Georgia Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr. Drive, Suite 1456, Atlanta, Georgia 30334
Judson H. Turner, Director
(404) 656-4713

May 20, 2015

Mr. Robert R. Baumgardt
Director, Public Works
United States Army, Fort Stewart
1550 Veterans Parkway
Fort Stewart, Georgia 31314

Re: Permit Reissuance
LAS Permit No. GAJ030834
Wright Army Airfield
Fort Stewart, Liberty County

Dear Mr. Baumgardt:

Pursuant to the Georgia Water Quality Control Act, as amended, and the Rules and Regulations promulgated thereunder, we have issued the attached Georgia Land Application System (LAS) Permit for the specified wastewater treatment system.

Your facility has been assigned to the following EPD office for reporting and compliance. Signed copies of all required reports shall be submitted to the following address:

Georgia Environmental Protection Division
Coastal District Office
400 Commerce Center
Brunswick, Georgia 31523

Please be advised that on and after the effective date indicated in the attached permit, the permittee must comply with all the terms, conditions and limitations of this permit. If you have any questions, please contact Alan Leake at (404) 463-4957 or send an email message to alan.leake@dnr.state.ga.us.

Sincerely,

Judson H. Turner
Director

JHT/awl

cc: Coastal District Office

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

LAND TREATMENT SYSTEM PERMIT
PERMIT NO. GAJ030834

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), and the Rules and Regulations promulgated pursuant thereto, this permit is issued to the following:

United States Department of the Army
Directorate of Public Works
1550 Veterans Parkway
Fort Stewart, Georgia 31314

is authorized to operate the land treatment system located at

Wright Army Airfield
Fort Stewart, Liberty County, Georgia
Ogeechee River Basin

in accordance with effluent treatment limitations, monitoring requirements and other conditions set forth in the permit and with the statements and supporting information submitted with the application.

This permit shall become effective on June 1, 2015.

This permit and the authorization to discharge shall expire at midnight on May 31, 2020.

Issued this 20th day of May 2015.

Director,
Environmental Protection Division

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PART I.

A. CONDITIONS

1. DEFINITIONS

a. **"Composite Sample"** means a combination of at least 8 discrete sample aliquots of at least 100 milliliters, collected over periodic intervals from the same location, during the operating hours of a facility over a 24 hour period. The composite must be flow proportional.

b. **"Daily Discharge"** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.

c. For the purposes of this permit **"Discharge of a Pollutant"** means any addition of any "pollutant" or combination of pollutants to "waters of the State" from any "point source." This definition includes additions of pollutants into waters of the State from: surface runoff which is collected or channelled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any "indirect discharger."

d. **"DMR"** means Discharge Monitoring Report.

e. **"EPD"** means the Environmental Protection Division of the Department of Natural Resources.

f. **"Effluent"** means wastewater that is discharged (treated or partially treated).

g. **"Grab Sample"** means an individual sample collected over a period of time not exceeding 15 minutes.

h. **"Drip Irrigation Field"** means the wetted application area or irrigation of the land treatment system or land disposal system where treated wastes, treated effluent from industrial processes, agricultural or domestic wastewater, domestic sewage sludge, industrial sludge or other sources is applied to the land using drip emitters, excluding the buffer zone.

i. **"Geometric Mean"** means the nth root of the product of n numbers.

j. **"Hydraulic Loading Rate"** means the rate at which wastes or wastewaters are discharged to a land disposal or land treatment system, expressed in volume per unit area per unit time or depth of water per unit area per unit.

k. **"Indirect Discharger"** means a nondomestic discharger introducing "pollutants" to a "publicly owned treatment works."

l. **"Industrial Wastes"** means any liquid, solid, or gaseous substance, or combination thereof, resulting from a process of industry, manufacture, or business or from the development of any natural resources.

m. **"Influent"** means wastewater, treated or untreated, that flows into a treatment plant.

n. **"Instantaneous"** means a single reading, observation, or measurement.

o. **"Land Disposal System"** means any method of disposing of pollutants in which the pollutants are applied to the surface or beneath the surface of a parcel of land and which results in the pollutants percolating, infiltrating, or being absorbed into the soil and then into the waters of the State. Land disposal systems exclude landfills and sanitary landfills but include ponds, basins, or lagoons used for disposal of wastes or wastewaters, where evaporation and/or percolation of the wastes or wastewaters are used or intended to be used to prevent point discharge of pollutants into waters of the State. Septic tanks or sewage treatment systems, as defined in Chapter 511-3-1-.02 (formally in Chapter 270-5-25-.01) and as approved by appropriate County Boards of Public Health, are not considered land disposal systems for purposes of Chapter 391-3-6-.11.

p. **"Land Treatment System"** means any land disposal system in which vegetation on the site is used for additional treatment of wastewater to remove some of the pollutants applied.

q. **"MGD"** means million gallons per day.

