

Permit Number: 1-21-A

INDUSTRIAL USER PERMIT

In accordance with the provisions of New Castle City Ordinance Section 933:

Covanta Environmental Solutions, LLC
1001 Sampson Street
New Castle, PA 16101

(Facility Address: 101 River Park Drive, New Castle, PA)

Is hereby authorized to discharge industrial wastewater from the above-identified facility and through the outfall(s) identified herein into the City of New Castle sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

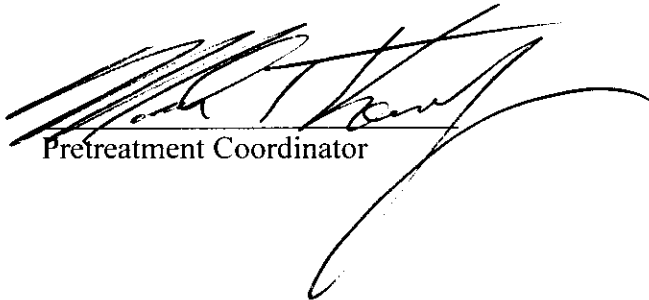
Noncompliance with any term or condition of this permit shall constitute a violation of the City of New Castle Sewer Use Ordinance.

This permit shall expire at midnight on December 31, 2021.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of New Castle's City Ordinance Section 933.17, a minimum of 180 days prior to the expiration date.

NEW CASTLE SANITATION AUTHORITY

By:



Pretreatment Coordinator

PART 1 – EFFLUENT LIMITATIONS

- A. The permittee is authorized to discharge process wastewater to the City of New Castle sewer system until midnight on December 31, 2021, from the outfalls listed below:

OUTFALL	DESCRIPTION
Common	Discharge from all treatment sources
001	Discharge from Metals Treatment & Recovery
002	Discharge from Oils Treatment & Recovery
003	Discharge from Organics Treatment & Recovery
004	Discharge from Combined Treatment & Recovery

- B. During the effective period of this permit, the discharge from the Common Outfall shall not exceed the following effluent limitations. Unless otherwise noted, these limits are based on Authority Ordinance 933 – Wastewater System Rules and Regulations.

EFFLUENT LIMITATIONS – COMMON OUTFALL		
Discharge from all treatment sources		
Parameter	Daily (mg/L)	Monthly (mg/L)
Flow (Total Flow)	Report (gpd)	Report (gpd)
pH-maximum (pH units)	10.5 ⁽²⁾	10.5 ⁽²⁾
pH-minimum (pH units)	5.5 ⁽²⁾	5.5 ⁽²⁾
Oil and Grease	100 ⁽³⁾	100 ⁽³⁾
Chemical Oxygen Demand	10,000 ⁽³⁾	10,000 ⁽³⁾
Total Suspended Solids	275 ⁽³⁾	275 ⁽³⁾
Total Dissolved Solids	51,900 ⁽¹⁾	51,900 ⁽¹⁾

NOTES:

- (1) From Ordinance Section 933.06 – Specific Pollutant Limitations.
- (2) From Ordinance Section 933.04(b) – General Discharge Prohibitions.
- (3) From Ordinance Section 933.11(b) – Surcharges. Concentrations greater than the limit shown will be subject to a surcharge in accordance with this Section.

- C. During the effective period of this permit, the discharge from Outfall 001 (Metals Treatment & Recovery) shall not exceed the following effluent limitations. Unless otherwise noted, all limits are based on 40 CFR Part 437 - The Centralized Waste Treatment Point Source Category, Section 437.15(a) - Pretreatment Standards for Existing Source.

EFFLUENT LIMITATIONS – OUTFALL 001		
Discharge from Metals Treatment & Recovery		
Parameter	Daily (mg/L)	Monthly (mg/L)
Flow (Total Flow)	Report (gpd)	Report (gpd)
Antimony	0.249	0.206
Arsenic	0.162	0.104
Cadmium	0.474	0.0962
Chromium-Total	15.5	3.07
Cobalt	0.192	0.124
Copper	4.14	1.06
Cyanide	500	178
Lead	1.32	0.283
Mercury	0.00234	0.000739
Nickel	3.95	1.45
Silver	0.120	0.0351
Tin	0.409	0.120
Titanium	0.0947	0.0618
Vanadium	0.218	0.0662
Zinc	2.87	0.641

- D. During the effective period of this permit, the discharge from Outfall 002 (Oils Treatment & Recovery) shall not exceed the following effluent limitations. Unless otherwise noted, all limits are based on 40 CFR Part 437 - The Centralized Waste Treatment Point Source Category, Section 437.25 - Pretreatment Standards for Existing Sources.

