

# Georgia Department of Natural Resources

2 Martin Luther King, Jr. Drive, S.E., Suite 1152 East Tower, Atlanta, Georgia 30334-9000

Chris Clark, Commissioner

F. Allen Barnes, Director

Environmental Protection Division

404/656-4713

January 28, 2010

Honorable Robert J. Hunter, Commissioner  
Bureau of Watershed Management  
City of Atlanta  
55 Trinity Avenue, Suite 5400  
Atlanta, Georgia 30335-0312

RE: East Area CSO  
Water Pollution Control Plant  
NPDES Permit No. GA0037168

Dear Commissioner Hunter:

The Environmental Protection Division has received your application for reissuance of the above referenced permit. We are unable to issue a new permit before the expiration date of the existing permit. In accordance with the Rules and Regulations for Water Quality Control Chapter 391-3-6-.06(15)(c), your existing permit is hereby extended until a new permit is issued.

Sincerely,



F. Allen Barnes,  
Director

FAB/jrb

East

PERMIT NO. GA0037168

STATE OF GEORGIA  
DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the "State Act;" the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq.), hereinafter called the "Federal Act;" and the Rules and Regulations promulgated pursuant to each of these Acts,

City of Atlanta  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

is authorized to discharge from its East Area CSO treatment facilities located in Atlanta Georgia

1) Intrenchment Creek CSO WQCF - 1510 Key Road, SE 2) Custer Avenue CSO Control Facility - Custer and Woodland Avenue, SE 3) McDaniel Street CSO Control Facility - McDaniel Street and University Avenue, SE

to receiving waters

1) Intrenchment Creek tributary to the South River 2) Intrenchment Creek tributary to the South River 3) Unnamed tributary to the South River in the Ocmulgee River Basin

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II and III hereof.

This permit shall become effective on January 31, 2005.

This permit and the authorization to discharge shall expire at midnight, January 30, 2010.



Signed this 31st day of January 2005.

A handwritten signature in black ink, appearing to read 'C. A. Couch', is written over a horizontal line.

Director,  
Environmental Protection Division

**PART I**

**A. Conditions**

**1. Definitions**

- a. The Federal Act: the Clean Water Act.
- b. The State Act: the Water Quality Control Act (O.C.G.A. Chapter 12-5-20, et seq.).
- c. The State Rules: the Rules and Regulations for Water Quality Control (Chapter 391-3-6).
- d. Code: the Official Code of Georgia Annotated.
- e. Federal Consent Decree – CSO Consent Decree Civil Action File No. 1:95-CV-2550-TWT effective September 28, 1998.
- f. Combined sewer system (CSS): a sewer system that was designed or constructed for the purpose of allowing surface water run-off to enter the conduit carrying sewage, industrial waste, or other waste. When the conduit exceeds its maximum capacity, it allows a discharge which bypasses the normal treatment works integral to the sewage system and allows a mixture of storm water and untreated or partially treated sewage, industrial waste, or other waste to flow, directly or indirectly, into the waters of the State.
- g. Combined sewer overflow (CSO) control facility: a facility designed and constructed to control, treat and release a CSO discharge. Treatment includes screening and disinfection. The facilities will have dechlorination in the future.
- h. CSO Water Quality Control Facility (WQCF): a treatment facility providing enhanced primary treatment and disinfection for CSO discharges. The facility will have dechlorination in the future.
- i. CSO discharge: that flow which is discharged from the outfall conveyance structure of a CSO Control Facility or CSO WQCF into waters of the State.
- j. CSO discharge event: that period of time from the beginning of a CSO discharge from a CSO Control Facility or a CSO WQCF until it ends, which lasts at least fifty (50) minutes, and which occurs not less than forty-eight hours since the end of the last such discharge.
- k. Composite sample: a sample consisting of a combination of subsamples collected during the duration of a CSO discharge event. The first subsample shall be collected 50 minutes after the discharge begins and subsequent subsamples are to be collected every 60 minutes thereafter.
- l. Design storm event: the level of rainfall used to determine the design and size of the current CSO conveyance structure, the CSO control facilities and the Intrenchment Creek CSO WQCF.

CSO control facilities and CSO WQCF (prior to tunnel and WQCF upgrade)

- 1) Floatables: as determined by the permittee and approved by the Division, the design condition for floatables is defined as an overflow event with a flow rate less than or equal to 240 MGD for the McDaniel Street CSO control facility and is defined as a rainfall event of 0.8 inches for the Custer Avenue CSO control facility.
- 2) All other parameters: the design condition for all other parameters listed in Part II B. of this permit is defined as an overflow event with a flow rate less than or equal to the maximum daily flow of the existing CSO control facilities.

CSO control facilities (after tunnel and WQCF upgrade)

- 1) Floatables: the design condition for floatables is defined as an overflow event with a flow rate less than or equal to 240 MGD for the McDaniel Street CSO control facility and 1000 MGD for the Custer Avenue control facility.
  - 2) All other parameters: the design condition for all other parameters listed in Part II B. of this permit is defined as an overflow event with a flow rate less than or equal to the maximum daily flow of the existing CSO control facilities.
- m. Division: the Environmental Protection Division of the Department of Natural Resources.
- n. Dry weather flow conditions: hydraulic flow conditions within the CSS resulting from domestic sewage, groundwater infiltration, commercial and industrial wastewaters, or a combination thereof, with no contribution from stormwater.
- o. Dry weather overflow: a CSO discharge that occurs during dry weather flow conditions provided that groundwater that infiltrates down gradient of the point at which sewage is diverted to a wastewater treatment facility shall not constitute dry weather overflow for compliance purposes.
- p. First flush: the first sixty minutes of a CSO discharge.
- q. POTW: publicly owned treatment works.
- r. Sampling plan: a plan required to be submitted by the permittee for approval by the Division that, at a minimum, describes the strategies, sampling and monitoring methods, equipment, protocols, record keeping, design, and operational aspects of the CSO control facilities and CSO WQCF that relate to facility compliance and monitoring requirements.

