



Richard E. Dunn, Director

EPD Director's Office

2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

JAN 23 2018

Mr. Brian Arnold
Vice President/Chief Manufacturing Officer
Kubota Industrial Equipment
2715 Ramsey Road
Gainesville, Georgia 30501

RE: Permit Issuance
Kubota Industrial Equipment
Pretreatment Permit No. GAP050263
Jefferson, Jackson County

Dear Mr. Arnold:

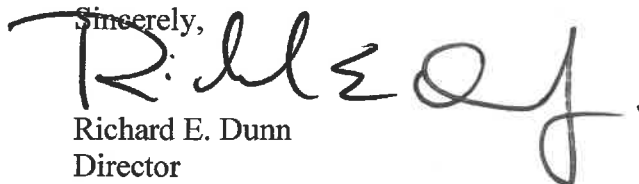
Pursuant to the Georgia Water Quality Control Act, as amended, the Federal Clean Water Act, as amended, and the General Pretreatment Regulations, as amended, we have issued the attached permit for the above-referenced facility.

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
2 Martin Luther King Jr. Drive, Suite 1152
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 404.232.1567 or ian.mcdowell@dnr.ga.gov.

Sincerely,



Richard E. Dunn
Director

RED: IM

Enclosure(s)

CC: EPD Watershed Compliance Program -- Shea Buettner (shea.buettner@dnr.ga.gov)
Public Works Director -- Mr. Jeff Killip (jkillip@cityofjeffersonga.com)

Permit No. GAP050263
Issuance Date: JAN 23 2018



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,

Kubota Industrial Equipment
1001 McClure Industrial Drive
Jefferson, Georgia 30549

is authorized to discharge from a facility located at

1001 McClure Industrial Drive
Jefferson, Georgia 30549
Jackson County

to the sewerage system tributary to the

Central City Water Pollution Control Plant in the Oconee 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 September 01, 2017, 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 433 Metal Finishing Point Source Category, Pretreatment Standards for Existing Sources (PSES).

This permit shall become effective on February 01, 2018.

This permit and the authorization to discharge shall expire at midnight January 31, 2023.




Richard E. Dunn, Director
Environmental Protection Division

PART I

A.1 Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from outfall number 001 – Building 1 process wastewater, sanitary wastewater, and plant & equipment wash down wastewater to the Central City Water Pollution Control Plant.

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)	0.008	0.020	--	--	1/Quarter	Continuous	See Footnote ²
BOD ₅	--	--	250	250	1/Quarter	Composite	See Footnote ²
TSS	--	--	250	250	1/Quarter	Composite	See Footnote ²
Oil & Grease	--	--	100	100	1/Quarter	Grab	See Footnote ²
Cadmium, Total	0.002	0.002	0.008	0.01	1/Quarter	Composite	See Footnote ²
Chromium, Total	0.077	0.097	0.32	0.40	1/Quarter	Composite	See Footnote ²
Copper, Total	0.234	0.352	0.970	1.46	1/Quarter	Composite	See Footnote ²
Cyanide, Total	0.048	0.060	0.20	0.25	1/Quarter	Grab	See Footnote ²
Lead, Total	0.014	0.018	0.058	0.0725	1/Quarter	Composite	See Footnote ²
Nickel, Total	0.058	0.073	0.24	0.30	1/Quarter	Composite	See Footnote ²
Silver, Total	0.058	0.104	0.24	0.43	1/Quarter	Composite	See Footnote ²
Zinc, Total	0.358	0.447	1.48	1.85	1/Quarter	Composite	See Footnote ²
Total Toxic Organics (TTO) ³	--	--	--	2.13	2/Year ⁴	Grab	See Footnote ²

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored quarterly 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 433 Subpart A, 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 permittee shall sample and measure the wastewater from Outfall 001 (Building #1) after the confluence of process wastewater and plant & equipment wash down wastewater but prior to commingling with sanitary wastewater.
- ³ The term "TTO" shall mean total toxic organics, which is the summation of all quantifiable values greater than 0.01 mg/L for the toxic organics outlined in 40 CFR 433.11(e).
- ⁴ In lieu of monitoring for TTO, the permittee may certify that TTOs are not present in the wastewater discharge. If certification will be used in lieu of monitoring, it must be preceded by EPD approval of a solvent management plan submitted by the permittee. Both the solvent management plan and the certification statement should be in accordance with the requirements set forth in 40 CFR 433.12.

A.2 Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from outfall number 002 – Building 2 process wastewater, sanitary wastewater, and plant & equipment wash down wastewater to the Central City Water Pollution Control Plant.

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)	0.010	0.035	--	--	1/Quarter	Continuous	Final Effluent
BOD ₅	--	--	250	250	1/Quarter	Composite	Final Effluent
TSS	--	--	250	250	1/Quarter	Composite	Final Effluent
Oil & Grease	--	--	100	100	1/Quarter	Grab	Final Effluent
Cadmium, Total	0.002	0.002	0.008	0.01	1/Quarter	Composite	Final Effluent
Chromium, Total	0.093	0.117	0.32	0.40	1/Quarter	Composite	Final Effluent
Copper, Total	0.227	0.340	0.777	1.17	1/Quarter	Composite	Final Effluent
Cyanide, Total	0.058	0.073	0.20	0.25	1/Quarter	Grab	Final Effluent
Lead, Total	0.017	0.021	0.058	0.0725	1/Quarter	Composite	Final Effluent
Nickel, Total	0.070	0.088	0.24	0.30	1/Quarter	Composite	Final Effluent
Silver, Total	0.056	0.101	0.192	0.344	1/Quarter	Composite	Final Effluent
Zinc, Total	0.346	0.519	1.19	1.78	1/Quarter	Composite	Final Effluent
Total Toxic Organics (TTO) ²	--	--	--	1.71	2/Year ³	Grab	Final Effluent

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored quarterly 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 433 Subpart A, 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 term "TTO" shall mean total toxic organics, which is the summation of all quantifiable values greater than 0.01 mg/L for the toxic organics outlined in 40 CFR 433.11(e).
- ³ In lieu of monitoring for TTO, the permittee may certify that TTOs are not present in the wastewater discharge. If certification will be used in lieu of monitoring, it must be preceded by EPD approval of a solvent management plan submitted by the permittee. Both the solvent management plan and the certification statement should be in accordance with the requirements set forth in 40 CFR 433.12.

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://netdmr.epa.gov/netdmr/public/home.htm>
 - 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, 2020,** 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.
- c. An Industrial User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions outlined in Part II.A.5.a and Part II.A.5.b of this permit.

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 Central City Water Pollution Control Plant;
 - b. cause pass-through of pollutants in violation of the effluent limitations specified in National Pollutant Discharge Elimination System Permit No. GA0023132;
 - 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. 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. The sampling results shall be submitted to the EPD Compliance Office within 30 days after becoming aware of the violation.



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)
404-232-1567

Draft permit:

<input type="checkbox"/>	first issuance
<input type="checkbox"/>	reissuance with no or minor modifications from previous permit
<input checked="" type="checkbox"/>	reissuance with substantial modifications from previous permit
<input type="checkbox"/>	modification of existing permit
<input type="checkbox"/>	requires EPA review

1.0 FACILITY INFORMATION

1.1 Pretreatment Permit No.: GAP050263

1.2 Name and Address of Owner/Applicant

Kubota Industrial Equipment
1001 McClure Industrial Drive
Jefferson, Georgia 30549
Jackson County

1.3 Name and Address of Facility

Kubota Industrial Equipment
1001 McClure Industrial Drive
Jefferson, Georgia 30549
Jackson County

1.4 Facility Information

- | | |
|------------------------------|---|
| a. Average Flow: 24,000 GPD | d. Max Flow: 64,000 GPD |
| b. Categorical (Y/N): Y | e. Significant Industrial User (Y/N): Y |
| c. Production Based (Y/N): N | f. Production Capacity: 537 units/day |

1.5 SIC Code & Description: 3524 – Lawn and Garden Tractors and Home Lawn and Garden Equipment

1.6 Description of Industrial Processes

The KIE facility manufactures front end loaders, back hoes, buckets for tractors and skid steer loaders. The facility assembles tractors too. The production process begins with the raw materials such as sheet steel and tractor parts. The tractor chassis are pre-assembled to complete the tractor implements. The coating consists of e-coat painting, powder coating, liquid painting, and touch-up painting with aerosol paints.

1.7 Description of the Industrial Wastewater Treatment Facility

Process water at the facility is pretreated using several types of treatment devices. Air flotation treatment is accomplished through a gas energy mixing system and cationic/anionic polymer injection is used to facilitate chemical precipitation. The process water also undergoes filtration, flow equalization, oil & grease separation, grit removal and neutralization. Finally, wastewater at the facility also undergoes reverse osmosis, biological treatment and physical treatment through the use of a membrane bio-reactor.

1.8 Type of Wastewater Discharge

- | | |
|---|--|
| <input checked="" type="checkbox"/> process wastewater | <input type="checkbox"/> stormwater |
| <input checked="" type="checkbox"/> domestic wastewater | <input checked="" type="checkbox"/> combined |
| <input checked="" type="checkbox"/> other (description) | |

Process wastewater, sanitary wastewater, and plant & equipment wash down wastewater combine and enter the City of Jefferson's sewerage system (Central City Water Pollution Control Plant).

1.9 Name and Address of Receiving POTW

Central City Water Pollution Control Plant
775 Peachtree Road
Jefferson, Georgia, 30549
Jackson 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 (Building 1)	Central City WPCP	GA0023132	1.25 MGD	Oconee
002 (Building 2)	Central City WPCP	GA0023132	1.25 MGD	Oconee

1.11 Receiving POTW Design Capacity: 1.00 MGD**1.12 Description of the POTW Wastewater Treatment**

Wastewater influent at the POTW is initially sent through a mechanical/manual bar screen and then undergoes grit removal. Wastewater is then sent through sequencing batch reactors for treatment. Sludge is diverted to a sludge digester then a sludge belt press and finally sent to a landfill. Filtrate and supernatant is diverted back to the head of the treatment system. Wastewater from the SBRs is sent to an equalization basin and then undergoes chlorination and de-chlorination. Finally the wastewater undergoes step aeration before discharging to Curry Creek in the Oconee River Basin.

