d. **“DMR”** means Discharge Monitoring Report.
- e. **“Drip Irrigation Field”** means the wetted application area or irrigation of the land treatment system or land disposal system where treated wastes, treated effluent from industrial processes, agricultural or domestic wastewater, domestic sewage sludge, industrial sludge or other sources is applied to the land using drip emitters, excluding the buffer zone.
- f. **“Effluent”** means wastewater that is discharged (treated or partially treated).
- g. **“EPD”** means the Environmental Protection Division of the Department of Natural Resources.
- h. **“Geometric Mean”** means the  $n$ th root of the product of  $n$  numbers.
- i. **“Grab Sample”** means an individual sample collected over a period of time not exceeding 15 minutes.
- j. **“Hydraulic Loading Rate”** means the rate at which wastes or wastewaters are discharged to a land disposal or land treatment system,

expressed in volume per unit area per unit time or depth of water per unit of time.

- k. **“Indirect Discharger”** means a nondomestic discharger introducing “pollutants” to a “publicly owned treatment works.”
- l. **“Industrial Wastes”** means any liquid, solid, or gaseous substance, or combination thereof, resulting from a process of industry, manufacture, or business or from the development of any natural resources.
- m. **“Influent”** means wastewater, treated or untreated, that flows into a treatment plant.
- n. **“Instantaneous”** means a single reading, observation, or measurement.
- o. **“Land Disposal System”** means any method of disposing of pollutants in which the pollutants are applied to the surface or beneath the surface of a parcel of land and which results in the pollutants percolating, infiltrating, or being absorbed into the soil and then into the waters of the State. Land disposal systems exclude landfills and sanitary landfills but include ponds, basins, or lagoons used for disposal of wastes or wastewaters, where evaporation and/or percolation of the wastes or wastewaters are used or intended to be used to prevent point discharge of pollutants into waters of the State. Septic tanks or sewage treatment systems, as defined in Chapter 511-3-1-.02 (formally in Chapter 270-5-25-.01) and as approved by appropriate County Boards of Public Health, are not considered land disposal systems for purposes of Chapter 391-3-6-.11.
- p. **“Land Treatment System”** means any land disposal system in which vegetation on the site is used for additional treatment of wastewater to remove some of the pollutants applied.
- q. **“MGD”** means million gallons per day.
- r. **“Monthly Average”** means the arithmetic or geometric mean of values for samples collected during each calendar month.
- s. **“Monthly Average Limit”** means the highest allowable average of daily discharges over a calendar month, unless otherwise stated, calculated as an arithmetic mean of the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during the same calendar month.
- t. **“OMR”** means Operating Monitoring Report.
- u. **“Point Source”** means any discernible, confined, or discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which

pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

- v. **"Pollutant"** means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial wastes, municipal waste, and agricultural waste discharged into the waters of the state.
- w. **"Quarter"** means the first three calendar months beginning with January and each group of three calendar months thereafter (also known as calendar quarters).
- x. **"Quarterly Average"** means the arithmetic mean of values obtained for samples collected during a calendar quarter.
- y. **"Rule(s)"** means the Georgia Rules and Regulations for Water Quality Control.
- z. **"Sewage"** means the water carried waste products or discharges from human beings or from the rendering of animal products, or chemicals or other wastes from residences, public or private buildings, or industrial establishments, together with such ground, surface, or storm water as may be present.
- aa. **"Sewage Sludge"** means solid, semi-solid, or liquid residue generated during the treatment of domestic sewage or a combination of domestic sewage and industrial wastewater in a treatment works. Sewage sludge includes, but is not limited to scum or solids removed in primary, secondary, or advanced wastewater treatment processes. Sewage sludge does not include ash generated during the firing of sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, treated effluent, or materials excluded from definition of "sewage sludge" by O.C.G.A. § 12-5-30-.3(a)(1).
- bb. **"Sewage System"** means sewage treatment works, pipelines or conduits, pumping stations, and force mains, and all other constructions, devices, and appliances appurtenant thereto, used for conducting sewage or industrial wastes or other wastes to the point of ultimate disposal.
- cc. **"Sludge"** means any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the effluent from a wastewater treatment plant.
- dd. **"Spray Field"** means the wetted area of the land treatment system or land disposal system where treated wastes, treated effluent from industrial processes, agricultural or domestic wastewater, domestic sewage sludge, industrial sludge or other sources is applied to the land via spray, excluding the buffer zone.

