

## SECTION 4

### PERMITTING PROCEDURES

4.1 New users will be identified at the time they apply for sewer service. If a user intends to discharge any wastewater to the system other than sanitary waste, an application for a discharge permit must be submitted. New industries of significant size will likely initiate discussions with the City regarding pretreatment requirements prior to construction. These industries will be asked to complete a discharge permit application at that time to identify their wastewater characteristics and determine if a discharge permit is needed. New industries will also be identified by noting new construction in the area.

The permit application and issuance procedures are outlined in Table 4.1, while the procedures for establishing pollutant limits are discussed in Section 4.2. A sample permit form is provided and contains limits on pollutant concentration and establishes monitoring, reporting and record keeping requirements and, in some cases, schedules for compliance. The City has access to the regulations establishing categorical pretreatment standards by regular mailing from the Georgia EPD and will use this source to track regulations and determine categorical effluent limits.

If pretreatment is required to meet the discharge standards, the industry must submit a compliance schedule to the City that sets dates for submission of engineering reports, plans and specifications, and construction completion. The completion date shall not be later than any compliance date established for the applicable Pretreatment Standard. The compliance schedule is subject to modification by the City of Villa Rica. If the industry fails to submit a schedule within 30 days, the City will prepare a compliance schedule for them. Once the compliance schedule has been finalized and approved, it will be included in the discharge permit or a consent order.

The industry must also submit to the City interim progress reports no more than nine months apart. The City will track the industry's compliance with their permit conditions through internal record keeping that alerts administrative personnel to the due dates of required submittals. If the submittal is not received, the industry will be contacted directly to resolve the violation.

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards or, in the case of a new industrial source, following commencement of wastewater discharge to the sewer system, any Significant User subject to pretreatment standards and requirements shall submit to the City a report similar to the permit application indicating the nature and concentrations of all limited pollutants, average and maximum daily process wastewater flows, and a statement as to whether the pretreatment standards and requirements are being met on a consistent basis and, if not, what additional operational and maintenance and/or pretreatment is necessary to bring the Significant User into compliance.

The Industrial Waste Survey will be updated continually to identify new industries and changes in existing users. Changes in existing users will be ascertained by notification by the users, by noting construction or changes to facilities, through annual inspections, review of monitoring reports, unannounced visits, and review of water use records.

The Plant Manager will evaluate industrial users for the need of an accidental spill/slug control plan at the time of permit issuance and again at least every two years as a part of the annual inspection. In forming an opinion on the need for a plan, he will consider the impact of a possible accidental discharge or slug on the POTW. He may require a user to develop, submit, and implement such a plan or develop such a plan for the user. A plan will include such items as a description of discharge practices, batch discharges, and stored chemicals, procedures for notifying the Plant Manager of accidental or slug discharges and procedures to prevent any adverse effects of a discharge. Such procedures may include inspection and maintenance, material handling, training, containment equipment, and emergency response. See Industrial Pretreatment Regulations, Section 3.3.

#### 4.2 Determination of Permit Limits

Permit limits are set based on either categorical standards developed by the EPA or threshold limits for the Villa Rica wastewater treatment plants. A set of limitations has been developed to ensure protection of the City's treatment plant's operation and performance. Acceptable influent concentrations of certain industrial pollutants have been calculated based on protection of receiving stream water quality as it affects aquatic life and human health, treatment plant operations and performance, and sludge disposal practices. A document entitled "Recommended Discharge Limitations for the Industrial Pretreatment Program in Villa Rica, GA, prepared by Weideman & Singleton, Inc, engineers, is included in Section III. This report details the methodology used to calculate maximum allowable pollutant concentrations based on these four protection criteria and defines acceptable influent loadings to the POTW. These allowable threshold concentrations are also compared with the current industrial discharge and treatment plant influent loadings, as calculated from historical data.