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 – Building #1

Effluent Characteristics (as Reported by Applicant)	Maximum Daily Value	Average Daily Value
Flow (MGD)	0.020 ¹	0.008 ¹
BOD ₅ (mg/L)	48.4	26.7
COD (mg/L)	168	N/A
Oil & Grease (mg/L)	7.3	6.15
TSS (mg/L)	157	81
Ammonia (mg/L)	<0.2	N/A
Total Phosphorus (mg/L)	11.8	N/A
Total Kjeldahl Nitrogen (mg/L)	1.55	N/A
pH (s.u.)	6.38	N/A
Arsenic, Total (mg/L)	0.00817	N/A
Copper, Total (mg/L)	0.0796	0.06645
Cadmium, Total (mg/L)	0.007	0.00385
Chromium, Total (mg/L)	0.00505	<0.005
Lead, Total (mg/L)	0.00174	<0.001
Nickel, Total (mg/L)	0.0487	0.03865
Zinc, Total (mg/L)	0.151	0.11

¹ Effluent Characteristics for Building #1 are reported at the point before commingling with sanitary wastewater.

FACT SHEET

Outfall No. 001 – Building #2

Effluent Characteristics (as Reported by Applicant)	Maximum Daily Value	Average Daily Value
Flow (MGD)	0.035 ¹	0.010 ¹
BOD ₅ (mg/L)	17.2	11.25
COD (mg/L)	12.7	N/A
Oil & Grease (mg/L)	10.1	5.055
TSS (mg/L)	17.5	11.25
Ammonia (mg/L)	<0.2	N/A
Total Phosphorus (mg/L)	57.5	N/A
Total Kjeldahl Nitrogen (mg/L)	<0.5	N/A
pH (s.u.)	7.35	N/A
Arsenic, Total (mg/L)	0.0528	N/A
Copper, Total (mg/L)	0.0796	0.05425
Cadmium, Total (mg/L)	<0.0007	<0.0007
Chromium, Total (mg/L)	<0.005	<0.005
Lead, Total (mg/L)	0.000162	0.00224
Nickel, Total (mg/L)	0.0850	0.0805
Zinc, Total (mg/L)	0.207	0.1423

¹ Effluent Characteristics for Building #2 are reported after commingling with sanitary wastewater occurs.

2.0 APPLICABLE REGULATIONS

2.1 Local Regulations

City of Jefferson 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
		40 CFR 122
	Process Water Discharges	40 CFR 125
		40 CFR 433

2.4 Industrial Effluent Limit Guideline(s)

Code of Federal Regulations, 40 CFR Part 403

Code of Federal Regulations, 40 CFR Part 433 Subpart A

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*

FACT SHEET

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	<u>Local Limit</u> The City of Jefferson Sewer Use Ordinance establishes an allowable range for pH of 6.0-9.0 s.u.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
5-Day Biochemical Oxygen Demand	<u>Local Limit</u> The City of Jefferson Sewer Use Ordinance establishes a daily average of 250 mg/L and a daily maximum of 250 mg/L for BOD ₅ .
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
Total Suspended Solids	<u>Local Limit</u> The City of Jefferson Sewer Use Ordinance establishes a daily average of 250 mg/L and a daily maximum of 250 mg/L for TSS.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
Oil and Grease	<u>Local Limit</u> The City of Jefferson Sewer Use Ordinance establishes a daily average of 100 mg/L and daily maximum of 100 mg/L for fats, oils, and grease.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.

3.3 Nonconventional Pollutants

Pollutants of Concern	Basis
Ammonia	<u>Local Limit</u> The City of Jefferson Sewer Use Ordinance establishes a daily average of 30 mg/L and daily maximum of 30 mg/L for Ammonia. Ammonia was reported as non-detect in the permit application and an ammonia limit has not been included in the permit.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.

FACT SHEET

Total Kjeldahl Nitrogen (TKN)	<u>Local Limit</u> Total Kjeldahl Nitrogen is not limited in the City of Jefferson Sewer Use Ordinance nor is there reasonable potential for TKN to cause POTW interference or pass-through violations.
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	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
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Total Phosphorus	<u>Local Limit</u> Total Phosphorus is not limited in the City of Jefferson Sewer Use Ordinance nor is there reasonable potential for Phosphorus to cause POTW interference or pass-through violations.
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	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
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3.4 Toxics & Manmade Organic Compounds (126 priority pollutants and metals)

Pollutants of Concern	Basis
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Arsenic, Total	<u>Local Limit</u> Arsenic is not limited in the City of Jefferson Sewer Use Ordinance nor is there reasonable potential for Arsenic to cause POTW interference or pass-through violations.
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	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
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	<u>Local Limit</u>
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	Building #1:
--	---------------------

	Concentration based effluent limits of 0.008 mg/L daily average and 0.01 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.002 lbs/day daily average and 0.002 lbs/day daily maximum have been established based on reported maximum flow.
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	Building #2:
--	---------------------

	Concentration based effluent limits of 0.008 mg/L daily average and 0.01 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.002 lbs/day daily average and 0.003 lbs/day daily maximum have been established based on reported maximum flow.
--	--

	<u>Categorical Limit</u>
--	--------------------------

	Effluent limits of 0.07 mg/L daily average and 0.11 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS). The more stringent local limits were included in the permit.
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FACT SHEET

Local Limit

Building #1:

Chromium, Total

Concentration based effluent limits of 0.32 mg/L daily average and 0.40 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.077 lbs/day daily average and 0.097 lbs/day daily maximum have been established based on reported maximum flow.

Building #2:

Concentration based effluent limits of 0.32 mg/L daily average and 0.40 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.093 lbs/day daily average and 0.117 lbs/day daily maximum have been established based on reported maximum flow.

Categorical Limit

Effluent limits of 1.71 mg/L daily average and 2.77 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS). The more stringent local limits were included in the permit.

Local Limit

Building #1:

Copper, Total

Concentration based effluent limits of 0.970 mg/L daily average and 1.46 mg/L daily maximum have been included in this permit based on the local limits evaluation. Mass based effluent limits of 0.235 lbs/day daily average and 0.352 lbs/day daily maximum have been established based on reported maximum flow.

Building #2:

Concentration based effluent limits of 0.777 mg/L daily average and 1.17 mg/L daily maximum have been included in this permit based on the local limits evaluation and combined wastestream formula calculations. Mass based effluent limits of 0.227 lbs/day daily average and 0.340 lbs/day daily maximum have been established based on reported maximum flow.

Categorical Limit

Effluent limits of 2.07 mg/L daily average and 3.38 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS). The more stringent local limits were included in the permit.

FACT SHEET

Local Limit

Building #1:

Concentration based effluent limits of 0.058 mg/L daily average and 0.0725 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.014 lbs/day daily average and 0.018 lbs/day daily maximum have been established based on reported maximum flow.

Lead, Total

Building #2:

Concentration based effluent limits of 0.058 mg/L daily average and 0.073 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.017 lbs/day daily average and 0.021 lbs/day daily maximum have been established based on reported maximum flow.

Categorical Limit

Effluent limits of 0.43 mg/L daily average and 0.69 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS). The more stringent local limits were included in the permit.

Local Limit

Building #1:

Concentration based effluent limits of 0.24 mg/L daily average and 0.30 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.058 lbs/day daily average and 0.073 lbs/day daily maximum have been established based on reported maximum flow.

Nickel, Total

Building #2:

Concentration based effluent limits of 0.24 mg/L daily average and 0.30 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.070 lbs/day daily average and 0.088 lbs/day daily maximum have been established based on reported maximum flow.

Categorical Limit

Effluent limits of 2.38 mg/L daily average and 3.98 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS). The more stringent local limits were included in the permit.

FACT SHEET

Silver, Total

Local Limit

Silver is not limited in the City of Jefferson Sewer Use Ordinance nor is there reasonable potential for Silver to cause POTW interference or pass-through violations.

Categorical Limit

Building #1:

Concentration based effluent limits of 0.24 mg/L daily average and 0.43 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS) and have been included in the permit. Mass based effluent limits of 0.058 lbs/day daily average and 0.104 lbs/day daily maximum have been established based on reported maximum flow.

Building #2:

Concentration based effluent limits of 0.192 mg/L daily average and 0.344 mg/L daily maximum have been established based on 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS) and the combined wastestream formula. Mass based effluent limits of 0.056 lbs/day daily average and 0.101 lbs/day daily maximum have been established based on reported maximum flow.

Zinc, Total

Local Limit

The local limits evaluation determined that effluent limits of 1.98 mg/L daily average and 2.97 mg/L daily maximum were protective from interference or pass-through. The more stringent categorical limits were included in the permit.

Categorical Limit

Building #1:

Concentration based effluent limits of 1.48 mg/L daily average and 2.61 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS). The daily average has been included in the permit however a daily maximum of 1.85 mg/L has been retained from the previous permit. Mass based effluent limits of 0.358 lbs/day daily average and 0.447 lbs/day daily maximum have been established based on reported maximum flow.

Building #2:

Concentration based effluent limits of 1.19 mg/L daily average and 1.78 mg/L daily maximum have been established based on 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS) and the combined wastestream formula. Mass based effluent limits of 0.346 lbs/day daily average and 0.519 lbs/day daily maximum have been established based on reported maximum flow.

FACT SHEET

Local Limit

Building #1:

Concentration based effluent limits of 0.20 mg/L daily average and 0.25 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.048 lbs/day daily average and 0.060 lbs/day daily maximum have been established based on reported maximum flow.

Cyanide, Total

Building #2:

Concentration based effluent limits of 0.20 mg/L daily average and 0.25 mg/L daily maximum have been retained from the previous permit based on demonstrated performance and to satisfy anti-backsliding regulations. Mass based effluent limits of 0.058 lbs/day daily average and 0.073 lbs/day daily maximum have been established based on reported maximum flow.

Categorical Limit

Effluent limits of 0.65 mg/L daily average and 1.2 mg/L daily maximum are established in 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS). The more stringent local limits were included in the permit.

Total Toxic
Organics (TTO)

Local Limit

Total Toxic Organics are not limited in the City of Jefferson Sewer Use Ordinance nor is there reasonable potential for TTOs to cause POTW interference or pass-through violations.

Categorical Limit

Building #1:

A daily maximum effluent limit of 2.13 was established for Total Toxic Organics based on 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS).

Building #2:

A daily maximum effluent limit of 1.78 was established for Total Toxic Organics based on 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS) and the combined wastestream formula.

FACT SHEET

3.5 Comparison and Summary of Limits⁵

The highlighted limits shown below indicate the most stringent allowable limits for the permit based on all pretreatment standards. Mass based effluent limitations have also been included in the permit based on the maximum reported flow.