- s. Sampling point: the point at which the CSO discharge from the CSO control facilities and the CSO WQCF must meet the terms and conditions in Part II B. of this permit. For purposes of this permit, the approved sampling points are defined in Part II.B.1 and Part II.B.2 unless a different location is identified in the sampling plan approved by the Division.
  - t. Water quality standards: water quality criteria established to protect designated uses of waters of the State in accordance with the State Rules.
2. Best Management Practices. The permittee shall immediately comply with the following technology-based requirements:
- a. The permittee shall implement proper operation and maintenance programs for the combined sewer system and all CSO control facilities and the CSO WQCF to reduce the magnitude, frequency, and duration of CSO discharges. The program shall consider regular combined sewer inspections; sewer, catch basin, and regulator cleaning; equipment and combined sewer system repair or replacement, where necessary, and disconnection of illegal connections.
  - b. The permittee shall implement procedures that will maximize use of the collection system for wastewater storage that can be accommodated by the storage capacity of the collection system in order to reduce the magnitude, frequency, and duration of CSO discharges.
  - c. The permittee shall review and modify, as appropriate, its existing pretreatment program to minimize CSO impacts from the discharges from non-domestic users.
  - d. The permittee shall operate the POTW at maximum treatable flow during all wet weather flow conditions to reduce the magnitude, frequency, and duration of CSO discharges. The permittee shall deliver all flows to the treatment plant within the constraints of the conveyance capacity of the system and the treatment capacity of the POTW. In addition, the permittee shall operate the CSO WQCF at maximum treatable flow once capacity at the POTW is reached and storage in the collection system is maximized in order to reduce the magnitude, frequency and duration of CSO discharges from the CSO control facilities.
  - e. Dry weather overflows are prohibited. Each dry weather overflow must be reported to the permitting authority as the permittee becomes aware of the overflow. When the permittee detects a dry weather overflow, the permittee shall begin corrective action immediately. The permittee shall inspect the dry weather overflow each subsequent day until the overflow has been eliminated.
  - f. The permittee shall implement measures to control and prevent solid and floatable materials in CSO discharges.

- g. The permittee shall implement a pollution prevention program focused on reducing the impact of CSO discharges on the receiving waters.
- h. The permittee shall implement a public notification process to inform citizens of when and where CSO discharges occur. The process shall include the following:
  - (1) A public information program to inform the public of the occurrence of CSO discharges into the receiving stream; and
  - (2) Signs posted in clear view at the CSO control facilities' outfalls, the CSO WQCF outfall, and at all public points of access to the receiving stream for at least the first half mile downstream of the CSO control facilities' and the CSO WQCF outfalls.
- i. The permittee shall monitor the outfalls of the CSO control facilities and CSO WQCF in order to evaluate the efficacy of the CSO controls.

## PART II

### A. Monitoring and Reporting

#### 1. Effluent Toxicity and Biomonitoring Requirements

The permittee shall comply with effluent standards or prohibitions established by Section 307(a) of the Federal Act and with Chapter 391-3-6-.03(5) of the State Rules and may not discharge toxic pollutants in "concentrations or combinations that are harmful to humans, animals, or aquatic life." If toxicity is suspected in the effluent, the Division may require the permittee to perform any of the following actions:

- a. Acute biomonitoring tests;
- b. Chronic biomonitoring tests;
- c. Stream studies;
- d. Priority pollutant analyses;
- e. Toxicity reduction evaluations (TRE); or
- f. Any other appropriate study.

The Division will specify the requirements and methodologies for performing any of these tests or studies, or consider for approval, the methodologies submitted by the permittee. Sample collection shall be representative of the CSO control facility and CSO WQCF hydrograph and shall at a minimum include a sample within the first thirty minutes of discharge and during the declining limb of the hydrograph.

Acute toxicity testing shall be conducted in accordance with "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms", EPA 821-R-02-012, or the most current edition. Unless other concentrations are specified by the

Division, the critical concentration used to determine toxicity in the biomonitoring tests will be the effluent instream wastewater concentration (IWC) based on the flow of the CSO discharge during the first flush and the design storm event flow. Samples for toxicity testing are to be taken after the final treatment process. The endpoints that will be reported are the effluent concentration that is lethal to 50% of the test organisms (LC50) if the test is for acute toxicity, and the no observed effect concentration (NOEC) of effluent if the test is for chronic toxicity.

The permittee must eliminate effluent toxicity and supply the Division with data and evidence to confirm toxicity elimination. When approved by the Division, all study plans and TRE plans will become part of the requirements of this permit.

2. Flow Monitoring

- a. The permittee shall have a primary flow measuring device that is correctly installed and operable. Secondary flow measurements must be made using a continuous totalizer and an indicating recorder. Calibration of secondary instruments will be maintained to within 10% of the actual flow. Calibration shall be performed in accordance with accepted engineering practice on a quarterly basis. Records of the calibration checks shall be maintained.
- b. If primary and secondary flow instruments malfunction or fail to maintain calibration as required in Part II.A.2.a., the flow shall be computed from manual measurements taken at the times specified for the collection of composite samples or as described in the Sampling Plan approved by the Division.

3. Monitoring Procedures

Analytical procedures, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and procedures listed in 40 CFR Part 136 or as approved by the Division in the approved sampling plan. The methods used must be applicable to the concentration ranges of the CSO samples.