- ee. **"State Act"** means the Georgia Water Quality Control Act, as amended (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).
- ff. **"Treatment Requirement"** means any restriction or prohibition established under the (State) Act on quantities, rates, or concentrations, or a combination thereof, of chemical, physical, biological, or other constituents which are discharged into a land disposal or land treatment system and then into the waters of the State, including but not limited to schedules of compliance.
- gg. **"Treatment System"** means the wastewater treatment facility which reduces high strength organic waste to low levels prior to the application to the spray field.
- hh. **"Water" or "Waters of the State"** means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and all other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.
- ii. **"Weekly Average Limit"** means the highest allowable average of daily discharges over a consecutive calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The calendar week begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 p.m. A week that starts in a month and ends in another month shall be considered part of the second month.

## 2. MONITORING

### a. REPRESENTATIVE SAMPLING

Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the monitored waste stream. The permittee shall maintain an updated written sampling plan and monitoring schedule.

### b. MONITORING AND ANALYZING PROCEDURES

1. All 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, as amended. The analytical method used shall be sufficiently sensitive. Parameters must be analyzed to the detection limits. The parameters will be reported as "not detected" or "ND" when they are below the detection limit and will then be considered in compliance with the effluent limit. The detection limit will also be reported on the DMR or OMR in accordance with Part I.A.3 of this permit.



2. In accordance with 40 CFR Part 136, as amended and as applicable, all analyses shall be made in accordance with the latest edition of Standard Methods for the Examination of Water and Wastes, Methods for Chemical Analysis of Water and Wastes, or other approved methods.

**c. ADDITIONAL MONITORING BY PERMITTEE**

If the permittee monitors required parameters at the locations designated in Part I.B of this permit more frequently than required, the permittee shall analyze all samples using approved analytical methods. The results of this additional monitoring shall be included in calculating and reporting the values on the DMR and OMR. The permittee shall indicate the monitoring frequency on the report. EPD may require in writing more frequent monitoring, or monitoring of other pollutants not specified in this permit.

**d. FLOW MONITORING**

1. Measurements shall be conducted using the flow measuring device(s) in accordance with the approved design of the facility. If secondary flow measurement device(s) are installed, calibration shall be maintained to  $\pm 10\%$  of the actual flow. Flow shall be measured manually to check the flow meter calibration at a frequency of once a month. If secondary flow instruments are in use and malfunction or fail to maintain calibration as required, the flow shall be computed from manual measurements or by other method(s) approved by EPD until such time as the secondary flow instrument is repaired.
2. For facilities which utilize approved alternate technologies for measuring flow, the flow measurement device must be calibrated semi-annually by qualified personnel.
3. Records of the calibration checks shall be maintained on site in accordance with the requirements of Part. I.A.2.f. of the permit.

**e. RECORDING OF RESULTS**

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

1. The exact place, date, and time of sampling, and the person(s) collecting the samples;
2. The dates and times the analyses were performed;
3. The person(s) who performed the analyses;

4. The analytical procedures or methods used; and
5. The results of all required analyses.

**f. RECORDS RETENTION**

1. The permittee shall retain records of:
  - a. All laboratory analyses performed including sample data, quality control data, and standard curves;
  - b. Calibration and maintenance records of laboratory instruments;
  - c. Calibration and maintenance records and recordings from continuous recording instruments;
  - d. Process control monitoring records;
  - e. Facility operation and maintenance records;
  - f. Copies of all reports required by this permit;
  - g. All data and information used to complete the permit application; and
  - h. All monitoring data related to sludge use and disposal.
2. All records and information resulting from the monitoring activities and record keeping requirements required by this permit and the Rules shall be retained by the permittee for a minimum of three (3) years, whereas records pertaining to sludge shall be retained for five (5) years, or longer if requested by EPD.