#### 4.3 Procedures for Confidential Information

The City of Villa Rica will assure confidentiality for any information, pursuant to 40 CFR Part 2, that is claimed as confidential by the applicant. Effluent data submitted to the City of Villa Rica shall be made available to the public without restrictions. All other information which is submitted to the City shall be available to the public at least to the extent provided by 40 CFR 2.302.

1. Submission of data to the City asserting claim of confidential information shall be stamped with the word "Confidential" on each page containing such information.
2. Upon receipt of submitted confidential information, said reports shall be transmitted to the Wastewater Plant Manager for proper review. Confidential records shall be filed in a secure place separate from normal wastewater department records.
3. Release of confidential information, other than effluent data or other information provided by 40 CFR 2.302, shall not be available to other parties without consent of the Wastewater Plant Manager.
4. Agencies of the Federal government and State government are allowed access to confidential information upon notification to the Plant Manager.

**TABLE 4.1**

**PERMIT ISSUANCE PROCEDURES**

5. Industrial users will be regulated by the Sewer Use Regulations and individual discharge permits. Potential industrial users and existing industrial permittees must complete and file with the City an application for a discharge permit to obtain permission to connect or continue to discharge to the City sewer system. The pretreatment coordinator will be responsible for issuing application forms to new and existing users as needed. The application will be used to determine if the user should be considered a significant industrial user, defined in 40CFR 403.3 and summarized as follows:
  - a. A user subject to categorical pretreatment standards, OR
  - b. A user that discharges 25000 gal/day or more of process wastewater, OR
  - c. A user that contributes more than 5% of the average dry weather hydraulic or organic treatment capacity of the POTW, OR
  - d. A user that has a reasonable potential for adversely affecting the operation of the POTW.
6. Allow forty-five days for return of completed application. Upon receipt, the Pretreatment Coordinator will be responsible for reviewing the application and contacting the industry for additional information as needed.
7. The completed application will be forwarded to the Plant Manager who will review it for accuracy and make a preliminary determination as to whether the user is considered a significant industrial user or not, whether it falls under a categorical standard, and whether it is potentially subject to the Resource Conservation & Recovery Act (RCRA).
8. The Plant Manager will prepare a draft permit including specific wastewater effluent limitations. A fact sheet, showing the basis for decisions made, will be prepared and filed with the permit application. The following issues will be addressed during permit preparation:
  - a. Local limits must be compared to categorical standards, if applicable, and the more stringent limit included in the permit.
  - b. For users subject to categorical limits, where the regulated discharge is combined with sanitary sewage, the combined wastestream formula will be applied.
  - c. Production based standards will be used when called for in the part of 40CFR that applies to the categorical user. Categorical standards may be production based, concentration based, or both.
  - d. If a user is not in compliance with proposed limits when the permit is issued, a compliance schedule will be incorporated into the permit. Compliance schedules may also be a part of enforcement actions.
9. Send the draft to the applicant for his review. Allow thirty (30) days for the review. If the applicant objects to any part of the permit a meeting should be held with the authorized industry representative to resolve disputed issues.
10. Following resolution of all disputes, the Plant Manager issues a formal wastewater Discharge Permit. Wastewater discharge permits shall be issued for a period not to exceed five (5) years.

**CITY OF VILLA RICA**

**INDUSTRIAL USER WASTEWATER DISCHARGE PERMIT**

In accordance with the provisions of the City of Villa Rica Sewer Use Ordinance and Industrial Pretreatment Regulations,

is authorized to discharge treated industrial wastewater into the City's sewerage collection system at

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, or Federal laws, including any 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's Sewer Use Ordinance or Industrial Pretreatment Regulations.

This permit shall become effective on

and shall expire at midnight on

\_\_\_\_\_

Permit No

\_\_\_\_\_

City of Villa Rica Wastewater Plant Manager

SIC Code: \_\_\_\_\_

Category: \_\_\_\_\_



Samples shall be collected at the following locations:

Discharges from outfalls not sampled shall be of sanitary wastewater or nonprocess wastewater and shall comply with the city's sewer use ordinance and industrial pretreatment regulations.