4. Detection Limit Requirements

All parameters will be analyzed using the appropriate detection limits as specified by the Division. If the results for a given sample are such that a parameter is not detected at or above the specified detection limit, a value of "not detected" will be reported for that sample and the detection limit will also be reported.

5. Representative Sampling

Samples and measurements of the monitored waste shall be representative of the volume and nature of the waste stream. The permittee shall maintain a written sampling and monitoring schedule.

6. Reporting

All reports or information submitted in compliance with this permit or requested by the Division must be signed by a principal executive officer, elected official, or other authorized representative. Required analytical results obtained by the permittee shall be summarized on a Combined Sewer Overflow Monitoring Report form and any additional Division specified forms. Monitoring results shall be submitted to the Division postmarked no later than the 15th day of the month following the end of the reporting period. The Division may require in writing that additional monitoring results be reported. Signed copies of these and all other required reports shall be submitted to:

Georgia Environmental Protection Division  
Permitting, Compliance and Enforcement Program  
4220 International Parkway, Suite 101  
Atlanta, Georgia 30354

7. Record Retention

The permittee shall retain the following records:

- a. All laboratory analyses performed including sample data, quality control data, standard curves, etc;
- b. Calibration and maintenance records of laboratory instruments;
- c. CSO monitoring records;
- d. Sewer system operation and maintenance records;
- e. Copies of all reports required by this permit; and
- f. All data and information used to complete the application for this permit.

These records shall be maintained for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by Division written notification.



**B.1. Monitoring Requirements – CSO Control Facilities and CSO WQCF**

a) Intrenchment Creek CSO WQCF (001) - Beginning on the effective date of this permit and continuing until the construction of the upgrade to the Intrenchment Creek CSO WQCF is substantially complete and EPD has provided the permittee with written approval to operate the upgraded CSO WQCF, the permittee shall monitor the following parameters and be limited as follows. The approved sampling point is located in the box culvert below the discharge from the control facility and above the juncture with the open channel unless a different location is identified in the sampling plan approved by the Division.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow- (MG)	Report total flow of each CSO discharge event and total hours of discharge	Each Discharge Event <sup>(1)</sup>	Continuous Recording	Effluent
Temperature	Report °C of each sample	1/Discharge Event <sup>(1)</sup>	Grab	Effluent
Ammonia as N	Report mg/l for each composite sample	1/Discharge Event <sup>(1)</sup>	Composite	Effluent
Total Residual Chlorine <sup>(2)</sup>	0.1 <sup>(3)</sup>	See Part II.B.1.d.3	Grab	Effluent
Fecal Coliform Bacteria (#/100ml) May – Oct Nov – April	200 (monthly avg) <sup>(4)</sup> 2,000 (daily max) 1,000 (monthly avg) <sup>(4)</sup> 4,000 (daily max)	See Part II.B.1.d.3	Grab	Effluent
Biochemical Oxygen Demand (5-day)	Report mg/l for each composite sample. See Part II.F.	1/Discharge Event <sup>(1)</sup>	Composite	Influent and Effluent
Total Suspended Solids	Report mg/l for each composite sample. See Part II.F.	1/Discharge Event <sup>(1)</sup>	Composite	Influent and Effluent
Total Phosphorus	Report mg/l for each composite sample	1/Discharge Event <sup>(1)</sup>	Composite	Effluent

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units and shall be monitored on the effluent by analyzing grab samples taken during each CSO discharge event<sup>(1)</sup>. See Part II.D.2 of the permit for the compliance schedule for meeting these limits.

<sup>(1)</sup> The permittee shall take samples during each CSO discharge event as defined in Part I.A.1.j. The permittee shall report the result of each grab and composite sample on its discharge monitoring reports.

<sup>(2)</sup> See Part II.D.1 of the permit.

<sup>(3)</sup> This is a daily maximum limitation.

<sup>(4)</sup> The permittee shall report the monthly average value in accordance with Part II.B.1.d.3 of the permit and attain compliance with the monthly average fecal coliform limits in accordance with Part II.D.2 of the permit.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Total Recoverable Cadmium <sup>(1)</sup>	0.00217 <sup>(2)</sup>	1/Discharge Event <sup>(3)</sup>	Composite	Effluent
Total Recoverable Copper <sup>(1)</sup>	0.0104 <sup>(2)</sup>	1/Discharge Event <sup>(3)</sup>	Composite	Effluent
Total Recoverable Zinc <sup>(1)</sup>	0.0622 <sup>(2)</sup>	1/Discharge Event <sup>(3)</sup>	Composite	Effluent
Total Recoverable Lead <sup>(1)</sup>	Report mg/l for each composite sample	1/Discharge Event <sup>(3)</sup>	Composite	Effluent
Total Recoverable Nickel <sup>(1)</sup>	Report mg/l for each composite sample	1/Discharge Event <sup>(3)</sup>	Composite	Effluent

<sup>(1)</sup> The permittee is to analyze total recoverable cadmium, copper, zinc, lead and nickel to the detection limits specified by the Division.

<sup>(2)</sup> This is a daily maximum limitation. The permittee will attain compliance with these limits in accordance with Part II.D.2. of the permit.

<sup>(3)</sup> The permittee shall take samples during each CSO discharge event as defined in Part I.A.1.j. The permittee shall report the result of each composite sample on its discharge monitoring reports.

B.1. Monitoring Requirements – CSO Control Facilities and CSO WQCF (Continued)

b) Custer Avenue CSO Control Facility (002) - Beginning on the effective date of this permit and continuing until the construction of the upgrade to the Intrenchment Creek CSO WQCF is substantially complete and EPD has provided the permittee with written approval to operate the upgraded CSO WQCF, the permittee shall monitor the following parameters and be limited as follows. The approved sampling point is located immediately below the control facility diversion dam on Intrenchment Creek unless a different location is identified in the sampling plan approved by the Division.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow- (MG)	Report total flow of each CSO discharge event and total hours of discharge	Each Discharge Event <sup>(4)</sup>	Continuous Recording	Effluent
Temperature	Report °C of each sample	12/Year <sup>(1)</sup>	Grab	Effluent
Ammonia as N	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent
Total Residual Chlorine	0.1 <sup>(2)</sup>	See Part II.B.1.d.3	Grab	Effluent
Fecal Coliform Bacteria (#/100ml) May – Oct Nov – April	200 (monthly avg) <sup>(3)</sup> 2,000 (daily max) 1,000 (monthly avg) <sup>(3)</sup> 4,000 (daily max)	See Part II.B.1.d.3	Grab	Effluent
Biochemical Oxygen Demand (5-day)	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent
Total Suspended Solids	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent
Total Phosphorus	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units and shall be monitored on the effluent by analyzing grab samples taken 12 times per year<sup>(1)</sup>. See Part II.D.2. of the permit for the compliance schedule for meeting these limits.

<sup>(1)</sup> The permittee shall measure a minimum of 12 CSO discharge events per year with best efforts to monitor at least 2 CSO discharges during each quarter of the year and with best efforts to collect at least one sample per calendar month in accordance with the approved sampling plan.

<sup>(2)</sup> This is a daily maximum limitation. See Part II.D.1. of the permit.

<sup>(3)</sup> The permittee shall report the monthly average value in accordance with Part II.B.1.d.3 of the permit and attain compliance with the monthly average fecal coliform limits in accordance with Part II.D.2. of the permit.

<sup>(4)</sup> The permittee shall measure and report the flow and duration of each CSO discharge event as defined in Part I.A.1.j.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Total Recoverable Copper <sup>(1)</sup>	0.0171 <sup>(2)</sup>	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Cadmium <sup>(1)</sup>	Report mg/l for each composite sample	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Lead <sup>(1)</sup>	Report mg/l for each composite sample	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Nickel <sup>(1)</sup>	Report mg/l for each composite sample	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Zinc <sup>(1)</sup>	Report mg/l for each composite sample	12/Year <sup>(3)</sup>	Composite	Effluent

<sup>(1)</sup> The permittee is to analyze total recoverable copper, cadmium, lead, nickel and zinc to the detection limit specified by the Division.

<sup>(2)</sup> This is a daily maximum limitation. The permittee will attain compliance with this limit in accordance with Part II.D.2. of the permit.

<sup>(3)</sup> The permittee shall measure a minimum of 12 CSO discharge events per year with best efforts to monitor at least 2 CSO discharges during each quarter of the year and with best efforts to collect at least one sample per calendar month in accordance with the approved sampling plan.

B.1. Monitoring Requirements – CSO Control Facilities and CSO WQCF (Continued)

c) McDaniel Street CSO Control Facility (003) - Beginning on the effective date of this permit and continuing until the sewer separation project in this subbasin is complete and approved by EPD, the permittee shall monitor the following parameters and be limited as follows. The approved sampling point is located in the CSO discharge pipes above the juncture with the open channel at the tributary to the South River unless a different location is identified in the sampling plan approved by the Division. Once the sewer separation project in this basin is complete and approved by EPD, this outfall will no longer be covered under this permit and any discharge of sanitary sewage from this outfall will be prohibited.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow- (MG)	Report total flow of each CSO discharge event and total hours of discharge	Each Discharge Event <sup>(3)</sup>	Continuous Recording	Effluent
Temperature	Report °C of each sample	12/Year <sup>(1)</sup>	Grab	Effluent
Ammonia as N	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent
Total Residual Chlorine	Report mg/l for each grab sample	See Part II.B.1.d.3	Grab	Effluent
Fecal Coliform Bacteria (#/100ml) May – Oct Nov – April	200 (monthly avg) <sup>(2)</sup> 2,000 (daily max) 1,000 (monthly avg) <sup>(2)</sup> 4,000 (daily max)	See Part II.B.1.d.3	Grab	Effluent
Biochemical Oxygen Demand (5-day)	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent
Total Suspended Solids	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent
Total Phosphorus	Report mg/l for each grab and composite sample	12/Year <sup>(1)</sup>	Grab and Composite	Effluent

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units and shall be monitored on the effluent by analyzing grab samples taken 12 times per year<sup>(1)</sup>. See Part II.D.2 of the permit for the compliance schedule for meeting these limits.

<sup>(1)</sup> The permittee shall measure a minimum of 12 CSO discharge events per year with best efforts to monitor at least 2 CSO discharges during each quarter of the year and with best efforts to collect at least one sample per calendar month in accordance with the approved sampling plan.

<sup>(2)</sup> The permittee shall report the monthly average value in accordance with Part II.B.1.d.3 of the permit and attain compliance with the monthly average fecal coliform limits in accordance with Part II.D.2. of the permit.

<sup>(3)</sup> The permittee shall measure and report the flow and duration of each CSO discharge event as defined in Part I.A.1.j.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Total Recoverable Cadmium <sup>(1)</sup>	0.00233 <sup>(2)</sup>	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Copper <sup>(1)</sup>	0.0139 <sup>(2)</sup>	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Zinc <sup>(1)</sup>	0.104 <sup>(2)</sup>	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Lead <sup>(1)</sup>	Report mg/l for each composite sample	12/Year <sup>(3)</sup>	Composite	Effluent
Total Recoverable Nickel <sup>(1)</sup>	Report mg/l for each composite sample	12/Year <sup>(3)</sup>	Composite	Effluent

<sup>(1)</sup> The permittee is to analyze total recoverable cadmium, copper, zinc, lead and nickel to the detection limits specified by the Division.

<sup>(2)</sup> This is a daily maximum limitation. The permittee will attain compliance with these limits in accordance with Part II.D.2. of the permit.

<sup>(3)</sup> The permittee shall measure a minimum of 12 CSO discharge events per year with best efforts to monitor at least 2 CSO discharges during each quarter of the year and with best efforts to collect at least one sample per calendar month in accordance with the approved sampling plan.

- d) Additional Monitoring Requirements and Effluent Limitations for all CSO control facilities and the CSO WQCF (001-003)
- 1) Grab samples shall be collected at the sampling point during the first flush of the CSO discharge.
  - 2) Composite samples shall be collected at the sampling point beginning during the first flush of the CSO discharge and continuing until the discharge stops, with the sample period not to exceed 24 hours.
  - 3) Fecal Coliform Bacteria and Total Residual Chlorine Sampling: The permittee shall collect a grab sample from each overflow sampling event from the CSO WQCF and from a minimum of four overflow sampling events per calendar month from each CSO control facility at the Sampling Point during first flush. If fewer than four overflow sampling events occur, then the permittee shall collect a grab sample from each that does occur. An "overflow sampling event", as it applies to this paragraph, begins at the start of a CSO discharge lasting more than 50 minutes and continues until the overflow stops. The next overflow sampling event shall not begin until at least 48 hours have elapsed since the end of the last CSO discharge. One grab sample shall be taken during the first hour of the overflow sampling event, and once during each successive 24 hour period of continuous overflow. Each sample from a continuous overflow shall be taken no less than 24 hours from the previous sample. The monthly average fecal coliform concentration shall be calculated as a geometric mean of at least 4 grab samples collected over the calendar month at intervals of not less than 24 hours. Since at least 4 samples are needed to calculate a monthly average value, if fewer than four grab samples are taken as described above, the permittee is to report "not applicable" on the discharge monitoring report for the monthly average fecal coliform bacteria concentration and will only report the maximum value. The permittee is to report the result of every grab sample for Total Residual Chlorine on its discharge monitoring report.
  - 4) The permittee shall monitor the amount of rainfall every hour at a location or locations which provide representative data for the combined sewer area in accordance with the approved sampling plan.
  - 5) Within 30 days of permit issuance, the permittee shall submit an update of its approved sampling plan (referenced in Parts I.A., II.A., and II.B. of this permit) to the Division for approval. The update is to reflect the new sampling requirements in this permit including the requirement to monitor all discharge events from the Intrenchment Creek CSO WQCF and to sample influent biochemical oxygen demand (5-day) and total suspended solids.
  - 6) The CSO discharge(s) must not cause or contribute to violations of the Georgia water quality standards pursuant to the State Rules and

Chapters 12-5-29.1 and 12-5-30.2 of the Code. See Compliance Schedule for meeting specific water quality standards in Part II.D.2.

- e) The CSO discharge(s) from the CSO control facilities and the CSO WQCF must be controlled to prevent the following conditions for waters downstream of the discharge(s):
1. Materials which will settle to form sludge deposits that become putrescent, unsightly or interfere with legitimate water uses;
  2. Oil and scum in amounts sufficient to be unsightly or to interfere with legitimate water uses;
  3. Floating debris in amounts sufficient to be unsightly or to interfere with legitimate water uses at flow rates less than or equal to the flows established in Part I.A.1.I of the permit;
  4. Materials which produce turbidity, color, odor or other objectionable conditions which interfere with legitimate water uses; and
  5. Toxic, corrosive, acidic or caustic substances in amounts, concentrations or combinations which are harmful to humans, animals or aquatic life.



**B.2. Monitoring Requirements – CSO WQCF and CSO Control Facilities**

a) Intrenchment Creek CSO WQCF (001) - Beginning on the date that the construction of the upgrade to the Intrenchment Creek CSO WQCF is substantially complete and EPD has provided the permittee with written approval to operate the upgraded CSO WQCF, the permittee shall monitor the following parameters and be limited as follows. The approved sampling point is located in the box culvert below the discharge from the control facility and above the juncture with the open channel unless a different location is identified in the sampling plan approved by the Division.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow- (MG)	Report total flow of each CSO discharge event and total hours of discharge	Each Discharge Event <sup>(1)</sup>	Continuous Recording	Effluent
Temperature	Report °C of each sample	1/Discharge Event <sup>(1)</sup>	Grab	Effluent
Ammonia as N	Report mg/l for each composite sample	1/Discharge Event <sup>(1)</sup>	Composite	Effluent
Total Residual Chlorine <sup>(2)</sup>	0.1 <sup>(3)</sup>	See Part II.B.2.c.3	Grab	Effluent
Fecal Coliform Bacteria (#/100ml) May – Oct Nov – April	200 (monthly avg) <sup>(4)</sup> 2,000 (daily max) 1,000 (monthly avg) <sup>(4)</sup> 4,000 (daily max)	See Part II.B.2.c.3	Grab	Effluent
Biochemical Oxygen Demand (5-day)	Report mg/l for each composite sample. See Part II.F.	1/Discharge Event <sup>(1)</sup>	Composite	Influent and Effluent
Total Suspended Solids	Report mg/l for each composite sample. See Part II.F.	1/Discharge Event <sup>(1)</sup>	Composite	Influent and Effluent
Total Phosphorus	Report mg/l for each composite sample	1/Discharge Event <sup>(1)</sup>	Composite	Effluent

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units and shall be monitored on the effluent by analyzing grab samples during each CSO discharge event<sup>(1)</sup>.

<sup>(1)</sup> The permittee shall take samples during each CSO discharge event as defined in Part I.A.1.j. The permittee shall report the result of each grab and composite sample on its discharge monitoring reports.

<sup>(2)</sup> See Part II.D.1. of the permit.

<sup>(3)</sup> This is a daily maximum limitation.

<sup>(4)</sup> The permittee shall report the monthly average value in accordance with Part II.B.2.c.3 of the permit.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Total Recoverable Cadmium <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Copper <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Lead <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Nickel <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Zinc <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent

<sup>(1)</sup> Total recoverable cadmium, copper, lead, nickel and zinc shall be analyzed to the detection limits provided by the Division.

<sup>(2)</sup> The permittee shall take samples during each CSO discharge event as defined in Part I.A.1.j. The permittee shall report the result of each composite sample on its discharge monitoring reports. See Part II.C. of the permit.

B.2. Monitoring Requirements (Continued) – CSO WQCF and CSO Control Facilities

b) Custer Avenue CSO Control Facility (002) - Beginning on the date that the construction of the upgrade to the Intrenchment Creek CSO WQCF is substantially complete and EPD has provided the permittee with written approval to operate the upgraded CSO WQCF, the permittee shall monitor the following parameters and be limited as follows. The approved sampling point is located immediately below the control facility diversion dam on Intrenchment Creek unless a different location is identified in the sampling plan approved by the Division. The Control Facility should discharge an average of four times per year (See Part II.E. of the permit).

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Flow- (MG)	Report total flow of each CSO discharge event and total hours of discharge	Each Discharge Event <sup>(1)</sup>	Continuous Recording	Effluent
Temperature	Report °C of each sample	1/Discharge Event <sup>(1)</sup>	Grab	Effluent
Ammonia as N	Report mg/l for each grab and composite sample	1/Discharge Event <sup>(1)</sup>	Grab and Composite	Effluent
Total Residual Chlorine	0.1 <sup>(2)</sup>	See Part II.B.2.c.3	Grab	Effluent
Fecal Coliform Bacteria (#/100ml) May – Oct Nov – April	200 (monthly avg) <sup>(3)</sup> 2,000 (daily max) 1,000 (monthly avg) <sup>(3)</sup> 4,000 (daily max)	See Part II.B.2.c.3	Grab	Effluent
Biochemical Oxygen Demand (5-day)	Report mg/l for each grab and composite sample	1/Discharge Event <sup>(1)</sup>	Grab and Composite	Effluent
Total Suspended Solids	Report mg/l for each grab and composite sample	1/Discharge Event <sup>(1)</sup>	Grab and Composite	Effluent
Total Phosphorus	Report mg/l for each grab and composite sample	1/Discharge Event <sup>(1)</sup>	Grab and Composite	Effluent

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units and shall be monitored on the effluent by analyzing grab samples taken 1/discharge event.

<sup>(1)</sup> The permittee shall take samples during each CSO discharge event as defined in Part I.A.1.j. The permittee shall report the result of each grab and composite sample on its discharge monitoring reports.

<sup>(2)</sup> This is a daily maximum limitation. See Part II.D.1. of the permit.

<sup>(3)</sup> The permittee shall report the monthly average value in accordance with Part II.B.2.c.3 of the permit.

Parameter	Discharge Limitations mg/l unless otherwise specified	Monitoring Requirements		
		Measurement Frequency	Sample Type	Sample Location
Total Recoverable Cadmium <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Copper <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Lead <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Nickel <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent
Total Recoverable Zinc <sup>(1)</sup>	Report mg/l for each sample	1/Discharge Event <sup>(2)</sup>	Composite	Effluent

<sup>(1)</sup> Total recoverable cadmium, copper, lead, nickel and zinc shall be analyzed to the detection limits provided by the Division.

<sup>(2)</sup> The permittee shall take samples during each CSO discharge event as defined in Part I.A.1.j. The permittee shall report the result of each composite sample on its discharge monitoring reports. See Part II.C. of the permit.

- c) Additional Monitoring Requirements and Effluent Limitations for the CSO WQCF and the CSO control facility (001 and 002)
- 1) Grab samples shall be collected at the sampling point during the first flush of the CSO discharge.
  - 2) Composite samples shall be collected at the sampling point beginning during the first flush of the CSO discharge and continuing until the discharge stops, with the sample period not to exceed 24 hours.
  - 3) Fecal Coliform Bacteria and Total Residual Chlorine Sampling: The permittee shall collect a grab sample from each CSO overflow sampling event from the CSO WQCF and the CSO control facility. An "overflow sampling event", as it applies to this paragraph, begins at the start of a CSO discharge lasting more than 50 minutes and continues until the overflow stops. The next overflow sampling event shall not begin until at least 48 hours have elapsed since the end of the last CSO discharge. One grab sample shall be taken during the first hour of the overflow sampling event, and once during each successive 24 hour period of continuous overflow. Each sample from a continuous overflow shall be taken no less than 24 hours from the previous sample. The monthly average fecal coliform concentration shall be calculated as a geometric mean of at least 4 grab samples collected over the calendar month at intervals of not less than 24 hours. Since at least 4 samples are needed to calculate a monthly average value, if fewer than four grab samples are taken as described above, the permittee is to report "not applicable" on the discharge monitoring report for the monthly average fecal coliform bacteria concentration and will only report the maximum value. The permittee is to report the result of every grab sample for Total Residual Chlorine on its discharge monitoring report.
  - 4) The permittee shall perform a scan of the priority pollutants on the CSO WQCF and CSO control facility's effluent once during the term of this permit after the permittee has received written permission to operate the upgraded WQCF. The permittee should attempt to take these samples within 90 days of being given permission to operate the WQCF (if rainfall is adequate to result in overflows from the CSO WQCF and/or the CSO control facility). The permittee shall take the sample as a grab sample. If substances are measured at levels which may be of concern, the permittee may be required to perform additional priority pollutant analyses or the permit may be modified to address the specific pollutants of concern.
  - 5) The permittee shall monitor the amount of rainfall every hour at a location or locations which provide representative data for the combined sewer area in accordance with the approved sampling plan.
  - 6) The permittee shall update their approved sampling plan (referenced in Parts I.A., II.A., and II.B. of this permit) and receive Division

approval of the updated plan, prior to operation of the upgraded CSO WQCF and the CSO control facilities at their Part II.B.2. limits. The plan is to be updated to reflect the sampling requirements under Part II.B.2 of the permit.