**3. REPORTING**

- a. 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 an OMR and submitted as an attachment to the DMR. The DMR and OMR and any other required forms, reports and/or information shall be completed, signed and certified by a principal executive officer or ranking elected official, or by a duly authorized representative of that person who has the authority to act for or on behalf of that person, and submitted to EPD, postmarked no later than the 15<sup>th</sup> day of the month following the reporting period. Signed copies of these and all other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit cover letter signed by the Director of EPD.

- b. Unless otherwise specified in this permit, quarterly samples shall be taken during the periods January-March, April-June, July-September, and October-December. Semiannual samples shall be taken during the periods January-June and July-December. Results from these samples shall be reported to the EPD on the monitoring report for the last month of the period. Unless otherwise stated, annual samples shall be taken during the month of June and submitted in June.

#### **4. SEWAGE SLUDGE AND SLUDGE DISPOSAL AND MONITORING**

- a. Sewage sludge, sludge and industrial wastes (herein referred to as "sludge" in Part I.A.4 of this permit) shall be disposed of according to the regulations and guidelines established by the EPD and the Federal Clean Water Act section 405(d) and (e), and the Resource Conservation and Recovery Act (RCRA). In land applying nonhazardous sludge, the permittee shall comply with the general 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.

Before disposing of sludge by land application or any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a Sludge Management Plan (SMP) to EPD for written approval. This plan will become a part of the Land Treatment System Permit upon issuance and/ or modification of the permit. The permittee shall notify EPD, and if applicable obtain written approval, of any changes to an approved Sludge Management Plan.

If an applicable management practice or numerical limitation for pollutants in sludge is promulgated under Section 405(d) of the Clean Water Act after approval of the SMP, then the SMP shall be modified to conform with the new regulations.

- b. The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor and maintain records documenting the quantity of sludge generated and removed from the facility.
- c. The total quantity of sludge removed from the facility shall be reported on the DMR in accordance with Part I.A.3 of this permit. The total quantity shall be reported on a dry weight basis as total pounds per month.
- d. Pond treatment systems are required to report the total quantity of sludge removed from the facility only during the months that sludge is removed.

**B.1. TREATMENT REQUIREMENTS, LIMITATIONS AND MONITORING**

Treatment Pond System

Influent shall refer to the influent to the treatment facility and effluent shall refer to the discharge from the treatment facility to the storage pond. The discharge from the treatment plant to the storage pond shall be limited and monitored as follows:

Parameter (units)	Discharge Limitations  Monthly (weekly) average, unless otherwise stated	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow (MGD)	0.171 (0.213)	Seven Days/Week	Continuous	Effluent
Five-Day Biochemical Oxygen Demand (mg/L)	50	One Day/Month	Grab	Influent & Effluent
Total Suspended Solids (mg/L)	90	One Day/Month	Grab	Influent & Effluent
pH (standard units), minimum & maximum	Report	One Day/Month	Grab	Effluent

**B.2. STORAGE POND LIMITATIONS AND MONITORING REQUIREMENTS**

Influent shall refer to the influent to the storage pond and effluent shall refer to the discharge from the storage pond to the spray fields. The discharge from the storage pond to the spray fields shall be limited and monitored as follows:

Parameter (units)	Discharge Limitation  Monthly Average (unless otherwise stated)	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow (MGD)	Report	Seven Days/Week	Continuous	Effluent
Five-Day Biochemical Oxygen Demand (mg/L)	Report	One Day/Month	Grab	Effluent
Nitrate-Nitrogen (mg/L)	Report	One Day/Quarter	Grab	Effluent
Total Kjeldahl Nitrogen (mg/L)	Report	One Day/Quarter	Grab	Effluent
pH, (standard units), minimum & maximum	Report	One Day/Month	Grab	Effluent