## PART II - MONITORING AND REPORTING

1. Representative Sampling
  - a. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.
  - b. Composite samples should be flow proportional where possible. Time composite or a minimum of 5 grab samples combined may be substituted with approval by the Plant Manager.
  - c. Any change in sampling location from that specified in this permit, must be approved by the Plant Manager.
2. Automatic Resampling - If the results of the permittee's wastewater analysis indicates that a violation of this permit has occurred, the permittee must:
  - a. Inform the Plant Manager of the violation within 24 hours; and
  - b. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.
3. Test Procedures - All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.
4. Recording - For each measurement of sample taken pursuant to the requirements of this permit, the permittee shall record the following information:
  - a. The date, exact place, method, and time of sampling and the names of the persons taking the samples;
  - b. The date analyses were performed;
  - c. Who performed the analyses;
  - d. The analytical techniques/methods used;
  - e. The results of such analyses;

- f. Concentration of discharged pollutants;
- g. Maximum and average daily flows; and,
- h. The signature of an authorized representative.

5. Reporting

- a. Monitoring results obtained during the previous months shall be summarized for each month and reported on a Self Monitoring Form post marked no later than the 14th day of the month following the completed reporting period. The first report is due on \_\_\_\_\_. Self-monitoring reports include a certification statement and must be signed by an authorized representative of the user. Significant Industrial users must report every 6 months and categorical industrial users must report by June 30 and December 30 of each year. A single signed copy of this, and all other reports required herein, shall be submitted to the Plant Manager by mailing to:

Wastewater Plant Manager  
City of Villa Rica  
571 West Bankhead Hwy  
Villa Rica, GA 30180

- b. Reports of Potential Problems - In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Plant Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user. Within five (5) days following such discharge, the user shall, unless waived by the Plant Manager, submit a detailed written report describing the cause(s) of the discharge and the 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, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to these regulations. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- c. Report of Changed Conditions - Each user must notify the Plant Manager of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least ninety (90) days before the

change. The Plant Manager may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a revised permit application. The Plant Manager may issue a new discharge permit or modify an existing permit in response to changed conditions or anticipated changed conditions. For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty percent (20%) or greater, and discharge of any previously unreported pollutants.

- d. Any upset experienced by the Industrial User of its treatment that places it in a temporary state of noncompliance with wastewater discharge limitations contained in this permit or other limitations specified in the City Ordinance shall be reported to the Plant Manager within 24 hours of first awareness of the commencement of the upset. A detailed report shall be filed within 5 days.
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 Self Monitoring Form.
  7. Record Retention - The permittee is required to retain for a minimum of three (3) years any records of monitoring activities and results and shall make such records available for inspection and copying by the City, the Georgia EPD, or the U.S. EPA. This period of retention shall be extended during the course of any unresolved litigation regarding the permittee or when requested by the Plant Manager, EPD, or EPA.
  8. Definitions:
    - a. Monthly average: The arithmetic mean of all the samples collected in a one-month period.
    - b. Flow, (gpd): The flow is determined as the arithmetic mean of the total daily flows recorded during the calendar month.
    - c. Arithmetic Mean: The arithmetic mean of any set of values is the summation of the individual values divided by the number of individual values.
    - d. Flow Proportional Composite Samples: A sample collected over a definite period of time at a rate proportional to the flow.
    - e. Time Composite Samples: A sample collected over a defined period of time at a rate proportional to time.
    - f. Grab Sample: An instantaneous sample of the wastewater which shall be collected at the period(s) most representative of the total discharge.