EFFLUENT LIMITATIONS – OUTFALL 002		
Discharge from Oils Treatment & Recovery		
Parameter	Daily (mg/L)	Monthly (mg/L)
Flow (Total Flow)	Report (gpd)	Report (gpd)
Chromium-Total	0.947	0.487
Cobalt	56.4	18.8
Copper	0.405	0.301
Lead	0.222	0.172
Tin	0.249	0.146
Zinc	6.95	4.46
Bis(2-ethylhexyl) phthalate	0.267	0.158
Carbazole	0.392	0.233
n-Decane	5.79	3.31
Fluoranthene	0.787	0.393
n-Octadecane	1.22	0.925

- E. During the effective period of this permit, the discharge from Outfall 003 (Organics Treatment & Recovery) shall not exceed the following effluent limitations. Unless otherwise noted, all limits are based on 40 CFR Part 437 - The Centralized Waste Treatment Point Source Category, Section 437.35 - Pretreatment Standards for Existing Sources.

EFFLUENT LIMITATIONS – OUTFALL 003		
Discharge from Organics Treatment & Recovery		
Parameter	Daily (mg/L)	Monthly (mg/L)
Flow (Total Flow)	Report (gpd)	Report (gpd)
<i>o</i> -Cresol	1.92	0.561
<i>p</i> -Cresol	0.698	0.205
2,4,6-Trichlorophenol	0.155	0.106

- F. During the effective period of this permit, the discharge from Outfall 004 (Combined Treatment & Recovery) shall not exceed the following effluent limitations. Unless otherwise noted, all limits are based on 40 CFR Part 437 - The Centralized Waste Treatment Point Source Category, Section 437.46(b) - Pretreatment Standards for Existing Sources, combined waste receipts from subparts A, B, and C.

EFFLUENT LIMITATIONS – OUTFALL 004		
Discharge from Combined Treatment & Recovery		
Parameter	Daily (mg/L)	Monthly (mg/L)
Flow (Total Flow)	Report (gpd)	Report (gpd)
Antimony	0.249	0.206
Arsenic	0.162	0.104
Cadmium	0.474	0.0962
Chromium-Total	0.947	0.487
Cobalt	0.192	0.124
Copper	0.405	0.301
Cyanide	500	178
Lead	0.222	0.172
Mercury	0.00234	0.000739
Nickel	3.95	1.45
Silver	0.120	0.0351
Tin	0.409	0.120
Titanium	0.0947	0.0618
Vanadium	0.218	0.0662
Zinc	2.87	0.641
Bis(2-ethylhexyl) phthalate	0.267	0.158
Carbazole	0.392	0.233
<i>o</i> -Cresol	1.92	0.561
<i>p</i> -Cresol	0.698	0.205
<i>n</i> -Decane	5.79	3.31
Fluoranthene	0.787	0.393
<i>n</i> -Octadecane	1.22	0.925
2,4,6-Trichlorophenol	0.155	0.106

- G. All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in Sections 933.04 through 933.07 of the Ordinance and any applicable State and Federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

PART 2 – MONITORING REQUIREMENTS

- A.** Perform sampling and analysis at least quarterly at Outfalls 001, 002, 003, and 004 for all the corresponding parameters listed in Part 1.
- B.** Perform sampling and analysis at least weekly for the Common Outfall for all the parameters listed in Part 1. Use the results to calculate the appropriate surcharge fees for flow, chemical oxygen demand, oil & grease, and total suspended solids.
- C.** All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.
- D.** Sample pH and oil & grease by grab to prevent sample deterioration. The grab samples shall be a series of four (4) grab samples taken throughout the day with each analyzed separately and the four results averaged. All other samples obtained shall be flow-proportioned composites.
- E.** The permittee shall perform additional sampling and analysis as directed by the Authority for specific toxicity identification and reduction purposes. The Authority may direct the permittee to sample from specific customers as part of an investigation.
- F.** The permittee shall obtain certified statements regarding the characteristics and quality of wastes received for treatment and maintain records of such certification for a minimum of three (3) years. Certified characterization statements from the sources of the wastes received shall be valid for no more than one (1) year, after which they shall be renewed or allowed to expire. No wastes may be received from any source that does not have a current characterization statement on file with the permittee.
- G.** New waste source notifications shall be transmitted to the Authority and the Authority's Pretreatment Coordinator by e-mail as they are accepted and approved by the permittee. Such notifications shall include the complete Waste Approval Notification, DEP Form U approval, Waste Certification Statement, Certificates of Analyses, DEP Form 25R, and any other waste information that may be required by the Authority.
- H.** Flow data shall be obtained using the metering flumes installed for that purpose. The magnetic flowtube that measures the combined flow shall also be used to verify and adjust the separate flows as necessary. Daily flow totals shall be reported for each waste stream.
- I.** Attach all surcharge calculations sheets (i.e., for flow, TSS, COD, Oil & Grease) prepared during a given quarter to the quarterly self-monitoring report for that quarter.

PART 3 – REPORTING REQUIREMENTS

A. METHODS

All sampling and analysis must conform to 40 CFR 136 procedures or other EPA approved methods [403.12(g)(4)(h)].

B. MONITORING REPORTS

- a. Monitoring results obtained shall be summarized and reported on an Industrial User Quarterly Monitoring Report. The reports are due by the 8th day of the first month of the following quarter. The first report under this permit is due on April 8, 2017. The report should indicate the nature and concentration of all pollutants in the effluent which are regulated by the limits set forth in Part 1, Section B. The data obtained must be representative of the conditions occurring during the reporting period.
- b. Quarterly self monitoring reports must include the following for all samples:
 - i) date, exact place, method, and time of sampling and the name of the person taking the samples;
 - ii) dates the analysis were performed;
 - iii) who performed the analyses;
 - iv) the analytical techniques/methods used;
 - v) all the results of such analyses.
- c. If the permittee monitors any pollutant more frequently than required by this permit, using test methods approved by 40 CFR 136 or as specified in this permit, the results of such monitoring shall be included in the calculation and results shall be reported in the quarterly report and submitted to the New Castle Sanitation Authority.
- d. In cases where the Standard requires compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the Authority or the applicable Standards to determine compliance with the Standard.

C. AUTOMATIC RESAMPLING

If the results of the permittee's wastewater analysis indicate a violation has occurred, the permittee must:

- a. Inform the New Castle Sanitation Authority of the violation within 24 hours; and,

- b. Repeat the sampling and pollutant analysis and submit the results of this second analysis within 30 days of the first violation.

D. ACCIDENTAL DISCHARGE REPORT

- a. The permittee shall notify the New Castle Sanitation Authority immediately upon the occurrence of an accidental discharge of substances prohibited by New Castle's City Ordinance 933.04. Notify the Authority by telephone at (724) 654-4664.
- b. Within five days following the accidental discharge, the permittee shall submit to the New Castle Sanitation Authority a detailed written report. The report shall specify:
 - i. A detailed description and cause of the upset, slug or accidental discharge, the cause thereof and the impact to the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
 - ii. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.
 - iii. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset, slug, accidental discharge or other conditions of noncompliance, including a review of any slug control plans required by the Authority.

E. HAZARDOUS WASTE DISCHARGES

The permittee shall notify the POTW, the EPA Regional Waste Management Division Director and the State hazardous waste authorities in writing of any discharge to the POTW of a substance, which, if otherwise disposed of, would be considered hazardous waste under 40 CFR part 261. If the authority deems it necessary, a new or revised permit will be obtained prior to inducing any new constituent into the system. The user shall comply with all requirements of 40 CFR 403.12 for Hazardous wastes.

- F.** All reports required by this permit shall be submitted to the New Castle Sanitation Authority at the following address:

New Castle Sanitation Authority
Wastewater Treatment Plant Superintendent
512 Montgomery Avenue
New Castle, PA 16102

PART 4 – STANDARD CONDITIONS

SECTION A. GENERAL CONDITIONS AND DEFINITIONS

1. Reopener Clause

- a. This permit will be reopened and modified with any applicable more stringent requirement resulting from the New Castle Sanitation Authority's reevaluation of its local limits.
- b. This permit will be reopened and modified with any applicable more stringent requirements as are necessary to ensure POTW compliance with applicable sludge management requirements promulgated by EPA (40 CFR 503).

2. 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.

3. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief and summary abatements.

4. Duty to Mitigate

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief and summary abatements.

5. Permit Action

This permit may be modified, revoked, reissued or terminated for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State or local pretreatment standards or requirement;
- b. Material or substantial alternations or additions to the discharger's operation with were not covered in the effective permit;

- c. A change in any condition that requires either a temporary, permanent reduction or elimination of the authorized discharge;
- d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW personnel or the receiving waters;
- e. Violation of any terms or conditions of this permit;
- f. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts in the permit application or any required reporting; or
- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13; or
- h. To correct typographical or other errors in the permit; or
- i. To reflect transfer of the facility ownership and/or operation to a new owner/operator; or
- j. Upon request of the permittee, provided such request does not create a violation of any existing applicable requirements, standards, laws or rules and regulations.

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

6. Permit Termination

This permit may be terminated for the any one of the following reasons:

- a. Falsifying self-monitoring reports
- b. Tampering with monitoring equipment
- c. Refusing to allow timely access to the facility premises and records
- d. Failure to meet effluent limitations
- e. Failure to pay fines
- f. Failure to pay sewer charges
- g. Failure to meet compliance schedules.

7. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of this appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending reconsideration by the board. If, after considering the petition and any arguments put forth by the Superintendent, the Board determines that reconsideration is proper, it shall remand the permit back to the Superintendent for reissuance. Those permit provisions being reconsidered by the Superintendent shall be stayed pending reissuance.

An Authority Board decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review. The permittee seeking judicial review of the Board's final action must do so by filing a complaint with the Court of Common Pleas for Lawrence County within 30 days of notification.

8. Property Rights

The issuance of this permit does not convey any property rights of any sort, 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.

9. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the Superintendent:

- a. The permittee must give at least thirty (30) days advance notice to the Superintendent; and
- b. The notice must include a written certification by the new owner which:
 - i. States that the new owner has no immediate intent to change the facility's operation and processes
 - ii. Identifies the specific date on which the transfer is to occur
 - iii. Acknowledges full responsibility for complying with the existing permit.

10. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application must be submitted at least 180 days before the expiration date of this permit.

11. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

12. Dilution

The permittee shall not increase the use of the potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

13. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the public treatment resulting from noncompliance with any effluent limitation as necessary to determine the nature and impact of the noncomplying discharge. The permittee shall immediately notify the New Castle Sanitation Authority of sludge discharges, spills that may enter the public sewer or any other significant changes in operations, wastewater characteristics and constituents.

14. Definitions

- a. **Bi-monthly** – Once every other month.
- b. **Bi-weekly** – Once every other week.
- c. **Bypass** – Means the intentional diversion of wastes from any portion of a treatment facility.
- d. **Composite Sample** – A combination of individual sample obtained at regular intervals over a specified time period. The volume of each individual sample may be either proportional to the flow rate during sample time period (flow composite)

or constant and collected at equal time intervals during composite period (time composite).

e. **Cooling Water:**

1. **Uncontaminated:** Water used for cooling purposes only which has no direct contact with any raw material, intermediate or final product and which does not contain a level of contaminants detectably higher than that of intake water.
2. **Contaminated:** Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and /or wastewater.

f. **Daily Maximum** – The maximum allowable of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant derived from all measurements taken that day.

g. **Grab Sample** – An individual sample collected in less than 15 minutes, without regard for flow or time.

h. **Instantaneous Maximum Concentration** – The maximum concentration allowed in any single grab sample.

i. **Monthly Average** – Other than for fecal coliform bacteria, is arithmetic mean of the values for effluent samples collected over a period of 30 consecutive days.

j. **Quarter** – the three month period normally considered as a quarter; i.e., January-March (1st quarter), April-June (2nd quarter), July-September (3rd quarter), October-December (4th quarter)

k. **Upset** – Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permit, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.

l. **Weekly Average** – Other than for fecal coliform bacteria, is the arithmetic mean of the values for effluent samples collected over a period of seven consecutive days. The weekly average for effluent samples collected over a period of seven consecutive days.

15. General Prohibitive Standards

The Permittee shall comply with all the general prohibitive discharge standards in New Castle's City Ordinance Section 933.04; namely, the industrial user shall not discharge wastewater to the sewer system:

- a. Having any liquids, solids or gases which by reasons 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. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. 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 are a fire hazard or a hazard to the system and any wastestream with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using test methods specified in 40 CFR 261.21;
- b. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissue, paunch manure, bones, hair, hides or fleshings, entails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rage, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuels or lubricating oil, mud or glass grindings or polishing wastes;
- c. Any wastewater having a pH less than 5.5 or greater than 10.5, unless the POTW is specifically designed to accommodate such wastewater, 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 water of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A "toxic pollutant" includes but is not limited to any toxic pollutant identified pursuant to Section 307(a) of the Clean Water 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 or POTW for operation,

maintenance or repair or any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW or the sanitary sewers in a quantity that may cause acute worker health and safety problems;

- f. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance 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 Substance Control Act, or State criteria to the sludge management method being used;
- g. Any substance which will cause the POTW to violate its NPDES and/or State disposal system 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 POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40°C (104°F);
- j. Any pollutants, including oxygen-demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time longer than fifteen minutes more than five times the average twenty-four hour concentration, quantities or flow during normal operation;
- k. Any storm water, surface drainage, ground drainage, roof runoff or subsurface drainage, including ground water from sump pumps and cellar drains;
- l. Any oil or grease in concentrations or amounts violating pretreatment standards (this includes petroleum based hydrocarbons, as determined by silica gel absorption); wastewater containing floatable fats, wax, grease, or oil; total fats, wax, grease or oil concentration of more than 100 mg/L, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° and 104 °F (0 ° and 40 °C) at the point of discharge into the POTW;
- m. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority in compliance with applicable State or Federal regulations;

- n. Any wastewater which causes a hazard to human life or creates a public nuisance;
- o. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil in amounts that will cause interference or pass through;
- p. Any truck or hauled pollutants except at discharge points designated by the POTW. (Ord. 7184.1 Passed 11-10-94)

16. Compliance with applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, State and Federal pretreatment standards or requirements that may become effected during the term of this project.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all time properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes but is not limited to; 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.

2. Duty to Halt or Reduce Activity

Upon reduction, loss or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It shall not be a defense for a permittee in an enforcement action that would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury or severe property damage or no feasible alternatives exist.
- b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance to assure efficient operation.

c. Notification of Bypass:

1. Anticipated bypass.

If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the New Castle Sanitation Authority.

2. Unanticipated bypass.

The permittee shall immediately notify the New Castle Sanitation Authority and submit a written notice to the POTW within five (5) days. This report shall specify:

- i. A description of the bypass and its cause, including its duration;
- ii. Whether the bypass has been corrected; and
- iii. The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, filter backwash or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated and inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and the approval of the New Castle Sanitation Authority.

2. Flow Measurement

If the flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure the accuracy of the measurements are consistent with the accepted capability of that type of

device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

Sampling and analysis of these samples shall be performed in accordance with techniques prescribed in 40 CFR Part 136 and amendments thereto.

4. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using approved test procedures or as specified in this permit, the results of this monitoring shall be included in the permittee's quarterly monitoring reports.

5. Inspection and Entry

The permittee shall allow the New Castle Sanitation Authority or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility, activity is located or conducted or where records must be kept under the conditions of this permit;
- b. Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated and/or required under this permit;
- d. Sample or monitor, for the purpose of assuring permit compliance, any substances or parameters at any locations; and,
- e. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.

6. Retention of Records

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, records of all data used to complete the application for this permit, and records relating to monitoring, sampling, chemical analyses, and compliance with best management practice (BMP) requirements, performed by or on behalf of a

user in connection with its discharge, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the New Castle Sanitation Authority at any time.

- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the New Castle Sanitation Authority shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents.

Records of sampling information shall include:

- a. The date, exact place, time, methods of sampling and/or measurements and sample preservation techniques or procedures;
- b. Who performed the sampling or measurement;
- c. The date(s) analyses were performed;
- d. Who performed the analysis;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, may result in punishment under criminal laws proceedings as well as being subjected to civil penalties and injunctive relief.

SECTION D. ADDITIONAL REPORTING REQUIRMENTS

1. Changes in Facility Operations or Conditions

The permittee shall give notice to the New Castle Sanitation Authority 90 days prior to any facility expansion, production increase or process modifications, which results in new or substantially increased discharges or a change in the nature of the discharge. The permittee shall notify the Authority immediately of any changes affecting the potential for a slug discharge. The permittee shall provide notice before accepting any new sources of wastes or any waste streams with a significant change in its characteristics.

2. Anticipated Noncompliance

The permittee shall give advance notice to the New Castle Sanitation Authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Duty to Provide Information

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

4. Signatory Requirements (Use whichever best applies)

All applicants, reports, or information submitted to the New Castle Sanitation Authority must contain the following certification statement and must be signed as required in Sections (a), (b), (c) or (d) below:

“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 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.”

- a. By a responsible corporate officer, if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, 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 operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.

- c. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a Federal, State, or local governmental entity, or their agents.
- d. By a duly authorized representative of the individual designated in paragraph a., b., or c. of this section:
 - i. The authorization is made in writing by the individual described in paragraph a., b. or c.;
 - ii. the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well , or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - iii. The written authorization is submitted to the Authority.
- e. If an authorization under paragraph d. of this section is no longer accurate because of the different individual or position has responsibility for the overall operation of the facility or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph d. of this section must be submitted to the Authority prior to or together with any reports to be signed by an authorized representative.

5. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with sections 933.4.b.1 or 933.6.a shall inform the New Castle Sanitation Authority within 24 hours of becoming aware of the upset at (724) 654-4664.

A written follow-up report of the upset shall be filed by the permittee with the New Castle Sanitation Authority within five days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

6. Annual Publication

A list of all industrial users which were subject to enforcement proceedings during the twelve (12) previous months shall be annually published by the New Castle Sanitation Authority in the largest daily newspaper within its service area. Accordingly, the permittee is appraised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

7. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under section 933.99 of the New Castle City Ordinance or State or Federal laws or regulations.

8. Penalties for Violations of Permit Conditions

The New Castle City Ordinance section 933.99 provides that any person who violates a permit condition is subject to a civil penalty not more than \$1000 per day of the violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of up to \$1000 per day of violation, or by imprisonment for 6 of months, or both. The permittee may also be subject to sanctions under State and/or Federal law.

9. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit, sections 933.04 or 933.06 of New Castle's City Ordinance, or causing damage to or otherwise inhibiting the New Castle Sanitation Authority wastewater treatment plant, shall be liable to the New Castle Sanitation Authority for any expense, loss, or damage caused by such violation or discharge. The New Castle Sanitation Authority shall bill the permittee for the costs incurred by New Castle Sanitation Authority for any cleaning, repair, or replacement work caused by the violation or discharge.

PART 5 – SPECIAL CONDITIONS

SECTION 1- ADDITIONAL/SPECIAL MONITORING REQUIREMENTS

A. Total Toxic Organics Monitoring

In lieu of quarterly testing for T.T.O.'s the industrial user may certify in writing that concentrated T.T.O.'s are not entering the plants effluent. This certification is to be submitted quarterly along with the quarterly reports.

B. When using certification as an alternative to T.T.O. monitoring, the industrial user is to submit a toxic organics management plan that satisfies the Authority regarding:

1. The identification of toxic organics used by the industrial user.
2. The method of disposal.
3. The procedures for assuring that toxic organics do not routinely spill or leak into the waste stream.

SECTION 2- CUSTOMER POLLUTANT LOAD LIMITATIONS

A. Duty to Impose Pollutant Limitations

The permittee shall impose numeric or load limitations for specific pollutants from sources of wastes delivered for processing at the direction of the Authority. Such limitations would be required to control pollutants identified by the Authority as causing specific operational problems in the public collection and treatment works. Where no treatment is provided specific to the pollutant identified, the limit shall equal the limit placed on the permittee.

NEW CASTLE SANITATION AUTHORITY
INDUSTRIAL PRETREATMENT PROGRAM

SELF-MONITORING REPORT
QUARTERLY REPORTS

(DUE THE 8TH DAY OF JANUARY, APRIL, JULY AND OCTOBER)

Industry Name _____

Permit No. _____

Reporting Period _____

Batch Treatment Utilized _____ yes _____ no _____ N/A

If Yes:

Dates and volumes of Batch Treatment Discharge

Date	Volume (Gallons)	Date	Volume (Gallons)

Continuous Discharge _____ yes _____ no _____ N/A

If Yes:

Average Flow Discharged

Waste Stream	Flow (gpd)

Permit Requirements vs. Sample Results

Common Outfall – Discharge from all treatment sources						
Pollutant	Daily Maximum (mg/L)	Monthly Average (mg/L)	Concentration (mg/L)			
			Sample Results and Dates			
Flow (Total Flow)	Report (gpd)	Report (gpd)				
pH-maximum (pH units)	10.5 ⁽²⁾	10.5 ⁽²⁾				
pH-minimum (pH units)	5.5 ⁽²⁾	5.5 ⁽²⁾				
Oil and Grease	100 ⁽²⁾	100 ⁽²⁾				
Chemical Oxygen Demand	10,000 ⁽³⁾	10,000 ⁽³⁾				
Total Suspended Solids	275 ⁽³⁾	275 ⁽³⁾				
Total Dissolved Solids	51,900 ⁽¹⁾	51,900 ⁽¹⁾				

Violations Noted

<u>Date</u>	<u>Constituent</u>	<u>Concentration</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Outfall 001 – Discharge from Metals Treatment & Recovery						
Pollutant	Daily Maximum (mg/L)	Monthly Average (mg/L)	Concentration (mg/L)			
			Sample Results and Dates			
Flow (Total Flow)	Report (gpd)	Report (gpd)				
Antimony	0.249	0.206				
Arsenic	0.162	0.104				
Cadmium	0.474	0.0962				
Chromium-Total	15.5	3.07				
Cobalt	0.192	0.124				
Copper	4.14	1.06				
Lead	1.32	0.283				
Mercury	0.00234	0.000739				
Molybdenum	Report	Report				
Nickel	3.95	1.45				
Silver	0.120	0.0351				
Tin	0.409	0.120				
Titanium	0.0947	0.0618				
Vanadium	0.218	0.0662				
Zinc	2.87	0.641				

Violations Noted

<u>Date</u>	<u>Constituent</u>	<u>Concentration</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Outfall 002 – Discharge from Oils Treatment & Recovery						
Pollutant	Daily Maximum (mg/L)	Monthly Average (mg/L)	Concentration (mg/L)			
			Sample Results and Dates			
Flow (Total Flow)	Report (gpd)	Report (gpd)				
Chromium-Total	0.947	0.487				
Cobalt	56.4	18.8				
Copper	0.405	0.301				
Lead	0.222	0.172				
Tin	0.249	0.146				
Zinc	6.95	4.46				
Bis(2-ethylhexyl) phthalate	0.267	0.158				
Carbazole	0.392	0.233				
n-Decane	5.79	3.31				
Fluoranthene	0.787	0.393				
n-Octadecane	1.22	0.925				

Violations Noted

<u>Date</u>	<u>Constituent</u>	<u>Concentration</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Outfall 003 – Discharge from Organics Treatment & Recovery						
Pollutant	Daily Maximum (mg/L)	Monthly Average (mg/L)	Concentration (mg/L)			
			Sample Results and Dates			
Flow (Total Flow)	Report (gpd)	Report (gpd)				
o-Cresol	1.92	0.561				
p-Cresol	0.698	0.205				
2,4,6-Trichlorophenol	1.55	0.106				

Violations Noted

<u>Date</u>	<u>Constituent</u>	<u>Concentration</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Outfall 004 – Discharge from Combined Treatment & Recovery						
Pollutant	Daily Maximum (mg/L)	Monthly Average (mg/L)	Concentration (mg/L)			
			Sample Results and Dates			
Flow (Total Flow)	Report (gpd)	Report (gpd)				
Antimony	0.249	0.206				
Arsenic	0.162	0.104				
Cadmium	0.474	0.0962				
Chromium-Total	0.947	0.487				
Cobalt	0.192	0.124				
Copper	0.405	0.301				
Cyanide	500	178				
Lead	0.222	0.172				
Mercury	0.00234	0.000739				
Nickel	3.95	1.45				
Silver	0.120	0.0351				
Tin	0.409	0.120				
Titanium	0.0947	0.0618				
Vanadium	0.218	0.0662				
Zinc	2.87	0.641				
Bis(2-ethylhexyl) phthalate	0.267	0.158				
Carbazole	0.392	0.233				
<i>o</i> -Cresol	1.92	0.561				
<i>p</i> -Cresol	0.698	0.205				
<i>n</i> -Decane	5.79	3.31				
Fluoranthene	0.787	0.393				
<i>n</i> -Octadecane	1.22	0.925				
2,4,6-Trichlorophenol	0.155	0.106				

Violations Noted

<u>Date</u>	<u>Constituent</u>	<u>Concentration</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Process Information

Has the Type of process changed? _____ Yes _____ No

Have the waste chemical characteristics changed? _____ Yes _____ No

Has the waste volume changed? _____ Yes _____ No

Has the treatment utilized changed? _____ Yes _____ No

Person Filing Report**

Name _____

Title _____

Date _____

Phone _____

** Must be a responsible corporate officer or a letter must be on file authorizing the signer to sign for the company.

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 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.

Signature _____