- a. The spray field of the land treatment system shall consist of 35 acres. The hydraulic wastewater loading to the spray field must not exceed 2.1 in/week. The instantaneous application rate for the site is 0.25 inches/hour. The hydraulic loading rates for each spray field shall be monitored daily and submitted to EPD in accordance with Part I.A.3 of this permit.
- b. A daily log will be kept by the land treatment system operator of the volume (gal) of wastewater sprayed on each spray field for each day and shall be submitted to EPD in accordance with Part I.A.3 of this permit.
- c. A daily log will be kept by the land treatment system operator of the amount of rainfall received each day within 0.5 miles of the permitted land treatment system and shall be submitted to EPD in accordance with Part I.A.3 of this permit.
- d. A written summary of pertinent maintenance for the land treatment system such as planting, cutting vegetation, harvesting, resurfacing areas, etc. shall also be included in the report and submitted in accordance with Part I.A.3 of this permit.

**B.3. GROUNDWATER MONITORING REQUIREMENTS**

Groundwater leaving the land treatment system boundaries (as defined in this permit as the spray field) must not exceed the primary maximum contaminant levels for drinking water. The maximum contaminant level for nitrate nitrogen is 10.0 mg/L, as amended in the Safe Drinking Water Rules and Regulations. Samples of the groundwater shall be monitored from each groundwater monitoring well(s) by the permittee for the parameters and at the frequency listed below:

Parameter (units)	Measurement Frequency	Sample Type
Depth to Groundwater (feet)	One Day/Month	Grab
Nitrate-Nitrogen, (mg/L)	One Day/Quarter	Grab
pH (standard units)	One Day/Quarter	Grab
Specific Conductivity (µmhos/cm)	One Day/Quarter	Grab
Fecal Coliform Bacteria (# col/100mL)	One Day/Six Months	Grab

- a. Monitoring wells shall be identified in all reports submitted to EPD as up-gradient, midfield, and down-gradient, as referenced below. The down-gradient groundwater monitoring wells shall be considered the compliance wells. The monitoring wells are identified as follows:

Well	Location
GW1-U002	Upgradient
GW2-M002	Midgradient
GW3-D002	Downgradient
GW4-D004	Downgradient

- b. Upon written notification to EPD, additional up-gradient, mid-gradient and down-gradient monitoring wells may be added in accordance with EPD's Manual for Groundwater Monitoring, September 1991, as amended, the Environmental Protection Agency Guidance Design and Installation of Monitoring Wells, or other approved guidance without EPD approval and without modification to this permit. The additional wells are subject to the sampling parameters and sampling frequency(s) in Part I.B.3 of this permit, Groundwater Monitoring Requirements. The sampling analysis of additional wells shall be reported in accordance with Part I.A.3 of this permit.

#### **B.4. SOIL MONITORING REQUIREMENTS**

- a. A Soil Fertility Test(s) shall be performed annually in the fourth (4<sup>th</sup>) calendar quarter in accordance with the latest edition of Methods of Soil Analysis (published by the American Society of Agronomy, Madison, Wisconsin) or other methods approved by EPD. Representative soil samples shall be collected from the land treatment system using the Mehlich-1 extraction procedure. Results of the Soil Fertility Test(s) shall be utilized by the permittee in the continuing operation and maintenance of the land treatment system. The sampling analysis shall be reported in accordance with Part I.A.3 of this permit.
- b. If the Soil Fertility Test(s) indicates a change in the pH value of one standard unit from the previous year's pH value, the permittee shall immediately perform a Cation Exchange Capacity and Percent Base Saturation analysis for the land treatment system. The monitoring results of the Cation Exchange Capacity and Percent Base Saturation analysis shall be submitted to EPD in accordance with Part I.A.3 of this permit.
- c. Where there are categorical and/or significant industrial discharges to the sewer system, the permittee may be required, upon written notification by the Division, to sample for additional parameters. These parameters may include heavy metals and organic compounds.

**B.5. SURFACE WATER MONITORING**

Surface water(s)<sup>1</sup> adjacent to or traversing the land treatment system shall be monitored. Unless otherwise stated and or approved by EPD, samples will be collected at a maximum of 100 feet upstream and a maximum 100 feet downstream of the land treatment system and the surface water shall be monitored for the parameters and at the frequency listed below:

<b>Parameter (units)</b>	<b>Measurement Frequency</b>	<b>Sample Type</b>
Nitrate-Nitrogen (mg/L)	One Day/Quarter	Grab
Five-Day Biochemical Oxygen Demand (mg/L)	One Day/Quarter	Grab
Specific Conductivity (µmhos/cm)	One Day/Quarter	Grab
pH (standard units)	One Day/Quarter	Grab
Total Kjeldahl Nitrogen (mg/L)	One Day/Quarter	Grab
Temperature (°C)	One Day/Quarter	Grab
Dissolved Oxygen (mg/L)	One Day/Quarter	Grab

<sup>1</sup> Surface waters as identified in the Design Development Report and permit application are: Mattox Creek



## **C. ADDITIONAL REQUIREMENTS**

### **1. LAS OPERATIONS**

The land treatment system will be operated and maintained in accordance with the design criteria as presented in the approved engineering reports, operation and maintenance manuals, the permit application and/or other written agreements between EPD and the permittee. This includes, but is not limited to, the following:

- a. A vegetative cover must be maintained at all times on the land treatment site and must be managed according to design criteria;
- b. All treatment units are to be maintained and operated for maximum efficiency;
- c. Hydraulic and nitrogen loading is to be maintained within design criteria;
- d. Unless otherwise approved, no wastewater shall be applied when conditions are such that the applied wastewater will not be absorbed into the soil. In addition, no wastewater shall be applied via spray or aboveground drip irrigation during rain or when the conditions are such that applied wastewater will not be absorbed into the soil; and
- e. If the hydraulic application rate(s) cannot satisfactorily be handled by the approved land treatment system, corrective actions shall immediately be taken by the permittee, which could include curtailing or ceasing operation.

### **2. CHANGE IN WASTEWATER INFLUENT**

The influent to the system is authorized as long as it is consistent with the design criteria specified in the approved Design Development Report and application. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased pollutants or flow to the system must be approved by EPD prior to implementation. Submittal of a new permit application and reissuance of the Land Application System permit, as well as upgrading of the system, may be required in the process of obtaining EPD approval.

## **PART II.**

### **A. MANAGEMENT REQUIREMENTS**

#### **1. FACILITY OPERATION**

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities (and related appurtenances) which are 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. Proper operation of the land treatment system also includes the best management practice of establishing and maintaining a vegetative cover on the land treatment system.

#### **2. NONCOMPLIANCE NOTIFICATION**

If, for any reason the permittee does not comply with, or will be unable to comply with any limitations specified in the permit, the permittee shall provide EPD 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 noncompliance and its cause;
- b. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. The steps taken to reduce, eliminate, and prevent recurrence of the non-complying discharge.

#### **3. ANTICIPATED NONCOMPLIANCE NOTIFICATION**

The permittee shall give written notice to the EPD at least 10 days before:

- a. Any planned changes in the permitted facility; or
- b. Any activity which may result in noncompliance with the permit.

#### **4. OTHER NONCOMPLIANCE**

The permittee must report all instances of noncompliance not reported under other specific reporting requirements, at the time monitoring reports are submitted. The reports shall contain the information required in Part II.A.2, Noncompliance Notification, of this permit.

The permittee shall notify EPD immediately if mechanical failure, inclement weather or other factors cause a discharge of contaminated runoff from the fields

or an overflow from a pond, or if any other problems occur which could cause an adverse effect on the environment.

**5. OPERATOR CERTIFICATION REQUIREMENTS**

The permittee shall ensure that the person in responsible charge of the daily operation of this land application system shall be a Class II Certified Operator in accordance with the Georgia Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control. Operators, other than the person in responsible charge, must obtain certification in Class III operator classification in accordance with the above Act.