- 7) The CSO discharge(s) must not cause or contribute to violations of the Georgia water quality standards pursuant to the State Rules and Chapters 12-5-29.1 and 12-5-30.2 of the Code.
- d) The CSO discharge(s) from the CSO WQCF and the CSO control facility must be controlled to prevent the following conditions for waters downstream of the discharge(s):
- 1) Materials which will settle to form sludge deposits that become putrescent, unsightly or interfere with legitimate water uses;
  - 2) Oil and scum in amounts sufficient to be unsightly or to interfere with legitimate water uses;
  - 3) Floating debris in amounts sufficient to be unsightly or to interfere with legitimate water uses at flow rates less than or equal to 1000 MGD for the Custer Avenue CSO control facility;
  - 4) Materials which produce turbidity, color, odor or other objectionable conditions which interfere with legitimate water uses; and
  - 5) Toxic, corrosive, acidic or caustic substances in amounts, concentrations or combinations which are harmful to humans, animals or aquatic life.
- e) Upstream and Downstream Monitoring

The permittee shall sample the waters of the State upstream and downstream from the CSO WQCF while it is discharging a minimum of 12 times per year with best efforts to collect samples at least twice during each quarter of the year and with best efforts to collect at least one sample per calendar month in accordance with the approved sampling plan. Upstream and downstream samples are to be taken at the representative sampling locations defined in the permittee's sampling plan. The downstream sample is to be collected at a point after adequate mixing of the CSO discharge with the receiving stream. The samples shall be analyzed for the same parameters found in Part II.B.2.a. of the permit (except for flow).

### C. Long-Term Control Plan and Metal Limits

The limits for metals found in Part II.B.1.(a-c) were developed using the State's dissolved instream criteria and translation factors that were calculated using data gathered by the permittee during characterization of the CSO discharge. The permittee has also performed some preliminary water-effect ratio (WER) work on copper and zinc for the CSO control facility discharges and is also pursuing a recalculation of the zinc standard for the area of

the CSO discharges. Whole effluent toxicity data indicates that the CSO effluent from the CSO control facilities is not acutely toxic. The WER data indicates that the copper limits could be higher than those in the permit and still be protective of aquatic life. However, there was insufficient data at the time of permit issuance to make any changes to the metal limits based on the WER.

The permittee has developed a long-term control plan to enable it to attain compliance with the requirements of the Clean Water Act including metal limitations. The long-term control plan involves a combination of sewer separation and the construction of additional storage and treatment capacity (i.e. CSO WQCFs) in accordance with the Authorized Revised CSO Remedial Measures Plan. The Intrenchment Creek CSO WQCF provides primary treatment and disinfection and it will be able to store more flow once the upgrade is complete. The storage and treatment of the WQCF and tunnel were designed to provide for the capture and treatment of all but an average of four storm events per year over a five year period. The portion of the CSOs in excess of the capacity of the proposed storage system will be screened, disinfected and discharged from the Custer Avenue CSO control facility (the McDaniel Street CSO control facility is to be separated). The Custer Avenue CSO control facility should only discharge during very large rain events, approximately four times a year.

Once the upgrade to the Intrenchment Creek WQCF is completed and operational, the effluent from the remaining Custer Avenue CSO control facility is predicted to be different than that which was discharged prior to operation of the upgraded CSO. Since discharges will only occur in heavy rain events, the discharge should be more dilute. The permittee will be required to sample for metals during each CSO discharge event from the CSO control facility and the CSO WQCF once the upgraded WQCF is operational. Since the effluent from the CSO control facility is predicted to be different, the site-specific translators used in the calculation of B.1.(a-c) limits and the permittee's preliminary WERs are predicted to change. The permittee is encouraged to collect data for developing site-specific translators and/or water-effect ratios (or other analyses as provided using current EPA Site Specific Criteria Guidance in accordance with Chapter 391-3-6-.06(4)(d)5(ii) of the State Rules) at the same time it collects the metal data required by the permit. Once at least 10 data points are gathered for each metal for the CSO control facility and the CSO WQCF, EPD will use its Reasonable Potential Procedures to determine if effluent limitations for metals are required or whether the monitoring requirements may be reduced or terminated. EPD will use the permittee's translator and/or WER data (if it is found to be acceptable) in the Reasonable Potential analysis and in the development of permit limits if necessary.

D. Compliance Schedules

1. The permittee shall attain compliance with the total residual chlorine limit at the Custer Avenue control facility and the CSO WQCF effective sixty (60) days after the scheduled completion dates of the dechlorination facilities as provided through the Federal Consent Decree or sixty (60) days after EPD's written approval to operate the facilities, whichever is earlier. The total residual chlorine limit may be modified in the future based on monitoring data. This modification would be made through a formal permit modification which would be open to public comment.
2. The permittee intends to attain compliance with the water quality criteria through implementation of the long-term control plan which includes construction of the Custer Avenue CSO Storage and Dechlorination Facility and an upgrade to the

Intrenchment Creek CSO WQCF in accordance with the Authorized Revised CSO Remedial Measures Plan. Once the permittee completes construction of the upgrade to the WQCF and receives written permission from EPD to begin to utilize the facility, the permittee will be required to meet the effluent limitations in Part II.B.2. The permittee is not required to meet the monthly average fecal coliform bacteria limits, the pH limits, and the metal limits in Part II.B.1(a-c) of the permit until November 7, 2007. If the permittee has not received EPD written permission to begin discharging from the upgraded WQCF by November 7, 2007, then the permittee will be required to meet the monthly average fecal coliform bacteria limits, the pH, and metal limits in Parts II.B.1. beginning on November 7, 2007. In the event this occurs, once the permittee receives EPD written permission to begin discharging from the upgraded WQCF, the permittee will no longer be subject to the limits under Part II.B.1. (including those for metals), but will become subject to the limits and monitoring requirements under Part II.B.2. The permittee is to meet the following schedule for implementing the long-term control plan:

- a) The permittee shall issue notice to begin construction of the upgrade to the Intrenchment Creek WQCF by February 1, 2005.
- b) The permittee shall substantially complete construction of the upgrade to the Intrenchment Creek WQCF by February 1, 2007.
- c) The permittee shall submit a report of its progress in implementing its long-term control plan and meeting water quality standards each January, April, July and October. The permittee shall send these reports until such time that the CSO WQCF upgrade is operational and water quality criteria are being met.

E. FREQUENCY OF OVERFLOWS AT THE CUSTER AVENUE CSO CONTROL FACILITY AFTER CSO WQCF UPGRADE

The permittee intends to attain compliance with the water quality criteria through implementation of the long-term control plan which includes construction of the Custer Avenue CSO Storage and Dechlorination Facility and an upgrade to the Intrenchment Creek CSO WQCF in accordance with the Authorized Revised CSO Remedial Measures Plan. These improvements are predicted to limit the overflows from the Custer Avenue CSO control facility to an average of four times a year over a long-term period. Therefore, from the date that the construction of the upgrade to the Intrenchment Creek CSO WQCF is substantially complete and EPD has provided the permittee with written approval to operate the upgraded CSO WQCF until the expiration of this permit, the Custer Avenue CSO control facility is predicted to have an average of four overflows annually if this period is meteorologically similar to the long term average. If an annual average of four overflows is exceeded in this period, the permittee shall prepare a report explaining the exceedence. This report shall be submitted to the Division within three months following the overflow which causes the annual average to be exceeded for this period. If the exceedence is caused by operation deficiencies, such exceedence shall be a permit violation.



F. PERFORMANCE STANDARDS

The permittee shall update and maintain its existing Management Operations and Maintenance (MOM) plans for the CSO control facilities and the CSO WQCF. These updated plans shall address activities to maintain and operate efficiently all treatment or control facilities and related equipment installed or used by the permittee to achieve compliance with this permit. Performance standards for Biochemical Oxygen Demand (5-day) and Total Suspended Solids are established below for the CSO WQCF. These standards are to be used as an indication of whether the permittee is operating and maintaining its combined sewer system properly in accordance with the requirements of this permit.

- a. Annual removal of Biochemical Oxygen Demand (5-day) of 25%.
- b. Annual removal of Total Suspended Solids of 60%.

The permittee will include documentation of performance of the CSO WQCF as part of an annual MOM plan update. If the annual removal of Biochemical Oxygen Demand (5-day) and/or Total Suspended Solids is less than the operational standards specified above, then the permittee is to include an explanation in the annual MOM plan update that explains why this was the case. Should EPD conclude that the failure to meet the operational standards was due to failure by the permittee to operate and maintain its CSO system properly, then this would be considered to be a permit violation.

**PART III**

**A. General Requirements**

**1. Facilities Operations**

The permittee shall maintain and operate efficiently all treatment, or control facilities and related equipment installed or used by the permittee to achieve compliance with this permit. Efficient operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Back-up or auxiliary facilities or similar systems shall be operated only when necessary to achieve permit compliance.

**2. Power Failures**

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

**3. Laboratory Analyst and Operator Certification Requirements**

- a. The person responsible for the daily operation of the CSO WQCF and the CSO control facilities must be a Class I Certified Operator in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control. All other operators must have the minimum certification required by this Act.
- b. Laboratory Analysts must be certified in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act, as amended.

**4. Right of Entry**

The permittee shall allow the Director of the Division, the Regional Administrator of EPA, and their authorized representatives, agents, or employees after they present credentials to:

- a. Enter the permittee's premises where a regulated activity or facility is located, or where any records required by this permit are kept;
- b. Review and copy any records required by this permit;
- c. Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and
- d. Sample any substance or parameter at any location.

5. Availability of Reports

Except for data determined to be confidential by the Director of the Division under Section 12-5-26 of the Code or by the Regional Administrator of EPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared to comply with this permit shall be available for public inspection at a Division office. Effluent data, permit applications, permittees' names and addresses, and permits shall not be considered confidential.

6. Submittal of Information

The permittee shall furnish any information required by the Division to determine whether cause exists to modify, revoke and reissue, or terminate this permit or to determine compliance with this permit. The permittee shall also furnish the Division with requested copies of records required by this permit. If the permittee determines that any relevant facts were not included in a permit application or that incorrect information was submitted in a permit application or in any report to the Division, the permittee shall promptly submit the additional or corrected information.

7. Permit Modification

This permit may be modified, terminated, or revoked and reissued in whole or in part during its term to allow for new or more stringent conditions based on new information for the following reasons;

- a. Permit violations;
- b. Obtaining this permit by misrepresentation or by failure to disclose all relevant facts;
- c. Changing any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge
- d. Changes in effluent characteristics;
- e. Demonstrated performance as determined by the Division;
- f. Violations of water quality standards;
- g. New information based on stream survey results; or
- h. Changes in the water quality standards.

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