Pollutant	Categorical ¹	SUO	Sludge Regulations ²	POTW NPDES - Based Limit	WQS ³	POTW ⁴ Inhibition	Previous Permit Limits
BOD ₅	N/A	250/250 mg/L	N/A	1031 mg/L	N/A	N/A	250/250 mg/L
Cadmium	0.07/0.11 mg/L	N/A	N/A	N/A	0.057 mg/L	42.5 mg/L	.008/.01 mg/L
Chromium	1.71/2.77 mg/L	N/A	N/A	N/A	1.75 mg/L	19.0 mg/L	0.32/0.40 mg/L
Copper	2.07/3.38 mg/L	N/A	N/A	N/A	0.970 mg/L	2.97 mg/L	1.06/1.73 mg/L
Cyanide	0.65/1.2 mg/L	N/A	N/A	N/A	0.471 mg/L	3.34 mg/L	0.20/0.25 mg/L
Lead	0.43/0.69 mg/L	N/A	N/A	N/A	0.469 mg/L	17.2 mg/L	.058/.07 mg/L
Nickel	2.38/3.98 mg/L	N/A	N/A	N/A	2.78 mg/L	5.37 mg/L	0.24/0.30 mg/L
Oil & Grease	N/A	100/100 mg/L	N/A	N/A	Narrative	N/A	100/100 mg/L
Silver	0.24/0.43 mg/L	N/A	N/A	N/A	Narrative	N/A	0.24/0.43 mg/L
TSS	N/A	250/250 mg/L	N/A	250 mg/L	Narrative	N/A	250/250 mg/L
TTO	2.13 mg/L	N/A	N/A	N/A	N/A	N/A	2.13/2.13 mg/L
Zinc	1.48/2.61 mg/L	N/A	N/A	N/A	26.2	1.98 mg/L	1.48/1.85 mg/L
pH	N/A	6.0-9.0 s.u.	N/A	N/A	N/A	N/A	6.0-9.0 s.u.

¹ There is no Federal Categorical Effluent Limitation for the pollutants marked as N/A.

² The Central City WPCP hauls its sludge to a landfill, hence sludge criteria doesn't apply.

³ There are no numerical water quality standards for the pollutants marked as N/A.

⁴ The POTW doesn't have activated sludge or nitrification inhibition if marked as N/A.

⁵ For Building #2 the combined wastestream formula was applied on the limits in the table above to develop permit limits.

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 – Effluent Limit Calculations.

3.6.a. Categorical Effluent Limit Guideline Calculations – N/A

3.6.b. State Local Limit Calculations – N/A

3.6.c. NPDES Permit Limit Calculations

$$BOD_5 \text{ AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times NPDES \text{ Limit} \left(\frac{\text{mg}}{\text{L}} \right) \times POTW \text{ Flow}(\text{MGD})}{1 - \frac{POTW \text{ Removal Efficiency}(\%)}{100}}$$

$$BOD_5 \text{ AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times 10 \left(\frac{\text{mg}}{\text{L}} \right) \times 1 (\text{MGD})}{1 - \frac{97\%}{100}}$$

$$BOD_5 \text{ AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = 2780$$

$$BOD_5 \text{ Load} \left(\frac{\text{lbs}}{\text{day}} \right) = AHL \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{\text{Safety Factor}(\%)}{100} \right) - \text{Dom. | Com. Load} \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$BOD_5 \text{ Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 2780 \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{10\%}{100} \right) - 1952 \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$BOD_5 \text{ Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 550$$

$$BOD_5 \text{ Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{\text{Allowable Loading} \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times \text{IU Pollutant Flow}(\text{MGD})}$$

$$BOD_5 \text{ Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{550 \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times 0.064(\text{MGD})}$$

$$BOD_5 \text{ Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = 1031 \text{ (Not Most Stringent Value)}$$

3.6.d. Acute Water Quality Standard Calculations

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

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times 0.182 \left(\frac{\text{mg}}{\text{L}} \right) \times 2.42(\text{MGD})}{1 - \frac{79\%}{100}}$$

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = 17.5$$

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

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 17.5 \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{10\%}{100} \right) - 1.80 \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 14.0$$

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

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{14.0 \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times 0.064(\text{MGD})}$$

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = 26.2 \text{ (Not Most Stringent Value)}$$

3.6.e. Chronic Water Quality Standard Calculations

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

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times 0.184 \left(\frac{\text{mg}}{\text{L}} \right) \times 2.62(\text{MGD})}{1 - \frac{79\%}{100}}$$

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = 19.1$$

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

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 19.1 \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{10\%}{100} \right) - 1.80 \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 15.4$$

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

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{15.4 \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times 0.064 (\text{MGD})}$$

$$\text{Daily Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = 28.9 \text{ (Not Most Stringent Value)}$$

3.6.f. POTW Inhibition Calculations

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

$$\text{Lead AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times 1 \left(\frac{\text{mg}}{\text{L}} \right) \times 1 (\text{MGD})}{1 - \frac{61\%}{100}}$$

$$\text{Lead AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = 21.4$$

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

$$\text{Lead Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 21.4 \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{10\%}{100} \right) - 0.45 \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Lead Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 18.8$$

$$\text{Lead Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{\text{Allowable Loading} \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times \text{IU Pollutant Flow (MGD)}}$$

$$\text{Lead Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{18.8 \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times 0.064 (\text{MGD})}$$

$$\text{Lead Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = 35.2 \text{ (Not Most Stringent Value)}$$

4.0 OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS

4.1 *Anti-Backsliding*

The limits in this permit are in compliance with the 40 C.F.R. 122.44(l), which requires a reissued permit to be as stringent as the previous permit.

The proposed permit removes the daily average effluent limit from Total Toxic Organics. The basis for the limit was 40 CFR 433 Subpart A Pretreatment Standards for New Sources (PSNS) which established only a daily maximum effluent limit. Furthermore, with the frequency of reporting established in the permit the daily average would be equal to the daily maximum and redundant.

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 1152 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 an 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 1152 East
Atlanta, Georgia 30334

The permit application, draft permit, and other information are available for review at 2 Martin Luther King Jr. Drive, Suite 1152 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-.06(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

ELECTRONIC CODE OF FEDERAL REGULATIONS**e-CFR data is current as of September 12, 2017**

Title 40 → Chapter I → Subchapter N → Part 433

Title 40: Protection of Environment

PART 433—METAL FINISHING POINT SOURCE CATEGORY**Contents****Subpart A—Metal Finishing Subcategory**

- §433.10 Applicability; description of the metal finishing point source category.
- §433.11 Specialized definitions.
- §433.12 Monitoring requirements.
- §433.13 Effluent limitations representing the degree of effluent reduction attainable by applying the best practicable control technology currently available (BPT).
- §433.14 Effluent limitations representing the degree of effluent reduction attainable by applying the best available technology economically achievable (BAT).
- §433.15 Pretreatment standards for existing sources (PSES).
- §433.16 New source performance standards (NSPS).
- §433.17 Pretreatment standards for new sources (PSNS).

Subpart B [Reserved]

AUTHORITY: Secs. 301, 304(b), (c), (e), and (g), 306(b) and (c), 307(b) and (c), 308 and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1971, as amended by the Clean Water Act of 1977) (the "Act"); 33 U.S.C. 1311, 1314(b), (c), (e), and (g), 1316(b) and (c), 1317(b) and (c), 1318 and 1361; 86 Stat. 816, Pub. L. 92-500; 91 Stat. 1567, Pub. L. 95-217.

SOURCE: 48 FR 32485, July 15, 1983, unless otherwise noted.

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Subpart A—Metal Finishing Subcategory

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§433.10 Applicability; description of the metal finishing point source category.

(a) Except as noted in paragraphs (b) and (c), of this section, the provisions of this subpart apply to plants which perform any of the following six metal finishing operations on any basis material: Electroplating, Electroless Plating, Anodizing, Coating (chromating, phosphating, and coloring), Chemical Etching and Milling, and Printed Circuit Board Manufacture. If any of those six operations are present, then this part applies to discharges from those operations and also to discharges from any of the following 40 process operations: Cleaning, Machining, Grinding, Polishing, Tumbling, Burnishing, Impact Deformation, Pressure Deformation, Shearing, Heat Treating, Thermal Cutting, Welding, Brazing, Soldering, Flame Spraying, Sand Blasting, Other Abrasive Jet Machining, Electric Discharge Machining, Electrochemical Machining, Electron Beam Machining, Laser Beam Machining, Plasma Arc Machining, Ultrasonic Machining, Sintering, Laminating, Hot Dip Coating, Sputtering, Vapor Plating, Thermal Infusion, Salt Bath Descaling, Solvent Degreasing, Paint Stripping, Painting, Electrostatic Painting, Electropainting, Vacuum Metalizing, Assembly, Calibration, Testing, and Mechanical Plating.

(b) In some cases effluent limitations and standards for the following industrial categories may be effective and applicable to wastewater discharges from the metal finishing operations listed above. In such cases these part 433 limits shall not apply and the following regulations shall apply:

Nonferrous metal smelting and refining (40 CFR part 421)

Coil coating (40 CFR part 465)
Porcelain enameling (40 CFR part 466)
Battery manufacturing (40 CFR part 461)
Iron and steel (40 CFR part 420)
Metal casting foundries (40 CFR part 464)
Aluminum forming (40 CFR part 467)
Copper forming (40 CFR part 468)
Plastic molding and forming (40 CFR part 463)
Nonferrous forming (40 CFR part 471)
Electrical and electronic components (40 CFR part 469)

(c) This part does not apply to:

- (1) Metallic platemaking and gravure cylinder preparation conducted within or for printing and publishing facilities; and
- (2) Existing indirect discharging job shops and independent printed circuit board manufacturers which are covered by 40 CFR part 413.)

[48 FR 32485, July 15, 1983; 48 FR 43682, Sept. 26, 1983; 48 FR 45105, Oct. 3, 1983; 51 FR 40421, Nov. 7, 1986]

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§433.11 Specialized definitions.

The definitions set forth in 40 CFR part 401 and the chemical analysis methods set forth in 40 CFR part 136 are both incorporated here by reference. In addition, the following definitions apply to this part:

- (a) The term "T", as in "Cyanide, T", shall mean total.
- (b) The term "A", as in "Cyanide A", shall mean amenable to alkaline chlorination.
- (c) The term "job shop" shall mean a facility which owns not more than 50% (annual area basis) of the materials undergoing metal finishing.
- (d) The term "independent" printed circuit board manufacturer shall mean a facility which manufacturers printed circuit boards principally for sale to other companies.
- (e) The term "TTO" shall mean total toxic organics, which is the summation of all quantifiable values greater than .01 milligrams per liter for the following toxic organics:

Acenaphthene
Acrolein
Acrylonitrile
Benzene
Benzidine
Carbon tetrachloride (tetrachloromethane)
Chlorobenzene
1,2,4-Trichlorobenzene
Hexachlorobenzene
1,2-Dichloroethane
1,1,1-Trichloroethane
Hexachloroethane
1,1-Dichloroethane
1,1,2-Trichloroethane

1,1,2,2-Tetrachloroethane
Chloroethane
Bis (2-chloroethyl) ether
2-Chloroethyl vinyl ether (mixed)
2-Chloronaphthalene
2,4,6-Trichlorophenol
Parachlorometa cresol
Chloroform (trichloromethane)
2-Chlorophenol
1,2-Dichlorobenzene
1,3-Dichlorobenzene
1,4-Dichlorobenzene
3,3-Dichlorobenzidine
1,1-Dichloroethylene
1,2-Trans-dichloroethylene
2,4-Dichlorophenol
1,2-Dichloropropane
1,3-Dichloropropylene (1,3-dichloropropene)
2,4-Dimethylphenol
2,4-Dinitrotoluene
2,6-Dinitrotoluene
1,2-Diphenylhydrazine
Ethylbenzene
Fluoranthene
4-Chlorophenyl phenyl ether
4-Bromophenyl phenyl ether
Bis (2-chloroisopropyl) ether
Bis (2-chloroethoxy) methane
Methylene chloride (dichloromethane)
Methyl chloride (chloromethane)
Methyl bromide (bromomethane)
Bromoform (tribromomethane)
Dichlorobromomethane
Chlorodibromomethane
Hexachlorobutadiene
Hexachlorocyclopentadiene
Isophorone
Naphthalene
Nitrobenzene
2-Nitrophenol
4-Nitrophenol
2,4-Dinitrophenol

4,6-Dinitro-o-cresol
N-nitrosodimethylamine
N-nitrosodiphenylamine
N-nitrosodi-n-propylamine
Pentachlorophenol
Phenol
Bis (2-ethylhexyl) phthalate
Butyl benzyl phthalate
Di-n-butyl phthalate
Di-n-octyl phthalate
Diethyl phthalate
Dimethyl phthalate
1,2-Benzanthracene
(benzo(a)anthracene)
Benzo(a)pyrene (3,4-benzopyrene)
3,4-Benzofluoranthene (benzo(b)fluoranthene)
11,12-Benzofluoranthene (benzo(k)fluoranthene)
Chrysene
Acenaphthylene
Anthracene
1,12-Benzoperylene (benzo(ghi)perylene)
Fluorene
Phenanthrene
1,2,5,6-Dibenzanthracene (dibenzo(a,h)anthracene)
Indeno(1,2,3-cd) pyrene (2,3-o-phenylene pyrene)
Pyrene
Tetrachloroethylene
Toluene
Trichloroethylene
Vinyl chloride (chloroethylene)
Aldrin
Dieldrin
Chlordane (technical mixture and metabolites)
4,4-DDT
4,4-DDE (p,p-DDX)
4,4-DDD (p,p-TDE)
Alpha-endosulfan
Beta-endosulfan
Endosulfan sulfate
Endrin
Endrin aldehyde
Heptachlor

Heptachlor epoxide

(BHC-hexachloro-
cyclohexane)

Alpha-BHC

Beta-BHC

Gamma-BHC

Delta-BHC

(PCB-polychlorinated biphenyls)

PCB-1242 (Arochlor 1242)

PCB-1254 (Arochlor 1254)

PCB-1221 (Arochlor 1221)

PCB-1232 (Arochlor 1232)

PCB-1248 (Arochlor 1248)

PCB-1260 (Arochlor 1260)

PCB-1016 (Arochlor 1016)

Toxaphene

2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)

[48 FR 32485, July 15, 1983; 48 FR 43682, Sept. 26, 1983, as amended at 51 FR 40421, Nov. 7, 1986]

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§433.12 Monitoring requirements.

(a) In lieu of requiring monitoring for TTO, the permitting authority (or, in the case of indirect dischargers, the control authority) may allow dischargers to make the following certification statement: "Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the permitting [or control] authority." For direct dischargers, this statement is to be included as a "comment" on the Discharge Monitoring Report required by 40 CFR 122.44(i), formerly 40 CFR 122.62(i). For indirect dischargers, the statement is to be included as a comment to the periodic reports required by 40 CFR 403.12(e). If monitoring is necessary to measure compliance with the TTO standard, the industrial discharger need analyse for only those pollutants which would reasonably be expected to be present.

(b) In requesting the certification alternative, a discharger shall submit a solvent management plan that specifies to the satisfaction of the permitting authority (or, in the case of indirect dischargers, the control authority) the toxic organic compounds used; the method of disposal used instead of dumping, such as reclamation, contract hauling, or incineration; and procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater. For direct dischargers, the permitting authority shall incorporate the plan as a provision of the permit.

(c) Self-monitoring for cyanide must be conducted after cyanide treatment and before dilution with other streams. Alternatively, samples may be taken of the final effluent, if the plant limitations are adjusted based on the dilution ratio of the cyanide waste stream flow to the effluent flow.

(Approved by the Office of Management and Budget under control number 2040-0074)

[48 FR 32485, July 15, 1983; 48 FR 43682, Sept. 26, 1983, as amended at 49 FR 34823, Sept. 4, 1984]

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§433.13 Effluent limitations representing the degree of effluent reduction attainable by applying the best practicable control technology currently available (BPT).

(a) 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 degree of effluent reduction attainable by applying the best practicable control technology currently available (BPT):

BPT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed
	Milligrams per liter (mg/l)	
Cadmium (T)	0.69	0.26
Chromium (T)	2.77	1.71
Copper (T)	3.38	2.07
Lead (T)	0.69	0.43
Nickel (T)	3.98	2.38
Silver (T)	0.43	0.24
Zinc (T)	2.61	1.48
Cyanide (T)	1.20	0.65
TTO	2.13	
Oil & Grease	52	26
TSS	60	31
pH	(¹)	(¹)

¹Within 6.0 to 9.0.

(b) Alternatively, for industrial facilities with cyanide treatment, and upon agreement between a source subject to those limits and the pollution control authority, the following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph (a) of this section:

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed
	Milligrams per liter (mg/l)	
Cyanide (A)	0.86	0.32

(c) No user subject to the provisions of this subpart shall augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.

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§433.14 Effluent limitations representing the degree of effluent reduction attainable by applying the best available technology economically achievable (BAT).

(a) 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 degree of effluent reduction attainable by applying the best available technology economically achievable (BAT):

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed
	Milligrams per liter (mg/l)	
Cadmium (T)	0.69	0.26
Chromium (T)	2.77	1.71
Copper (T)	3.38	2.07
Lead (T)	0.69	0.43
Nickel (T)	3.98	2.38
Silver (T)	0.43	0.24
Zinc (T)	2.61	1.48
Cyanide (T)	1.20	0.65
TTO	2.13	

(b) Alternatively, for industrial facilities with cyanide treatment, and upon agreement between a source subject to those limits and the pollution control authority, the following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph (a) of this section:

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed
	Milligrams per liter (mg/l)	
Cyanide (A)	0.86	0.32

(c) No user subject to the provisions of this subpart shall augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.

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§433.15 Pretreatment standards for existing sources (PSES).

(a) Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and achieve the following pretreatment standards for existing sources (PSES):

PSES FOR ALL PLANTS EXCEPT JOB SHOPS AND INDEPENDENT PRINTED CIRCUIT BOARD MANUFACTURERS

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed	
		Milligrams per liter (mg/l)	
Cadmium (T)		0.69	0.26
Chromium (T)		2.77	1.71
Copper (T)		3.38	2.07
Lead (T)		0.69	0.43
Nickel (T)		3.98	2.38
Silver (T)		0.43	0.24
Zinc (T)		2.61	1.48
Cyanide (T)		1.20	0.65
TTO		2.13	

(b) Alternatively, for industrial facilities with cyanide treatment, upon agreement between a source subject to those limits and the pollution control authority. The following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph (a) of this section:

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed	
		Milligrams per liter (mg/l)	
Cyanide (A)		0.86	0.32

(c) No user introducing wastewater pollutants into a publicly owned treatment works under the provisions of this subpart shall augment the use of process wastewater as a partial or total substitute for adequate treatment to achieve compliance with this standard.

(d) An existing source submitting a certification in lieu of monitoring pursuant to §433.12 (a) and (b) of this regulation must implement the toxic organic management plan approved by the control authority.

(e) An existing source subject to this subpart shall comply with a daily maximum pretreatment standard for TTO of 4.57 mg/l.

(f) Compliance with the provisions of paragraph (c), (d), and (e) of this section shall be achieved as soon as possible, but not later than June 30, 1984, however metal finishing facilities which are also covered by part 420 (iron and steel) need not comply before July 10, 1985. Compliance with the provisions of paragraphs (a) and (b) of this section shall be achieved as soon as possible, but not later than February 15, 1986.

[48 FR 32485, July 15, 1983, as amended at 48 FR 41410, Sept. 15, 1983; 48 FR 43682, Sept. 26, 1983]

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§433.16 New source performance standards (NSPS).

(a) Any new source subject to this subpart must achieve the following performance standards:

NSPS

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed	
		Milligrams per liter (mg/l)	
Cadmium (T)		0.11	0.07
Chromium (T)		2.77	1.71
Copper (T)		3.38	2.07
Lead (T)		0.69	0.43
Nickel (T)		3.98	2.38
Silver (T)		0.43	0.24
Zinc (T)		2.61	1.48
Cyanide (T)		1.20	0.65
TTO		2.13	
Oil and Grease		52	26
TSS		60	31
pH		(¹)	(¹)

¹Within 6.0 to 9.0.

(b) Alternatively, for industrial facilities with cyanide treatment, and upon agreement between a source subject to those limits and the pollution control authority, the following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph (a) of this section:

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed
		Milligrams per liter (mg/l)
Cyanide (A)	0.86	0.32

(c) No user subject to the provisions of this subpart shall augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.

[48 FR 32485, July 15, 1983; 48 FR 43682, Sept. 26, 1983]

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§433.17 Pretreatment standards for new sources (PSNS).

(a) Except as provided in 40 CFR 403.7, any new source subject to this subpart that introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and achieve the following pretreatment standards for new sources (PSNS):

PSNS

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed
		Milligrams per liter (mg/l)
Cadmium (T)	0.11	0.07
Chromium (T)	2.77	1.71
Copper (T)	3.38	2.07
Lead (T)	0.69	0.43
Nickel (T)	3.98	2.38
Silver (T)	0.43	0.24
Zinc (T)	2.61	1.48
Cyanide (T)	1.20	0.65
TTO	2.13	

(b) Alternatively, for industrial facilities with cyanide treatment, and upon agreement between a source subject to these limits and the pollution control authority, the following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph (a) of this section:

Pollutant or pollutant property	Maximum for any 1 day	Monthly average shall not exceed
		Milligrams per liter (mg/l)
Cyanide (A)	0.86	0.32

(c) No user subject to the provisions of this subpart shall augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.

(d) An existing source submitting a certification in lieu of monitoring pursuant to §433.12 (a) and (b) of this regulation must implement the toxic organic management plan approved by the control authority.

[48 FR 32485, July 15, 1983; 48 FR 43682, Sept. 26, 1983]

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Subpart B [Reserved]

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Need assistance?

Appendix B – Effluent Limitation Calculations

Primary treatment

Local Limits Determination Based on NPDES Daily Effluent Limits											
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						TABLE 1		MAXIMUM LOADING		INDUSTRIAL	
Pollutant	IU Pollut. Flow (MGD)	POTW Flow (MGD)	Removal Efficiency (%)	NPDES Daily Limit (mg/l)	Domestic and Conc. (mg/l)	Commercial Flow (MGD)	Allowable Headworks (lbs/day)	Domestic/ Commercial (lbs/day)	Allowable Loading (lbs/day)	Local Limit (mg/l)	Safety Factor (%)
Ammonia-N		0.064	1.25	50	9	30	1.186	187.65	296.7372	-127.8522	-239.53125 10
Arsenic											
BOD		0.064	1.25	97	15	250	1.186	5212.5	2472.81	2218.44	4156.25 10
Cadmium											
Chromium											
Hex. Chrom.											
COD											
Copper		0.064	1.25	86	38.6	0.14	1.186	2874.321429	1.3647736	2585.5045	4843.9458 10
Cyanide											
Lead											
Mercury											
Nickel											
Oil & Grease											
Phosphorus ¹		0.064	1.25	50	1	0.7	1.186	20.85	6.923868	11.841132	22.184375 10
Silver											
TSS		0.064	1.25	95	15	250	1.186	3127.5	2472.81	341.94	640.625 10
TTO											
Zinc											
¹ Current permit does not have an NPDES limit for phosphorus; phosphorus was conditionally evaluated based on EPD's Strategy for Addressing Phosphorus											
(Cind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.										
(Qpotw)	POTW's average influent flow in MGD.										
(Rpotw)	Removal efficiency across POTW as percent. (in this case = to Rprim)										
(Ccrit)	NPDES daily maximum permit limit for a particular pollutant in mg/l.										
(Qdom)	Domestic/commercial background flow in MGD.										
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l. (based on EPA numbers from 1991)										
(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										
..											

Finally, a treatment

[illegible]

[illegible]

Final Day 1 Reassembly

Local Limits Determination Based on USEPA 503 Sludge Regulations - M/A Sludge is Landfilled	TABLE	5
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE		

Local Limits Determination Based on USEPA 503 Sludge Regulations - MA Sludge is Landfilled													
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE													
TABLE 5													
MAXIMUM LOADING													
INDUSTRIAL													
Pollutant	IU Pollut. Flow (MGD)	POTW Flow (MGD)	Sludge Flow (MGD)	Percent Solids (%)	Removal Efficiency (%)	503 Sludge Criteria (mg/kg)	Domestic and Commercial Conc. (mg/l)	Commercial Flow (MGD)	Allowable Headworks (lbs/day)	Domestic/Commercial (lbs/day)	Allowable Loading (lbs/day)	Local Limit (mg/l)	Safety Factor (%)
Ammonia-N	(Clind)	(Qpotw)	(Qsldg)	(PS)	(Rpotw)		(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Clind)	(SF)
Arsenic													
BOD													
Cadmium													
Chromium													
Hex. Chrom.													
COD													
Copper													
Cyanide													
Lead													
Mercury													
Nickel													
Oil & Grease													
Phosphorus													
Silver													
TSS													
TTO													
Zinc													
(Clind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.												
(Qpotw)	POTW's average influent flow in MGD.												
(Qsldg)	Sludge flow to disposal in MGD.												
(PS)	Percent solids of sludge to disposal.												
(Rpotw)	Removal efficiency across POTW as a percent.												
(Cslcrit)	503 sludge criteria in mg/kg dry sludge.												
(Qdom)	Domestic/commercial background flow in MGD.												
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.												
(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.												
(Clind)	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 Determination Based on State Sludge Criteria - N/A Sludge is Landfilled													
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE													
TABLE 6													
MAXIMUM LOADING													
INDUSTRIAL													
Pollutant	IU Pollut. Flow (MGD)	POTW Flow (MGD)	Sludge Flow (MGD)	Percent Solids (%)	Removal Efficiency (%)	State Sludge Criteria (mg/kg)	Domestic and Commercial Conc. (mg/l)	Commercial Flow (MGD)	Allowable Headworks (lbs/day)	Domestic/Commercial (lbs/day)	Allowable Loading (lbs/day)	Local Limit (mg/l)	Safety Factor (%)
Ammonia-N	(Qind)	(Qpotw)	(Qsldg)	(PS)	(Rpotw)	(Cslcrit)	(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Cind)	(SF)
Arsenic													
BOD													
Cadmium													
Chromium													
Hex. Chrom.													
COD													
Copper													
Cyanide													
Lead													
Mercury													
Nickel													
Oil & Grease													
Phosphorus													
Silver													
TSS													
TTO													
Zinc													
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.												
(Qpotw)	POTW's average influent flow in 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.												
(Qdom)	Domestic/commercial background flow in MGD.												
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.												
(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 for a particular pollutant in pounds per day (lbs/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												
..													

[illegible]

TABLE 8
Local Limits Determination Based on Acute Water Quality Standards
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE

TABLE 8													
Local Limits Determination Based on Acute Water Quality Standards										ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE			
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE													
MAXIMUM LOADING													
INDUSTRIAL													
LOCAL LIMITS													
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 Commercial 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	0.064	1	1.42	0	45	0.641509434	0.007	0.936	23.54083	0.0546437	21.132103	39.59102	10
Arsenic	0.064	1	1.42	0	67	0.003202576	0	0.936	0.1958695	0	0.1762826	0.330266	10
BOD	0.064	1	1.42	0	82	0.016	0.034	0.936	1.7940267	0.2654122	1.3492118	2.52775	10
Cadmium*	0.064	1	1.42	0	86	0.015843173	0.14	0.936	2.283997	1.0928736	0.9627237	1.803664	10
Chromium*	0.064	1	1.42	0	61	0.127268207	0	0.936	6.5862276	0	5.9276048	11.10537	10
Hex. Chrom.	0.064	1	1.42	0	42	0.491801327	0.047	0.936	17.113669	0.3668933	15.035409	28.16886	10
COD	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Copper*	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Cyanide	0.064	1	1.42	0	61	0.127268207	0	0.936	6.5862276	0	5.9276048	11.10537	10
Lead*	0.064	1	1.42	0	42	0.491801327	0.047	0.936	17.113669	0.3668933	15.035409	28.16886	10
Mercury	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Nickel*	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Oil & Grease	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Phosphorus	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Silver	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
TSS	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
TTO	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Zinc	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Qind)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Qpotw)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Qstr)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Cstr)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Rpotw)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Ccrit)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Qdom)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Cdom)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Lhw)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Ldom)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Lind)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(Cind)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
(SF)	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Unit conversion factor	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
Lhw =	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
1 - Rpotw	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10
..	0.064	1	1.42	0	79	0.182272132	0.231	0.936	17.517914	1.8032414	13.962881	26.15947	10

Primary treatment

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

TABLE 9											
Local Limits Determination Based on Anaerobic Digester Inhibition Level -N/A an anaerobic digester is not present at the POTW											
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE					MAXIMUM LOADING			INDUSTRIAL			
Pollutant	IU Pollut. Flow (MGD)	POTW Flow (MGD)	Sludge Flow to Digester (MGD)	Removal Efficiency (%)	Anaerobic Digester Inhibition Level (mg/l)	Domestic and Commercial Conc. (mg/l)	Commercial Flow (MGD)	Allowable Headworks (lbs/day)	Domestic/Commercial Loading (lbs/day)	Local Limit (mg/l)	Safety Factor (%)
	(Qind)	(Qpotw)	(Qdig)	(Rpotw)	(Ccrit)	(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Cind)
Ammonia-N											(SF)
Arsenic											
BOD											
Cadmium											
Chromium											
Hex. Chrom.											
COD											
Copper											
Cyanide											
Lead											
Mercury											
Nickel											
Oil & Grease											
Phosphorus											
Silver											
TSS											
TTO											
Zinc											
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.										
(Qpotw)	POTW's average influent flow in MGD.										
(Qdig)	Sludge flow to digester in MGD:										
(Rpotw)	Removal efficiency across POTW as percent.										
(Ccrit)	Anaerobic digester threshold inhibition level in mg/l.										
(Cdom)	Domestic/commercial background flow in MGD.										
(Lhw)	Domestic/commercial background concentration for a particular pollutant in mg/l.										
(Ldom)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).										
(Lind)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).										
(Cind)	Maximum allowable industrial loading to the POTW in pounds per day.										
(SF)	Industrial allowable local limit for a given pollutant in mg/l.										
	Safety factor as a percent.										
8.34	Unit conversion factor										
Lhw =	8.34 * Ccrit * Qdig										
	Rpotw										

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 (kg/day)	Categorical Standards (mg/l)		Current Permit Limits (mg/l)		Sewer Use Ordinance (mg/L)	
				Daily Max.	Daily Average	Daily Max.	Daily Average	Daily Max/Average	
Ammonia-N	30	D	5.96925					30	
Arsenic	2.454443	I	0.4883728						
BOD	1031.25	P	205.19297			250	250	250	
Cadmium	0.056682	W	0.0112783	0.11	0.07	0.01	0.008		
Chromium	1.754313	C	0.3490643	2.77	1.71	0.40	0.32		
Hex. Chrom.									
COD									
Copper	0.969636	W	0.1929334	3.38	2.07	1.73	1.06		
Cyanide	0.471774	W	0.0938713	1.2	0.65	0.25	0.2		
Lead	0.468526	W	0.0932249	0.69	0.43	0.0725	0.058		
Mercury									
Nickel	2.78254	C	0.553656	3.98	2.38	0.30	0.24		
Oil & Grease						100	100	100	
Phosphorus									
Silver				0.43	0.24	0.43	0.24		
TSS	250	D	49.74375			250	250	250	
TTO				2.13		2.13	2.13		
Zinc	1.978768	C	0.3937253	2.61	1.48	1.85	1.48		
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					

Building #2:

Combined Wastream Formula (Building #2 only)=

$$C_T = \left(\frac{\sum_{i=1}^N C_i F_i}{\sum_{i=1}^N F_i} \right) \left(\frac{F_T - F_D}{F_T} \right)$$

Pollutant	Undiluted Concentration Limits (mg/L)		Combined Wastestream Limits (mg/L)		Current Permit Limits (mg/L)	
	Daily Average	Daily Maximum	Daily Average	Daily Maximum	Daily Average	Daily Maximum
Cadmium, Total	0.057	0.086	0.046	0.068	0.008	0.01
Chromium, Total	1.71	2.57	1.37	2.05	0.32	0.40
Copper, Total	0.970	1.455	0.970	1.17	1.06	1.73
Cyanide, Total	0.472	0.708	0.378	0.567	0.2	0.25
Lead, Total	0.430	0.645	0.344	0.517	0.058	0.0725
Nickel, Total	2.38	3.57	1.91	2.86	0.24	0.30
Silver, Total	0.240	0.192	0.192	0.344	0.24	0.43
Zinc, Total	1.48	2.22	1.19	1.78	1.48	1.85
TTO	--	2.13	--	1.71	2.13	2.13

Daily Average Process Wastewater Flow (MGD)

20100

Daily Average Sanitary Wastewater Flow (MGD)

5000

Mass Based Permit Limit =

(Conc. Limit x Maximum Flow x 8.34)

Pollutant	Concentration Based Effluent Limit (mg/L)		Mass Based Effluent Limit (lb/d)	
	Daily Average	Daily Maximum	Daily Average	Daily Maximum
Cadmium, Total	0.008	0.010	0.002	0.003
Chromium, Total	0.320	0.400	0.093	0.117
Copper, Total	0.777	1.165	0.227	0.340
Cyanide, Total	0.200	0.250	0.058	0.073
Lead, Total	0.058	0.073	0.017	0.021
Nickel, Total	0.240	0.300	0.070	0.088
Silver, Total	0.192	0.344	0.056	0.101
Zinc, Total	1.185	1.778	0.346	0.519

Daily Maximum Flow (MGD) to POTW

0.035

Building #1:

Pollutant	Concentration Based Effluent Limit (mg/L)		Mass Based Effluent Limit (lb/d)	
	Daily Average	Daily Maximum	Daily Average	Daily Maximum
Cadmium, Total	0.008	0.010	0.002	0.002
Chromium, Total	0.320	0.400	0.077	0.097
Copper, Total	0.970	1.455	0.235	0.352
Cyanide, Total	0.200	0.250	0.048	0.060
Lead, Total	0.058	0.073	0.014	0.018
Nickel, Total	0.240	0.300	0.058	0.073
Silver, Total	0.240	0.430	0.058	0.104
Zinc, Total	1.480	1.850	0.358	0.447

Daily Maximum Flow (MGD) to POTW

0.029

Appendix C – Sewer Use Ordinance

**CITY OF JEFFERSON, GEORGIA
SEWER USE ORDINANCE
JULY, 2004**

**AN ORDINANCE TO PROVIDE FOR UNIFORM REGULATIONS, MAINTENANCE
AND USAGE OF PUBLIC AND PRIVATE SEWER AND DRAIN SYSTEM; TO
ENSURE COMPLIANCE WITH THE CLEAN WATER ACT AND OTHER STATE
AND FEDERAL STATUTES AND REGULATIONS
OF THE CITY OF JEFFERSON**

WHEREAS, the City of Jefferson wishes to establish uniform requirements of the users of public and private sewers and drains, private wastewater disposal; and

WHEREAS, the City of Jefferson wishes to establish uniform requirements of the installation and connection of building sewers; and

WHEREAS, the City of Jefferson wishes to establish charges and fees for the use of the City of Jefferson's sewer and wastewater system; and,

WHEREAS, the City of Jefferson wishes to ensure compliance with all state and federal statutes, rules and regulations,

THE COUNCIL OF THE CITY OF JEFFERSON HEREBY ORDAINS:

I. The Code of Ordinances of the City of Jefferson is hereby amended as follows:

Section 1: Definitions

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

1.01 Abbreviations:

The following abbreviations shall have the designated meanings:

- ASPP - Accidental Spill Prevention Plan
- ASTM - American Society for Testing Materials
- BOD - Biochemical Oxygen Demand
- CFR - Code of Federal Regulations
- COD - Chemical Oxygen Demand
- EPA - U. S. Environmental Protection Agency
- gpd - gallons per day
- LAS - Land Application System
- LEL - Lower Explosive Limit
- mg - milligrams

- mg/L - milligrams per liter
- NPDES- National Pollutant Discharge Elimination System
- O&M - Operation and Maintenance
- POTW - Publicly Owned Treatment Works
- RCRA - Resource Conservation and Recovery Act
- SIC - Standard Industrial Classifications
- SIU - Significant Industrial User
- SWDA- Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)
- TSS - Total Suspended Solids
- USC - United States Code
- WPCF - Water Pollution Control Federal (*now Water Environment Federation*)
- WPCP - Water Pollution Control Plant

- 1.02 Act or “The Act”: Means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
- 1.03 Approval Authority: Means the Director of the Environmental Protection Division, Department of Natural Resources, State of Georgia.
- 1.04 Authorized Representative of Industrial User: An authorized representative of an industrial user may be: 1) A principal executive officer of, at minimum, level of Vice President if the industrial user is a corporation; 2) A general partner or proprietor, if the industrial user is a partnership or proprietorship, respectively; 3) An authorized representative who is responsible for the overall operation of the facility from which the discharge originates.
- 1.05 Biochemical Oxygen Demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20 degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/L)).
- 1.06 Board of Health: The Jackson County Board of Health or an authorized agent or representative.
- 1.07 Building Sewer: A private sewer conveying wastewater from the premises of a user to a community sewer.
- 1.08 Categorical User: A user covered by one of EPA’s Categorical Pretreatment Standards.
- 1.09 Categorical Standards: National Categorical Pretreatment Standards or Pretreatment Standard.
- 1.10 Chain of Custody: A written record of sample possession for all persons who handle (collect, transport, analyze, dispose) a sample, including names, dates and times.

- 1.11 Chemical Oxygen Demand (COD): A measure of the oxygen required to oxidize organic and oxidizable inorganic compounds in water.
- 1.12 City: The City of Jefferson, Georgia, a Municipal Corporation, acting through its Mayor, Council and City Manager.
- 1.13 City Engineer: The individual or firm employed in such capacity by the City Council of Jefferson; his/her duly authorized agent, deputy or representative.
- 1.14 City Manager: The Chief Operating Officer of the City of Jefferson.
- 1.15 Compatible Pollutant: BOD, TSS, pH, fecal coliform bacteria, ammonia, and such additional pollutants as are now, or may in the future, be specified and controlled in Jefferson's LAS and/or NPDES permit for its wastewater treatment works where said works have been designed and used to reduce or remove pollutants.
- 1.16 Composite Sample: The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.
- 1.17 County: Jackson, Georgia, a political subdivision of the State of Georgia.
- 1.18 Community Sewer: Any public sewer containing wastewater from more than one premise.
- 1.19 Committee: A committee of the City Council of Jefferson charged with the overview of the sewer system.
- 1.20 Cooling Water: The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant is heat.
- 1.21 Compatible Pollutant: Biochemical Oxygen Demand, Suspended Solids, and fecal Coliform bacteria.
- 1.22 Control Authority: The term "control authority" shall refer to the "approval authority", defined hereinabove; or the City Manager.
- 1.23 Direct Discharge: The discharge of treated or untreated wastewater directly to the Waters of the State of Georgia.
- 1.24 Discharge: The discharge of a pollutant or the discharge of pollutants.
- 1.25 Environmental Protection Agency (EPA): An agency of the United States, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

- 1.26 Environmental Protection Division (EPD): The State of Georgia Department of Natural Resources, Environmental Protection Division or its duly authorized representative.
- 1.27 Existing Source: For a categorical industrial user, an “existing source” is any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- 1.28 Existing User: For non-categorical users an “existing user” is defined as any user which is discharging wastewater prior to the effective date of this Ordinance or include a specific date such as the date the code will become effective.
- 1.29 Floatable Grease: Grease in a state such that it is insoluble in the liquid waste and will separate from the liquid by gravity in properly operating grease separation facilities.
- 1.30 Flow Proportioned: A composite sample that is collected continuously or discreetly. Discreet sampling may be flow-proportioned by varying the time interval between each aliquot. All composites must be flow-proportional to each stream flow at time of collection of aliquot or to the total flow since the previous aliquot.
- 1.31 Grab Sample: A water sample which is taken on a one-time basis with no regard to the flow in the waste system and without consideration of time.
- 1.32 Grease: Such materials include fats, oils, waxes and related compounds of animal, vegetable or mineral origin.
- 1.33 Hazardous Substance: Any substance designated under 40 CFR Part 261 pursuant to Section 311 of the Clean Water Act.
- 1.34 Holding Tank Waste: Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- 1.35 Indirect Discharge: The discharge or the introduction of non-domestic pollutants from any source regulated under Section 307 (b) or (c) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system) for treatment before direct discharge to the waters of the state.
- 1.36 Industrial Wastes: The wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.
- 1.37 Interference: Means inhibition or disruption of the sewer system, treatment processes or operations or which contributes to a violation of any requirement of the City’s NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air

Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV) applicable to the method of disposal or use employed by the POTW.

- 1.38 Mass Emission Rate: The weight of material discharged to the community sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of the particular constituent or combination of constituents.
- 1.39 Maximum Allowable Discharge Limit: The maximum concentration (or loading) of a pollutant allowed to be discharged at any time, determined from the analysis of any grab or composite sample collected.
- 1.40 National Categorical Pretreatment Standard or Pretreatment Standard: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users.
- 1.41 National Prohibitive Discharge Standard or Prohibitive Discharge Standard: Any regulation developed under the authority of 307 (b) of the Act and 40 C.F.R. Section 403.5.
- 1.42 New Source:
 - a. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (3) The production or wastewater generating processes of the building, structure, facility, or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
 - b. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new

building, structure, facility, or installation meeting the criteria of Section a.1. or 2. above but otherwise alters, replaces, or adds to existing process or production equipment.

c. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(1) Begun, or caused to begin as part of a continuous onsite construction program:

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(2) Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

1.43 National Pollution Discharge Elimination System or NPDES Permit: A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

1.44 New User: A “new user” is not a “new source” and is defined as a user that applies to Jefferson for a new building permit or any person who occupies an existing building and plans to discharge wastewater to Jefferson’s collection system after the effective date of this Ordinance or include a specific date such as the date the code will become effective. Any person that buys an existing facility that is discharging non-domestic wastewater will be considered an “existing user” if no significant changes are made in the manufacturing operation.

1.45 Normal Sewage: Those liquid wastes that are within the limits established by Section 4 of this Ordinance.

1.46 North American Industry Classification System (NAICS): A classification system which replaces the Standard Industrial Classification (SIC).

1.47 Owner: The tenant of a building or structure that officially holds the business license and is the customer or user of record being responsible for the water and sewer bill.

- 1.48 **Pass Through:** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of Jefferson's NPDES or LAS permit (including an increase in the magnitude or duration of a violation).
- 1.49 **Person:** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, government entity or any other legal entity, or their legal representatives, agent or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
- 1.50 **pH:** The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- 1.51 **pH Violation:** Any excursion outside of the permitted range at any time.
- 1.52 **Pollution:** The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- 1.53 **Pollutant:** Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- 1.54 **Premises:** A parcel of real estate or portion thereof including any improvements thereon which is determined by the Superintendent to be a single user for purposes of receiving, using, and paying for services.
- 1.55 **Pretreatment or Treatment:** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 C.F.R. Section 403.6(d).
- 1.56 **Publicly Owned Treatment Works or POTW:** A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the City. This definition includes any sewers that convey wastewater to such a treatment works, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment.
- 1.57 **Pretreatment Requirements:** Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- 1.58 **POTW Treatment Plant:** That portion of the POTW designed to provide treatment to wastewater.

- 1.59 Reclaimed Water: Water which, as a result of treatment of waste, is suitable for direct beneficial uses or a controlled use that would not occur otherwise.
- 1.60 Sewage: Human excrement and gray water (household showers, dishwashing operations, etc.).
- 1.61 Sewer: Any pipe, conduit, or other device used to collect and transport sewage from the generating source.
- 1.62 Sewerage: The entire system of sewage collection, treatment and disposal.
- 1.63 'Shall' is mandatory. 'May' is permissive.
- 1.64 Significant Industrial User: Any industrial user of the City's wastewater disposal system who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has a flow greater than 5% of the flow in the City's Water Pollution Control Plant, or (iii) has in its waste, toxic pollutants as defined in Section 307 of the Act, or (iv) is found by the City, State of Georgia Environmental Protection Division (EPD) or the U. S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, or the system's effluent quality, that is generated by the system.
- 1.65 Standard Specifications and Details: The current edition of the Adopted Standard Specifications and details for all construction of sanitary sewerage systems in the City of Jefferson.
- 1.66 State: State of Georgia.
- 1.67 Storm Water: Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- 1.68 Surcharge: A charge for treating pollutant loading above design domestic levels.
- 1.69 Suspended Solids: The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.
- 1.70 Superintendent: The person designated by the City to supervise the operation of the Water Pollution Control Plant and who is charged with certain duties and responsibilities by this ordinance, or his authorized representative.
- 1.71 Toxic Pollutant: Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of 33 U.S.C. 1317.

- 1.72 Total Suspended Solids: The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- 1.73 Treatment Plant Effluent: The discharge from the Water Pollution Control Plant into waters of the United States.
- 1.74 Treatment Works: Any devices and systems used in the storage, treatment, recycling and reclamation of domestic sewage or industrial wastes of a liquid nature including interceptor sewers, outfall sewers, sewage collection systems, pumping stations and other equipment and appurtenances; extensions, improvements, additions and alterations thereof; and any works, including land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.
- 1.75 Twenty-four Hour Composite Sample: A sample consisting of several effluent portions collected during a twenty-four (24) hour period and combined to form a representative sample.
- 1.76 Unpolluted Water: Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the State of Georgia or the Environmental Protection Agency having jurisdiction thereof for disposal to storm or natural drainage, or directly to surface waters.
- 1.77 Upset: An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the control of the industrial user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless or improper operation.
- 1.78 User: Any person, firm, corporation or governmental entity that discharges, causes or permits the discharge of wastewater into a community sewer.
- 1.79 Waste: Includes sewage and any and all other waste substances liquid, solid, gaseous or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.
- 1.80 Wastewater: A combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.
- 1.81 Wastewater Constituents and Characteristics: The individual chemical, physical, bacteriological and radiological parameters, including volume, and flow rate and such other parameters that serve to define, classify or measure the contents, quality, and strength of wastewater.

- 1.82 Water Pollution Control Plant: That portion of the POTW, which is designed to provide treatment of municipal sewage and industrial waste.
- 1.83 Waters of the State of Georgia: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, as defined in Section 12-7-3(16) of the Georgia Erosion and Sedimentation Act.

Section 2: Use of Public Sewers

- 2.1 It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of Jefferson or any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.
- 2.2 It shall be unlawful to discharge to any natural outlet within the City of Jefferson or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- 2.3 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 garbage.
- 2.4 The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is located a public sanitary sewer of the City, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet (61 meters) of the property line.

Section 3: Private Sewage Disposal

- 3.1 Where a public sanitary sewer is not available under the provisions of Section 2.4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Ordinance.
- 3.2 Before commencement of construction of a private disposal system, the owner shall first obtain a written permit signed by the Jackson County Board of Health. The application for such permit shall be made on a form furnished by the Board of Health, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Board of Health and/or the City.
- 3.3 A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Board of Health. It shall be allowed to inspect the

work at any stage of construction and in any event the applicant for the permit shall notify the Board of Health when the work is ready for final inspection and before any underground portions are covered, excluding the building sewer to the private sewer disposal system.

- 3.4 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 County and State of Georgia. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- 3.5 At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 3.4 a direct connection shall be made to the public sewer in compliance with this Ordinance within ninety (90) days and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- 3.6 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.
- 3.7 No statement contained in this Ordinance shall be construed to interfere with any additional requirements that may be imposed by the Board of Health.

Section 4: Prohibitions and Limitations on Discharge into the Public-Owned Treatment Works

- 4.1 Prohibited Pollutants: No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. A user may not contribute the following substances to the POTW:
- a. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and any other substances which have been determined to be a fire hazard or a hazard to the system.
 - b. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

- c. Any wastewater having a pH less than 6.0 or greater than 9.0 at any time, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- d. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitations set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act.
- e. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- f. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharge to the POTW cause the POTW to be in non-compliance with the sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- g. Any substance which will cause the WPCP to violate its NPDES or LAS Permit or the receiving water quality standards.
- h. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- i. Any wastewater having a temperature which will inhibit biological activity in the WPCP, but in no case wastewater which will cause the temperature at the influent of the WPCP to exceed 40 degrees C (104 degrees F). No user shall discharge into any sewer line or other appurtenances of the POTW wastewater with a temperature exceeding 65.5 degrees C (105 degrees F).
- j. Any pollutants, including oxygen demand pollutants (BOD, etc.) released at a flow rate or pollutant concentration which will cause interference to the POTW.
- k. Any wastewater containing any radioactive wastes or isotopes of such concentration as may exceed limits established by the City in compliance with applicable State or Federal regulations.
- l. Any wastewater which causes a hazard to human life or creates a public nuisance.
- m. Any surface run-off waters.

The City, as applicable, shall establish limitations or prohibitions in the wastewater discharge permit of any user as necessary to achieve the purpose and policy of this Ordinance.

4.2 Federal Categorical Pretreatment Standards:

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance. The City shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

4.3 Limitations on the Use of Garbage Grinders:

Waste from garbage grinders shall not be discharged into a community sewer except where generated in preparation of food consumed on the premises, and then only where applicable fees therefore are paid. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the community sewers. Garbage grinders shall not be used for the grinding of plastics, paper products, inert materials, or garden refuse.

4.4 Limitations on Point of Discharge:

No person shall discharge any substance directly into a manhole or other opening in a community sewer other than through an approved building sewer, unless he shall have been issued a permit by the City.

4.5 Septic Tank Pumping, Hauling and Discharge:

No person owning vacuum or "cesspool" pump trucks or other liquid waste transport trucks shall discharge directly or indirectly such sewage into the POTW, without a permit to do so and payment of proper fees.

4.6 Other Holding Tank Waste:

No person shall discharge any other holding tank waste into the POTW. Provided, however, no permit will be required to discharge domestic waste from a recreational vehicle's tank.

4.7 Limitations on Wastewater Strength and Surcharges for Violations:

Limitations on Wastewater Strength: No person or user shall discharge wastewater in excess of the concentrations set forth in the table below unless a special agreement or consent order is entered into between the City and the user, which provides as a special permit condition a higher interim concentration level and a requirement that the user construct a pretreatment facility or institute changes in operations and maintenance procedures to reduce the concentration of pollutants to levels not exceeding the standards set forth in the agreement or order within a fixed period of time.

PARAMETER	MAXIMUM CONCENTRATION
BOD	250 mg/L
Total Suspended Solids (TSS)	250 mg/L
Fats, Oil & Grease (FOG)	100 mg/L
Ammonia Nitrogen (NH ₃)	30 mg/L

Surcharges: Surcharges for excess BOD, Suspended Solids, Fats, Oil & Grease, and Ammonia Nitrogen are hereby adopted as follows:

PARAMETER	SURCHARGE
BOD	\$0.0044 per mg/L per thousand gallons over 250 mg/L
Total Suspended Solids (TSS)	\$0.0044 per mg/L per thousand gallons over 250 mg/L
Fats, Oil & Grease (FOG)	\$0.0044 per mg/L per thousand gallons over 100 mg/L
Ammonia Nitrogen (NH ₃)	\$0.044 per mg/L per thousand gallons over 30 mg/L

Limitation on pH in Wastewater Stream: No person or user shall discharge any wastewater having a pH less than 6.0 or greater than 9.0 at any time, or wastewater having any other corrosive property capable of causing damage to structure, equipment and/or personnel of the POTW.

Surcharges for pH Violations: Surcharges for pH violations shall be applied to wastewater users regardless of flow as follows:

Twenty-five dollars (\$25.00) per tenth over 9 standard units.

Twenty-five dollars (\$25.00) per tenth under 6 standard units.

The City, in accordance with the standard practice for sample taking and sample analysis, shall compute monthly for each user, the amount of waste pollutants in mg/L (milligrams per liter) introduced in the sewer system in excess of the residential criteria hereafter established. Surcharges shall be applied in accordance with the latest adopted rate schedule. Computations shall be based on sample(s) taken in a water service period. In the event there are not samples taken in a service period, the most recent sample shall be used for the monthly computation for up to four (4) consecutive monthly computations.

4.8 Measurements and Tests:

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the superintendent.

4.9 Grease, Oil and Sand Interceptors:

Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 4.7, or any flammable wastes, sand, or other harmful ingredients. 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. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of captured material and shall maintain records of the dates and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms.

4.10 Pretreatment Requirements:

Users of the POTW shall design, construct, operate, and maintain wastewater pretreatment facilities whenever necessary to reduce or modify the user's wastewater constituency to achieve compliance with the limitations in wastewater strength set forth in paragraph 4.7 of this Section, to meet applicable National Pretreatment Standards, or to meet any other wastewater condition or limitation contained in the user's wastewater discharge permit.

4.11 Maintenance of Pretreatment Facilities:

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his/her expense.

4.12 Structure for Observations, Sampling and Measurement of Wastes:

The owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observations, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with approved plans.

4.13 Plans and Specifications:

Plans, specifications and operating procedures for such wastewater pretreatment facilities shall be prepared by a registered engineer, and shall be submitted to the City for review in accordance with accepted engineering practices. The City Engineer shall review said plans within 45 days and shall recommend to the user any appropriate changes. Plans and specifications for the pretreatment facilities shall also be reviewed and approved by EPD prior to construction. Prior to beginning construction of said pretreatment facility, the user shall submit a set of construction plans and specifications to be maintained by the Superintendent. Prior to beginning construction the user shall also secure such building, plumbing, or other permits that may be required by the City or County. The user shall construct said pretreatment facility within the time provided in the user's wastewater discharge permit. Following completion of construction the user shall provide the Superintendent with two sets of "As-built" drawings to be maintained by the Superintendent.

4.14 State Requirements:

State requirements and limitations on discharge shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Ordinance.

4.15 City's Right of Revision:

The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the POTW if deemed necessary.

4.16 Excessive Discharge:

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitations developed by the City, the County or the State.

4.17 Prevention of Accidental Discharges:

All industrial users shall provide such facilities and institute such procedures as are reasonably necessary to prevent or minimize the potential for accidental discharge into the POTW of waste regulated by this Ordinance from liquid or raw material storage areas, from truck and rail car loading and unloading areas, from in-plant transfer or processing and material handling areas, and from diked area or holding ponds of any waste regulated by this Ordinance. The wastewater discharge permit of any user who has a potential of significant leaks, spills, or other accidental discharge of waste regulated by this Ordinance shall be subject to a special permit condition or requirement for the construction of facilities or establishment of procedures which will prevent or minimize the potential for such accidental discharge. Plans, specifications, and operating procedures for such special permit conditions shall be developed by the user and submitted to the City for review under the provisions of paragraph 4.13 of this Section.

Section 5: Fees

5.1 Charges and Fees

The City may adopt charges and fees for the following:

- a. Fees for reimbursement of costs of setting up and operating a Pretreatment Program;
- b. Fees for monitoring, inspections and surveillance procedures;
- c. Fees for reviewing accidental discharge procedures and construction;
- d. Fees for filing appeals;
- e. Fees as the City may deem necessary to carry out the requirements contained herein;
- f. Fees for holding or septic tank waste.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the City.

Section 6: Building Sewers and Connections

- 6.1 No unauthorized person shall uncover, make any connections with or opening into, use, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City of Jefferson.
- 6.2 The owner or his agent shall make application on a Plumbing Permit form furnished by the City. The permit application shall be supplemented by any plans, etc. as may be required by the City.
- 6.3 All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The owner shall pay all required permits and connection fees.
- 6.4 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on 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.
- 6.5 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the City of Jefferson, to meet all requirements of this Ordinance.
- 6.6 The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- 6.7 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 6.8 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

- 6.9 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and the procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9.

All applicable requirements of the Federal Occupational Safety and Health Act will be complied with and all such connections shall be gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City before installation.

- 6.10 The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection. The connection to the public sewer shall be made under the supervision of the Superintendent or his representative following a 24-hour advance notification to the City, Saturdays, Sundays and holidays excluded.
- 6.11 All excavation for building sewer installations 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 City.

Section 7: Inspection, Monitoring and Entry

7.1 The City shall have the right of inspection, monitoring and entry onto any premises whenever required to (1) develop or assist in the development of any effluent limitation, or other limitation, prohibition, or effluent standard, pretreatment standard, standard of performance, or permit condition under this Ordinance; (2) determine whether any person is in violation of any effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, standard or performance, (3) make any necessary investigation relevant to this Ordinance.

1. The Superintendent may require any non-domestic user to (i) establish and maintain records, (ii) make reports, (iii) install, use, and maintain monitoring equipment or methods (including where appropriate, biological monitoring methods), (iv) sample effluents (in accordance with methods, at locations, at intervals, and in a manner as the Superintendent shall prescribe), and (v) provide other information as he may reasonably require; and
2. The Superintendent:
 - (i) shall have a right of entry to, upon, or through any premises in which an effluent source is located or in which any records required to be maintained under clause (1) of this subsection are located, and
 - (ii) may, at reasonable times, have access to and copy any records, inspect any monitoring equipment or method required under clause (1), and sample any effluents which discharge to the POTW.

- 7.2 Any records, reports, or information obtained under this section shall be related to any applicable effluent limitations, toxic, pretreatment, and shall be available to the public. Upon presentation of satisfactory information to the Superintendent, by the permittee, that records, reports, or information, or particular part thereof (other than effluent data), to which the Superintendent has access under this section, is entitled to protection as trade secrets, the Superintendent shall consider such record, report, or information, or particular portion thereof confidential in accordance with this Ordinance, except that such record, report, or information may be disclosed to representatives of the Georgia Environmental Protection Division and Environmental Protection Agency.
- 7.3 Specific requirements under the provisions of paragraph 7.1(1) of this section shall be established by the Superintendent, the City or the County, as applicable, for each industrial user. The nature or degree of any requirement under this provision shall depend upon the nature of the user's discharge, the impact of the discharge on the POTW, the volume of water discharged, and the technical feasibility of and economic reasonableness of any such requirement imposed. The user shall be required to design any necessary facility, and to submit detailed design plans and operating procedures to the City for review in accordance with accepted engineering practices. The City shall review said plans within 45 days and shall recommend to the user any change deemed appropriate.
- 7.4 Upon approval of plans as specified in paragraph 7.3, the user shall secure such building, electrical, plumbing or other permits as may be required by this Code and proceed to construct any necessary facility and establish such operating procedures as are required.
- 7.5 In the event any user denies the Superintendent or his authorized representative of the right of entry, to or upon the user's premises, for purposes of inspection, sampling effluents, or inspecting and copying records, or performing such other duties as shall be imposed upon him by this section, the City shall seek a warrant or use such other legal procedures as shall be advisable and reasonably necessary to discharge his duties under this section.
- 7.6 Any user failing or refusing to discharge any duty imposed upon him under the provisions of this section, or who denies the Superintendent the right to enter upon the user's premises for purposes of inspection, sampling effluents, inspecting and copying records, or such other duties as may be imposed upon him by this section, shall be deemed to have violated conditions of this Ordinance.

Section 8: Dangerous Discharge Notification Requirements

8.1 Telephone Notification:

Any person causing or suffering any discharge whether accidental or not, which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, or which is likely to cause interference with the POTW, shall notify the Superintendent immediately by telephone. In the absence of the Superintendent, notification shall be given to the City employee then in charge of the treatment works.

8.2 Written Report:

Within five (5) days following such occurrence, the user shall provide the Superintendent with a detailed report describing the cause of the dangerous discharge and measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Ordinance or other applicable law.

8.3 Notice to Employees:

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a dangerous discharge. Employers shall insure all employees who may cause or suffer a dangerous discharge to occur are advised of the emergency notification procedure.

Section 9: Enforcement and Abatement

9.1 Harmful Contributions:

The City may suspend the water and sewer service when such suspension is necessary, in the opinion of the City, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the City to violate any condition of its NPDES or LAS Permit.

Any person notified of a suspension of his water and sewer service shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the City shall take steps as deemed necessary including immediate severance of the water and sewer connection, to prevent or minimize damage to the POTW system or danger to any persons. The City shall reinstate the water and sewer service upon proof of the elimination of the non-complying discharge.

9.2 Notification of Violation:

Whenever the City finds that any user has violated or is violating this Ordinance, wastewater contribution permit, or any prohibition, limitation of requirements contained herein, the City may serve upon such person a written notice stating the nature of the violation. Within 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the City by the user.

9.3 Consent Orders:

The City Manager may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for non-compliance. Such documents will include specific action to be taken by the user to

correct the non-compliance within a time period specified by the document. Such documents shall be judicially enforceable. Use of Consent Orders shall not be a bar against, or prerequisite for, taking any other action against the user.

9.4 Show Cause Hearing:

The City may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the City Manager why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the Committee regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the Committee why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least twenty (20) days before the hearing. Service may be made on any agent or officer of a corporation.

9.5 Citation to Municipal Court:

The City Manager may cite the user to Municipal Court for violation of any provision of this Ordinance. A violation of any condition of the user's wastewater discharge permit shall be deemed to be a violation of this Ordinance.

9.6 Injunctive Relief:

Upon resolution of the City approving same, the City Manager shall in the name of the City of Jefferson file in Superior Court of Jackson County, Georgia, or such other courts as may have jurisdiction, a suit seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this Ordinance or other applicable law or regulation. Suit may be brought to recover any and all damages suffered by the City as a result of any action or inaction of any user or other person who causes or suffers damage to occur to the POTW, or for any other expense, loss, or damage of any kind or nature suffered by the City.

9.7 Assessment of Damages to Users:

When a discharge of waste causes an obstruction, damage, or any other impairment to the facilities, or any expense of whatever character or nature to the City, the Superintendent shall assess the expenses incurred by the City to clear the obstruction, repair damage to the facility, and any other expenses or damages incurred by the City. The City shall file a claim with the user or any other person causing or suffering said damages to incur seeking reimbursement for any and all expenses or damages suffered by the City. If the claim is ignored or denied, the City Manager may take such measures as shall be appropriate to recover for any expense or other damages suffered by the City.

9.8 City Manager May Petition for Federal or State Enforcement:

In addition to other remedies for enforcement provided herein, the City Manager may petition the State of Georgia or the United States, Environmental Protection Agency, as appropriate to exercise such methods or remedies as shall be available to such government entities to seek criminal or civil penalties, injunctive relief, or such other remedies as may be provided by applicable federal or state laws to insure compliance by

industrial users of applicable pretreatment standards, to prevent the introduction of toxic pollutants or other regulated pollutants into the POTW, or to prevent such other water pollution as may be regulated by state or federal law.

Section 10: Penalty; Costs

10.1 Penalty

Any person or persons failing to comply with the lawful provisions hereof or doing any act prohibited hereby or failing to do any act mandated hereby shall be guilty of an offense, and upon conviction in the Municipal Court of the City of Jefferson, shall be punished by a fine and/or imprisonment in such amounts as authorized, made or determined to be appropriate by the Municipal Court of the City of Jefferson.

10.2 Falsifying Information

Any person who knowingly makes any false statements, representative or certification in any application, record, report, plan or other document files or required to be maintained pursuant to this Ordinance, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall upon conviction, be punished by a fine of not more than \$500 or by imprisonment for not more than thirty (30) days, or both.

Section 11: Severability

- 11.1 If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

Section 12: Conflict

- 12.1 All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

- II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID, SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS OR ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.
- III. This Ordinance will become effective upon adoption by the City Council as provided by the Charter of the City of Jefferson.

It is so ordained and approved by vote of the City Council of the City of Jefferson this 9th day of August, 2004.

This Ordinance shall become effective August 9, 2004.

Approved:

Jim Joiner, Mayor

Randall Griffith, Council Member

C. D. Kidd, III, Council Member

Steve Kinney, Council Member

Attest:

Marcia E. Moon, Council Member

Brenda Duncan, City Clerk

Philip B. Thompson, Council Member

Approved as to form:

Ronald K. Hopkins, City Attorney