### **PART III - COMPLIANCE SCHEDULE**

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

1. Not later than fourteen (14) days following each date in the subsequent schedule and the final date for compliance, the permittee shall submit a progress report to the Plant Manager including, as a minimum, whether or not it complied with the increment of progress, the reason for delay, and steps being taken by the permittee to return the activities to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the City.
2. Compliance schedule:

## PART IV - GENERAL CONDITIONS

1. 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,
2. The permittee shall take all reasonable steps to minimize any adverse impact to the City's sewer system and waste treatment facilities resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.
3. The Plant Manager shall have the right to enter the premises of any user to determine whether the user is complying with all sewer use regulations, requirements of this permit, and orders issued hereunder. Users shall allow the Plant Manager ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties. The user shall make necessary arrangements so that upon presentation of suitable identification, the Plant Manager will be permitted to enter without delay for the purposes of performing specific responsibilities. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the request of the Plant Manager and shall not be replaced. The costs of clearing such access shall be born by the user. Unreasonable delays in allowing the Plant Manager access to the user's premises shall be a violation of this permit.
4. Wastewater discharge permits are not transferable.
5. The permittee shall not increase the use of 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.
6. The permittee must submit a complete permit application a minimum of 90 days prior to the expiration of the current permit.
7. The permittee shall not discharge any of the prohibited pollutants identified in Section 2.1 of the City's Industrial Pretreatment Regulations.
8. This permit may be modified, suspended, or revoked in whole or part for cause including but not limited to the following:
  - a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;

- b. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- c. A change in the POTW that requires either a temporary, or permanent reduction or elimination of the authorized discharge;
- d. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
- e. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- f. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- g. To correct typographical or other errors in the wastewater discharge permit; or
- h. To reflect a transfer of the facility ownership or operation to a new owner or operator;
- i. Failure to provide prior notification to the Plant Manager of significant changes to the wastewater;
- j. Falsifying self-monitoring reports;
- k. Tampering with monitoring equipment;
- l. Refusing to allow the Plant Manager timely access to the facility premises and records;
- m. Failure to meet effluent limitations;
- n. Failure to pay fines;
- o. Failure to pay sewer charges;
- p. Failure to meet compliance schedules;
- q. Failure to complete a wastewater survey or the wastewater discharge permit application;
- r. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

- s. Violation of any pretreatment standard or requirement, or any terms or conditions of the wastewater discharge permit.
- 9. The permittee will be notified of any proposed changes in this permit at least thirty (30) days prior to the effective date of the change. Any change or new condition in this permit shall include a provision for a reasonable time schedule for compliance. The permittee may appeal the decision of the Plant Manager in regard to any changed permit conditions.
- 10. Any permittee who commences the discharge of hazardous waste shall notify the Plant Manager, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waster under 40 CFR Part 261. Specific notification requirements are contained in the City's Sewer Use Ordinance.
- 11. At the time of permit issuance and again at least once every two years in accordance with 40 CFR 403.8, the Plant Manager shall evaluate whether an accidental discharge/slug control plan is needed. The Plant Manager may require any user to develop, submit for approval, and implement such a plan within sixty (60) days of written notice. Alternatively, the Plant Manager may develop such a plan for the user.

## PART V - PERMIT VIOLATIONS

### 1. Civil Penalties

- a. A user who has violated, or continues to violate, any provision of the Sewer Use Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the city for a maximum civil penalty of one thousand dollars (\$1000) per violation, per day. In the case of monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- b. The Plant Manager may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.
- c. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- d. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

### 2. Criminal Prosecution

- a. A user who willfully or negligently violates any provision of the Sewer Use Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1000) per violation, per day, or imprisonment for not more than six months.
- b. A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a fine or imprisonment for not more than six months. This penalty shall be in addition to any other cause or action for personal injury or property damage available under State law.
- c. A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate

any monitoring device or method required under these regulations shall, upon conviction, be punished by a fine or imprisonment for not more than six months.

- d. In the event of a second conviction, a user shall be punished by a fine or imprisonment for not more than six months.

## PART VI - SPECIAL CONDITIONS

The permittee shall comply with the following special conditions: