AUTHORIZATION TO DISCHARGE UNDER CLEAN WATER ACT SECTION 301 (h)
MODIFIED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §1251 et seq.; the "CWA"), and Title 38 Maine Revised Statutes § 414-A et seq.,

City of Eastport –ME0100200

is authorized to discharge from a facility located at

Main Wastewater Treatment Facility
County Road
Eastport, Maine

to receiving water named

Passamaquoddy Bay, Class SC

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

This NPDES permit shall become on the date of signature if no comments are received during public notice. If comments are received during public notice, this permit will become effective no less than 30 days after signature of the Director of the EPA Office of Ecosystem Protection.

This Waste Discharge License (WDL) shall become effective immediately upon signature by the Commissioner of the Maine Department of Environmental Protection.

Both the NPDES permit and WDL and the authorization to discharge to the waters of the United States shall expire concurrently at midnight, five (5) years from the date of signature by the Director of the EPA Office of Ecosystem Protection.

This permit supersedes the NPDES permit/WDL issued on August 13, 2002. This permit consists of the *Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits* (last revised July 1, 2002), *EPA NPDES Part II Standard Conditions (January 2007)* copies attached, and the attached Special Conditions, including effluent limitations and monitoring requirements.

Signed this day of

Stephen S. Perkins, Director
Office of Ecosystems Protection
Environmental Protection Agency
Boston, Massachusetts

Signed this day of

David P. Littell, Commissioner
Maine Department of Environmental Protection
Augusta, Maine

IN THE MATTER OF

CITY OF EASTPORT	)	PROTECTION AND IMPROVEMENT
EASTPORT, WASHINGTON COUNTY, ME.	)	OF WATERS
PUBLICLY OWNED TREATMENT WORKS	)	
ME0100200 **MAIN PLANT**	)	WASTE DISCHARGE LICENSE
W002598-5L-E-R **APPROVAL**	)	**RENEWAL**

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, Section 1251, et seq., and 38 M.R.S.A., Section 414-A et seq., and applicable regulations, the U.S. Environmental Protection Agency (EPA hereinafter) and the Maine Department of Environmental Protection (Department hereinafter) have considered the application of the CITY OF EASTPORT (City hereinafter), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

The City has applied for renewal of a combined Section 301(h) Modified National Pollutant Discharge Elimination System (NPDES) permit #ME0100200 and Maine Waste Discharge License (WDL) #W002598-5L-C-R, that was issued on August 13, 2002 and expired on August 13, 2007. The permit/license (permit hereinafter) approved the discharge of up to a monthly average flow of 0.82 million gallons per day (MGD) of primary treated sanitary wastewater to Passamaquoddy Bay, Class SC, in Eastport, Maine.

PERMIT SUMMARY

This permitting action is similar to the previous permitting action in that it carries forward;

1. The monthly average flow limitation of 0.82 MGD.

2. The monthly average technology based requirements to achieve a minimum of 30% removal of biochemical oxygen demand (BOD) and a minimum of 50% removal for total suspended solids (TSS).

3. The monthly average technology based mass limitations for BOD and TSS.

4. The daily maximum concentration reporting requirement for settleable solids.

5. The year-round monthly average (geometric mean) and daily maximum water quality based concentration limits of 15 colonies/100 ml and 50 colonies/100 ml for fecal coliform bacteria.

6. The daily maximum water quality based concentration limit of 0.18 mg/L for total residual chlorine.

7. The technology based pH range limitation of 6.0 -9.0 standard units but reducing the monitoring frequency from 1/Day to 1/Week.

PERMIT SUMMARY (cont'd)

This permitting action is different than the previous permitting action in that it is;

1. Eliminating the monthly average concentration reporting requirement for settleable solids and reducing the monitoring frequency to 1/Week.

2. Eliminating the requirement to report influent BOD and TSS on data on the monthly Discharge Monitoring Repot (DMR). Influent values for both parameters shall continue to be reported on the monthly "49-Form" submitted to the Department.

3. Establishing technology based monthly average concentration limits for BOD and TSS.

4. Establishing whole effluent toxicity (WET) testing and chemical specific testing requirement pursuant to a revised Department rule, Chapter 530, Surface Water Toxics Control Program, promulgated on October 12, 2005.

CONCLUSIONS

BASED on the findings in the attached **PROPOSED DRAFT** Fact Sheet dated August 18, 2008, and subject to the Conditions listed below, the USEPA and the Department make the following conclusions:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.

2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.

3. The provisions of the State's antidegradation policy, 38 MRSA Section 464(4)(F), will be met, in that:
   (a) Existing receiving water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;

   (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;

   (c) The standards of classification of the receiving water body are met or, where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;

CONCLUSIONS (cont'd)

(d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification, that higher water quality will be maintained and protected; and

(e) Where a discharge will result in lowering the existing quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.

4. The discharge will be subject to effluent limitations that require application of best practicable treatment.

ACTION

THEREFORE, the Department APPROVES the above noted application of the CITY OF EASTPORT, to discharge up to a monthly average of 0.82 MGD of primary treated wastewaters to Passamaquoddy Bay, Class SC, in Eastport, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. "*Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits,*" revised July 1, 2002, copy attached.

2. The Special Conditions on the following pages.

3. This permit expires five (5) years from the date of signature below.

DONE AND DATED AT AUGUSTA, MAINE, THIS _____DAY OF _____, 2008.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:_____
David P. Littell, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: August 21, 2007.

Date of application acceptance: September 4, 2007.

Date filed with Maine Board of Environmental Protection _____

This order prepared by GREGG WOOD, Bureau of Land & Water Quality
Eastportmain2007 10/1/07

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge treated primary treated sanitary wastewaters from **Outfall 001** to Passamaquoddy Bay and must monitor and limit discharges as follows:

Effluent Characteristic	**Discharge Limitations**				**Monitoring Requirement**	
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow *[50050]*	820,000 gpd *[07]*	---	---	---	Continuous *[99/99]*	Recorder *[RC]*
BOD *[00310]*	1,388 lbs/day *[26]*	Report lbs/day *[26]*	203 mg/L *[19]*	Report, mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
BOD % Removal **(1)** *[50076]*	---	---	30 % *[23]*	---	1/Month *[01/30]*	Calculate*[CA]*
TSS *[00530]*	991 lbs/day *[26]*	Report lbs/day *[26]*	145 mg/L *[19]*	Report, mg/L *[19]*	1/Week *[01/07]*	Composite *[24]*
TSS % Removal **(1)** *[81011]*	---	---	50 % *[23]*	---	1/Month *[01/30]*	Calculate*[CA]*
Settleable Solids *[00545]*	---	---	---	Report (ml/L) *[25]*	1/Week *[01/07]*	Grab *[GR]*
Fecal Coliform Bacteria *(Year-round) [31615]*	---	---	15/100 ml**(2)** *[30]*	50/100ml *[30]*	1/Week *[01/07]*	Grab *[GR]*
Total Residual Chlorine *[50060]* **(3)**	---	---	---	0.18 mg/L *[19]*	1/Day *[01/01]*	Grab *[GR]*
pH (Std. Units) *[00400]*	The pH shall not be less than 6.0 or greater than 9.0 at any time.				1/Week *[01/07]*	Grab *[GR]*

The italicized numeric values bracketed in the table above are code numbers that Department personnel use to code the monthly Discharge Monitoring Reports (DMR's).

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

SURVEILLANCE LEVEL TESTING

Beginning upon issuance of this permit and lasting through 12 months prior to the expiration date of this permit.

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
Whole Effluent Toxicity[4]						
Acute – NOEL *Mysidopsis bahia* [TDM3E] *(Mysid Shrimp)*	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Chronic – NOEL *Arbacia punctulata* [TBH3A] *(Sea urchin)*	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Analytical chemistry[5] [50008]	---	---	---	Report ug/L [28]	1/Year [01/YR]	Composite/Grab [24]

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

SCREENING LEVEL TESTING

Beginning 12 months prior to the expiration date of this permit and lasting through permit expiration.

Effluent Characteristic	Discharge Limitations				Minimum Monitoring Requirements	
	Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
Whole Effluent Toxicity[4]						
Acute – NOEL *Mysidopsis bahia* [TDM3E] *(Mysid Shrimp)*	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Chronic – NOEL *Arbacia punctulata* [TBH3A] *(Sea urchin)*	---	---	---	Report % [23]	1/Year [01/YR]	Composite [24]
Priority pollutant[6] [50008]	---	---	---	Report ug/L [28]	1/Year [01/YR]	Composite/Grab [24]
Analytical chemistry[5] [50008]	---	---	---	Report ug/L [28]	1/Quarter [01/90]	Composite/Grab [24]

The italicized numeric values in brackets in the tables above are not limitations but codes used by Department personnel to code monthly Discharge Monitoring Reports (DMRs).

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Footnotes

Sampling – Sampling to demonstrate compliance with this permit shall be conducted after the last treatment process and shall be representative of normal operating conditions. All sampling must be conducted in accordance with (a) methods approved by 40 Code of Federal Regulations (CFR) Part 136, (b) alternative methods approved by the both EPA and the Department in accordance with the procedures in 40 CFR Part 136, (c) as otherwise specified by the Department. Samples that are sent out for analysis shall be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services.

All detectable analytical test results shall be reported to the Department including results which are detected below the respective reporting limits (RLs) specified by the Department or as specified by other approved test methods. If a non-detect analytical test result is below the respective RL, the concentration result shall be reported as <Y where Y is the detection limit achieved by the laboratory for each respective parameter. Reporting a value of <Y that is greater than an established RL is not acceptable and will be rejected by the Department. For mass, if the analytical result is reported as <Y or if a detectable result is less than a RL, report a <X lbs/day, where X is the parameter specific limitation established in the permit.

1. **Percent removal** - The permittee shall achieve at least 30% removal for BOD and 50% removal for TSS. For the purposes of calculating a monthly average percent removal, the permittee shall use the measured influent concentration from the Middle Street pump station for both BOD and TSS.

2. **Fecal coliform bacteria** – Limitations and monitoring requirements are in effect on a year-round basis to protect the health, safety and welfare of the public. The monthly average limitation is a geometric mean limitation and results shall be reported as such.

3. **Total residual chlorine (TRC)** – Limitations and monitoring requirements for TRC are in effect whenever elemental chlorine or chlorine based compounds are utilized for disinfection or cleaning. TRC shall be tested using Amperometric Titration or the DPD Spectrophotometric Method. The EPA approved methods are found in Standard Methods for the Examination of Water and Wastewater, (most current approved edition), Method 4500-CL-E and Method 4500-CL-G or U.S.E.P.A. Manual of Methods of Analysis of Water and Wastes.

4. **Whole Effluent Toxicity (WET) Testing** – Definitive WET testing is a multi-concentration testing event (a minimum of five dilutions bracketing the critical acute and chronic thresholds of 7.1% and 0.29%, respectively), which provides a point estimate of toxicity in terms of No Observed Effect Level, commonly referred to as NOEL or NOEC. A-NOEL is defined as the acute no observed effect level with survival as the end point. C-NOEL is defined as the chronic no observed effect level with survival, reproduction and growth as the end points.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

Footnotes

a. **Surveillance level testing - Beginning upon issuance of this permit and lasting through 12 months prior to permit expiration**, the permittee shall conduct surveillance level WET testing at a minimum frequency of once per year using the mysid shrimp (*Mysidopsis bahia*) and the sea urchin (*Arbacia punctulata*). Acute tests shall be conducted on the mysid shrimp; chronic tests shall be conducted on the sea urchin. Surveillance tests shall be conducted in a different calendar quarter such that a test is conducted in all four calendar quarters during the first four years of the term of the permit.

b. **Screening level testing - Beginning 12 months prior to permit expiration and lasting through permit expiration and every five years thereafter**, the permittee shall conduct screening level WET testing at a minimum frequency of once per year using the mysid shrimp and sea urchin.

Test results must be submitted to both the Department and EPA not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the toxicity reports for up to 10 business days of their availability before submitting them. The permittee shall evaluate test results being submitted and identify to the Department possible exceedences of the critical acute and chronic water quality thresholds of 7.1% and 0.29%, respectively.

Toxicity tests must be conducted by an experienced laboratory approved by the Department. The laboratory must follow procedures as described in the following USEPA methods manuals.

a. U.S. Environmental Protection Agency. 2002. *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organism*s,
5th ed. EPA 821-R-02-012. U.S. Environmental Protection Agency, Office of Water, Washington, D.C., October 2002 (the acute method manual)

b. U.S. Environmental Protection Agency. 2002. *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organism*s, 3rd ed. EPA 821-R-02-014. U.S. Environmental Protection Agency, Office of Water, Washington, D.C., October 2002 (the marine chronic method manual)

Results of WET tests shall be reported on the "Whole Effluent Toxicity Report Marine Waters" form included as Attachment A of this permit each time a WET test is performed. The permittee is required to analyze the effluent for the analytical chemistry parameters specified on the "WET and Chemical Specific Data Report Form" form included as Attachment B of this permit each time a WET test is performed.

Footnotes

5. **Analytical Chemistry** – Refers to a suite of chemical tests that include ammonia nitrogen (as N), total aluminum, total arsenic, total cadmium, total chromium, total copper, total cyanide, total lead, total nickel, total silver, total zinc and total residual chlorine.

   a. **Surveillance level testing** – Beginning upon permit issuance and lasting through
   12 months prior to permit expiration, the permittee shall conduct analytical chemistry testing at a minimum frequency of once per year. Surveillance tests shall be conducted in a different calendar quarter such that a test is conducted in all four calendar quarters during the first four years of the term of the permit.

   b. **Screening level testing** – Beginning 12 months prior to and lasting through permit expiration and every five years thereafter, the permittee shall conduct analytical chemistry testing at a minimum frequency of once per calendar quarter for four consecutive calendar quarters.

6. **Priority Pollutant Testing –** Priority pollutant testing refers to analysis for levels of priority pollutants listed in Department rule 06-096 CMR Chapter 525 Section 4.VI.

   a. **Screening level testing** – Beginning 12 months prior to and lasting through permit expiration and every five years thereafter, the permittee shall conduct priority pollutant testing at a minimum frequency of once per year. Surveillance level priority pollutant testing is not required pursuant to Department rule 06-096 CMR Chapter 530 Section 2.D.

Analytical chemistry and priority pollutant testing shall be conducted on samples collected at the same time as those collected for whole effluent toxicity tests, when applicable, and shall be conducted using methods that permit detection of a pollutant at existing levels in the effluent or that achieve the most current minimum reporting levels of detection as specified by the Department. See Attachment B of this permit for a list of the Department's most current reporting limits (RLs)

FOOTNOTES:

Analytical chemistry and priority pollutant test results must be submitted to the Department not later than the next Discharge Monitoring Report (DMR) required by the permit, provided, however, that the permittee may review the laboratory reports for up to 10 business days of their availability before submitting them. The permittee shall evaluate test results being submitted and identify to the Department, possible exceedences of the acute, chronic or human health AWQC as established in Chapter 584. For the purposes of DMR reporting, enter a "1" for yes, testing done this monitoring period or "NODI-9" monitoring not required this period.

All mercury sampling (1/Quarter) required by this permit or required to determine compliance with interim limitations established pursuant to Department rule Chapter 519, shall be conducted in accordance with EPA's "clean sampling techniques" found in EPA Method 1669, Sampling Ambient Water For Trace Metals At EPA Water Quality Criteria Levels. All mercury analysis shall be conducted in accordance with EPA Method 1631, Determination of Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Fluorescence Spectrometry. See Attachment C, *Effluent Mercury Test Report*, of this permit for the Department's form for reporting mercury test results.

B. NARRATIVE EFFLUENT LIMITATIONS

1. The effluent shall not contain a visible oil sheen, foam or floating solids at any time or which would impair the usages designated by the classification of the receiving waters.

2. The effluent shall not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usages designated by the classification of the receiving waters.

3. The discharge shall not cause visible discoloration or turbidity in the receiving waters which would impair the usages designated by the classification of the receiving waters.

4. Notwithstanding specific conditions of this permit the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

C. DISINFECTION

Disinfection shall be used to reduce the concentration of bacteria to or below the level specified in Special Condition A, *Effluent Limitations and Monitoring Requirements*, of this permit. If chlorination and dechlorination are used as the means of disinfection, an approved chlorine disinfection system must be utilized. The total residual chlorine in the effluent shall at no time cause any demonstrable harm to aquatic or marine life in the receiving waters. The final effluent concentration of total residual chlorine, prior to dechlorination if present, must at all times be maintained at a concentration greater than test method detection limits in order to provide effective reduction of bacteria to levels or below those specified in Special Condition A, "*Effluent Limitation and Monitoring Requirements*."

D. TREATMENT PLANT OPERATOR

The treatment facility must be operated by a person holding a minimum of a **Grade II** certificate (or Registered Maine Professional Engineer) pursuant to Title 32 M.R.S.A. §4171 *et seq*. All proposed contracts for facility operation by any person must be approved by the Department before the permittee may engage the services of the contract operator.

E. MONITORING AND REPORTING

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Forms (DMR's) provided by the Department and **shall be postmarked by the thirteenth (13th) day of the month or hand-delivered to a Department Regional Office such that the DMR's are received by the Department by the fifteenth (15th) day of the month following the completed reporting period.** A signed copy of the DMR's and all other reports required herein shall be submitted, unless otherwise specified, to the Department's facility inspector at following address:

Maine Department of Environmental Protection
Eastern Maine Regional Office
Bureau of Land & Water Quality
Division of Water Quality Management
106 Hogan Road
Bangor, Maine 04401

Signed and dated originals of these, and all other reports required herein, shall be submitted to the Director at the following address:

Environmental Protection Agency
Water Technical Unit (SEW)
P.O. Box 8127
Boston, Massachusetts 02114

F. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on September 4, 2007;
2) the terms and conditions of this permit; and 3) only from Outfall #001A. Discharges of wastewater from any other point source are not authorized under this permit, and shall be reported in accordance with Standard Condition B(5), *Bypasses*, of this permit.

G. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee shall notify the Department and the EPA of the following:

1. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants to the system at the time of permit issuance.

2. For the purposes of this section, adequate notice shall include information on:

   a The quality or quantity of wastewater introduced to the wastewater collection and treatment system; and

   b Any anticipated impact of the change in the quality or quantity of the wastewater to be discharged from the treatment system.

H. OPERATIONS AND MAINTENANCE MANUAL

This facility shall have a current written comprehensive Operation & Maintenance (O&M) Plan. The plan shall provide a systematic approach by which the permittee shall at all times, 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.

By December 31 of each year, **or within 90 days of any process changes or minor equipment upgrades,** the permittee shall evaluate and modify the O&M Plan including site plan(s) and schematic(s) for the wastewater treatment facility to ensure that it is up-to-date. The O&M Plan shall be kept on-site at all times and made available to Department and EPA personnel upon request.

Within 90 days of completion of new and or substantial upgrades of the wastewater treatment facility, the permittee shall submit the updated O&M Plan to their Department's compliance inspector for review and comment.

On or before December 1, 2008, ***[PCS Code 00701]***, the permittee shall submit to the Maine Department of Environmental Protection for review and approval, a public education program designed to minimize the entrance of non-industrial toxic pollutants and pesticides into the collection system and wastewater treatment facility.

On or before December 31, 2009, ***[PCS Code 53399]***, the permittee shall provide written notice to the Maine Department of Environmental Protection, that the approved public education program has been implemented.

I. WET WEATHER FLOW MANAGEMENT PLAN

The treatment facility staff shall maintain a Wet Weather Management Plan to direct the staff on how to operate the facility effectively during periods of high flow. The Department acknowledges that the existing collection system may deliver flows in excess of the monthly average design capacity of the treatment plant during periods of high infiltration and rainfall.

The plan shall include operating procedures for a range of intensities, address solids handling procedures (including septic waste and other high strength wastes if applicable) and provide written operating and maintenance procedures during the events.

The permittee shall annually review their plan and record necessary changes to keep the plan up to date.

J. SLUDGE

The permittee shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices and with the CWA Section 405(d) technical standards.

The permittee shall comply with the more stringent of either the state or federal (40 CFR Part 503) requirements.

The requirements and technical standards of 40 CFR Part 503 apply to facilities which perform one or more of the following use or disposal practices.

a. Land application - the use of sewage sludge to condition or fertilize the soil

b. Surface disposal - the placement of sewage sludge in a sludge only landfill

c. Sewage sludge incineration in a sludge only incinerator

The 40 CFR Part 503 conditions do not apply to facilities which place sludge within a municipal solid waste landfill. These conditions also do not apply to facilities which do not dispose of sewage sludge during the life of the permit but rather treat the sludge (e.g., lagoons- reed beds), or are otherwise excluded under 40 CFR 503.6.

The permittee shall use and comply with the attached compliance guidance document to determine appropriate conditions. Appropriate conditions contain the following elements.

General requirements
Pollutant limitations
Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
Management practices
Record keeping
Monitoring
Reporting

Depending upon the quality of material produced by a facility, all conditions may not apply to the facility.

The permittee shall monitor the pollutant concentrations, pathogen reduction and vector attraction reduction at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year:

less than 290	1/ year
290 to less than1500	1 /quarter
500 to less than 15000	6 /year
15000 +	1 /month

The permittee shall sample the sewage sludge using the procedures detailed in 40 CFR 503.8.

The permittee shall submit an annual report containing the information specified in the guidance by February 19. Reports shall be submitted to the address contained in the reporting section of the permit. Sludge monitoring is not required by the permittee when the permittee is not responsible for the ultimate sludge disposal. The permittee must be assured that any third party contractor is in compliance with appropriate regulatory requirements. In such case, the permittee is required only to submit an annual report by February 19 containing the following information:

- Name and address of contractor responsible for sludge disposal
- Quantity of sludge in dry metric tons removed from the facility by the sludge contractor

K. RE-OPENER CLAUSE

Upon evaluation of test results required by the Special Conditions of this permitting action, additional site specific information or any other pertinent information or test result obtained during the term of this permit, the Department and EPA may, at anytime, and with notice to the permittee, modify this permit to (1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded, (2) require additional monitoring if results on file are inconclusive, or (3) change the monitoring requirements and/or limitations based on new information.

L. SEVERABILITY

In the event that any provision or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit shall remain in full force and effect, and shall be construed and enforced in all respects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.