**6. LABORATORY ANALYST CERTIFICATION REQUIREMENTS**

The permittee shall ensure that, when required, the person(s) performing the laboratory analyses for this land treatment system is a Certified Laboratory Analyst in accordance with the Georgia Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act, as amended, and the Rules promulgated thereunder.

**7. POWER FAILURES**

If the primary source of power to this facility is reduced or lost, the permittee shall use an alternative source of power to reduce or control all discharges to maintain permit compliance.

**8. ADVERSE IMPACT**

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge disposal which might adversely affect human health or the environment.

**9. MONITORING WELL REQUIREMENTS**

The permittee, upon written notification by the EPD, may be required to install groundwater monitoring wells at the existing land treatment system. This requirement may apply if monitoring wells were not included in the original design of the facility and also, if the EPD determines the existing groundwater monitoring wells are not adequate.

**10. GROUNDWATER REQUIREMENTS**

If groundwater samples are above the primary maximum contaminant levels for drinking water and/or indicate contamination, the permittee shall immediately develop a plan which will ensure that the primary maximum contaminant levels for drinking water are not exceeded. The plan will be implemented by the permittee upon EPD approval.

**11. NO POINT SOURCE DISCHARGE(S) OF A POLLUTANT TO SURFACE WATERS OF THE STATE**

The land treatment system must be operated and maintained to ensure there is no point source discharge(s) of pollutants directly to surface waters of the State.

**12. NOTICE CONCERNING ENDANGERING WATERS OF THE STATE**

a. Whenever, because of an accident or otherwise, any toxic or taste and color producing substance, or any other substance which would endanger downstream users of the waters of the State or would damage property, is discharged into such waters, or is so placed that it might flow, be washed, or fall into them, it shall be the duty of the person in charge of such substances at the time to forthwith notify EPD in person or by telephone of the location and nature of the danger, and it shall be such person's further duty to immediately take all reasonable and necessary steps to prevent injury to property and downstream users of said water.

b. Spills and Major Spills:

1. A "spill" is any discharge of raw sewage by a Publicly Owned Treatment Works (POTW) to the waters of the State.

2. A "major spill" means: The discharge of pollutants into waters of the State by a POTW that exceeds the weekly average permitted effluent limit for biochemical oxygen demand (5-day) or total suspended solids by 50 percent or greater in one day, provided that the effluent discharge concentration is equal to or greater than 25 mg/L for biochemical oxygen demand or total suspended solids and any discharge of raw sewage that 1) exceeds 10,000 gallons or 2) results in water quality violations in the waters of the State.

3. "Consistently exceeding effluent limitation" means a POTW exceeding the 30 day average limit for biochemical oxygen demand or total suspended solids for at least five days out of each seven day period during a total period of 180 consecutive days.

c. The following specific requirements shall apply to POTW's. If a spill or major spill occurs, the owner of a POTW shall immediately:

1. Notify EPD, in person or by telephone, when a spill or major spill occurs in the system.

2. Report the incident to the local health department(s) for the area affected by the incident.

The report at a minimum shall include the following:

a. Date of the spill or major spill;

- b. Location and cause of the spill or major spill;
  - c. Estimated volume discharged and name of receiving waters; and
  - d. Corrective action taken to mitigate or reduce the adverse effects of the spill or major spill.
- d. Post a notice as close as possible to where the spill or major spill occurred and where the spill entered State waters and also post additional notices along portions of the waterway affected by the incident (i.e. bridge crossings, boat ramps, recreational areas, and other points of public access to the affected waterway). The notice at a minimum shall include the same information required in (c)(a-b) above. These notices shall remain in place for a minimum of seven days after the spill or major spill has ceased.
- e. Within 24 hours of becoming aware of a spill or major spill, the owner of a POTW shall report the incident to the local media (television, radio, and print media). The report shall include the same information required in (c)(a-b) above.
- f. Within five (5) days (of the date of the spill or major spill), the owner of a POTW shall submit to EPD a written report which includes the same information required in (c)(a-b) above.
- g. Within 7 days (after the date of a major spill), the owner of a POTW responsible for the major spill, shall publish a notice in the largest legal organ of the County where the incident occurred. The notice shall include the same information required in (c)(a-b) above.
- h. The owner of a POTW shall immediately establish a monitoring program of the receiving waters affected by a major spill or by consistently exceeding an effluent limit, with such monitoring being at the expense of the POTW for at least one year. The monitoring program shall include an upstream sampling point as well as sufficient downstream locations to accurately characterize the impact of the major spill or the consistent exceedence of effluent limitations described in the definition of "Consistently exceeding effluent limitation" above. As a minimum, the following parameters shall be monitored in the receiving stream:
- a. Dissolved Oxygen;
  - b. Fecal Coliform Bacteria;
  - c. pH;
  - d. Temperature; and
  - e. Other parameters required by the EPD.

The monitoring and reporting frequency as well as the need to monitor additional parameters, will be determined by EPD. The results of the monitoring will be provided by the POTW owner to EPD and all downstream public agencies using the affected waters as a source of a public water supply.

- i. Within 24 hours of becoming aware of a major spill, the owner of a POTW shall provide notice of a major spill to every county, municipality, or other public agency whose public water supply is within a distance of 20 miles downstream and to any others which could be potentially affected by the major spill.

## **B. RESPONSIBILITIES**

### **1. COMPLIANCE**

The permittee must comply with this permit. Any permit noncompliance is a violation of the State Act, and the Rules, and is grounds for:

- a. Enforcement action;
- b. Permit termination, revocation and reissuance, or modification; or
- c. Denial of a permit renewal application.

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

### **2. RIGHT OF ENTRY**

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

- a. To enter upon the permittee's premises where a regulated activity or facility is located or conducted, 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 at any location.

### **3. SUBMITTAL OF INFORMATION**

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. 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.

#### **4. TRANSFER OF OWNERSHIP OR CONTROL**

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

- a. The permittee notifies the Director 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 acknowledgment 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.

#### **5. PERMIT MODIFICATION**

This permit may be modified, terminated, or revoked and reissued in whole or part during its term for cause including, but not limited to, the following:

- a. Violation of any condition of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted activity.

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

#### **6. PENALTIES**

The State Act provides 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 State Act also provides procedures for imposing civil penalties which may be levied for violations of the State 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.

**7. CIVIL AND CRIMINAL LIABILITIES**

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

**8. EXPIRATION OF PERMIT**

The permittee shall not operate the system after the expiration date of the permit. In order to receive authorization to operate beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by the EPD no later than 180 days prior to the expiration date.

**9. CONTESTED HEARINGS**

Any person aggrieved or adversely affected by any action of the Director of the EPD shall petition the Director for a hearing within 30 days of notice of the action.

**10. 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 circumstances is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.



**PART III. INDUSTRIAL PRETREATMENT PROGRAM FOR PUBLICLY OWNED TREATMENT WORKS (POTW)**

1. At the present time a determination has not been made as to whether the permittee will be required to establish and operate an approved industrial pretreatment program.
2. If the Division determines that the permittee is required to develop an industrial pretreatment program at the local level, the Division will notify the permittee of such requirement. Upon written notification from the Division, the permittee shall immediately begin development and submission of an approvable industrial pretreatment program no later than one year after the date of the notification.
3. During the interim period between determination that an industrial pretreatment program is needed and approval of the program by the Division, all industrial pretreatment permits shall be issued by the Division.
4. The permittee shall notify the Division of all industrial users connected to the system or proposing to connect to the system from the date of issuance of this permit.
5. Implementation of the Pretreatment Program developed by the State, can be delegated to the permittee following the fulfillment of requirements detailed in Chapter 391-3-6 Part .09 of the Rules and Regulations for Water Quality Control.