r. **"Monthly Average Limit"** means the highest allowable average of daily discharges over a calendar month, unless otherwise stated, calculated as an arithmetic mean of the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during the same calendar month.

s. **"OMR"** means Operating Monitoring Report.

t. **"Point Source"** means any discernible, confined, or discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

u. **"Pollutant"** means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial wastes, municipal waste, and agricultural waste discharged into the waters of the state.

v. **"Quarter"** means the first three calendar months beginning with January and each group of three calendar months thereafter (also known as calendar quarters).

w. **"Quarterly Average"** means the arithmetic mean of values obtained for samples collected during a calendar quarter.

x. **"Rule(s)"** means the Georgia Rules and Regulations for Water Quality Control.

y. **"Spray Field"** means the wetted area of the land treatment system or land disposal system where treated wastes, treated effluent from industrial processes, agricultural or domestic wastewater, domestic sewage sludge, industrial sludge or other sources is applied to the land via spray, excluding the buffer zone.

z. **"Sewage"** means the water carried waste products or discharges from human beings or from the rendering of animal products, or chemicals or other wastes from residences, public or private buildings, or industrial establishments, together with such ground, surface, or storm water as may be present.

aa. **"Sewage Sludge"** means solid, semi-solid, or liquid residue generated during the treatment of domestic sewage or a combination of domestic sewage and industrial wastewater in a treatment works. Sewage sludge includes, but is not limited to scum or solids removed in primary, secondary, or advanced wastewater treatment processes. Sewage sludge does not include ash generated during the firing of sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, treated effluent, or materials excluded from definition of "sewage sludge" by O.C.G.A. § 12-5-30-.3(a)(1).

bb. **"Sewage system"** means sewage treatment works, pipelines or conduits, pumping stations, and force mains, and all other constructions, devices, and appliances appurtenant thereto, used for conducting sewage or industrial wastes or other wastes to the point of ultimate disposal.

cc. **"Sludge"** means any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply

treatment plant, or air pollution control facility exclusive of the effluent from a wastewater treatment plant.

dd. **"State Act"** means the Georgia Water Quality Control Act, as amended (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).

ee. **"Treatment System"** means the wastewater treatment facility which reduces high strength organic waste to low levels prior to the application to the spray field.

ff. **"Treatment Requirement"** means any restriction or prohibition established under the (State) Act on quantities, rates, or concentrations, or a combination thereof, of chemical, physical, biological, or other constituents which are discharged into a land disposal or land treatment system and then into the waters of the State, including but not limited to schedules of compliance.

gg. **"Water"** or **"Waters of the State"** means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and all other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

hh. **"Weekly Average Limit"** means the highest allowable average of daily discharges over a consecutive calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The calendar week begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 p.m. A week that starts in a month and ends in another month shall be considered part of the second month.

2. MONITORING

a. REPRESENTATIVE SAMPLING

Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the monitored waste stream. The permittee shall maintain an updated written sampling plan and monitoring schedule.

b. MONITORING AND ANALYZING PROCEDURES

1. All analytical methods, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and methods listed in 40 CFR Part 136, as amended. The analytical method used shall be sufficiently sensitive. Parameters must be analyzed to the detection limits. The parameters will be reported as "not detected" or "ND" when they are below the detection limit and will then be considered in compliance with the effluent limit. The detection limit will also be reported on the DMR or OMR in accordance with Part I.A.3 of this permit.

2. In accordance with 40 CFR Part 136, as amended and as applicable, all analyses shall be made in accordance with the latest edition of Standard Methods for the Examination of Water and Wastes, Methods for Chemical Analysis of Water and Wastes, or other approved methods.

c. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors required parameters at the locations designated in Part I.B of this permit more frequently than required, the permittee shall analyze all samples using approved analytical methods. The results of this additional monitoring shall be included in calculating and reporting the values on the DMR and OMR. The permittee shall indicate the monitoring frequency on the report. EPD may require in writing more frequent monitoring, or monitoring of other pollutants not specified in this permit.

d. FLOW MONITORING

1. Measurements shall be conducted using the flow measuring device(s) in accordance with the approved design of the facility. If secondary flow measurement device(s) are installed, calibration shall be maintained to ± 10% of the actual flow. Flow shall be measured manually to check the flow meter calibration at a frequency of once a month. If secondary flow instruments are in use and malfunction or fail to maintain calibration as required, the flow shall be computed from manual measurements or by other method(s) approved by EPD until such time as the secondary flow instrument is repaired.

2. For facilities which utilize approved alternate technologies for measuring flow, the flow measurement device must be calibrated semi-annually by qualified personnel.

3. Records of the calibration checks shall be maintained on site in accordance with the requirements of Part. I.A.2.f. of the permit.

e. RECORDING OF RESULTS

For each measurement of sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

1. The exact place, date, and time of sampling, and the person(s) collecting the samples;
2. The dates and times the analyses were performed;
3. The person(s) who performed the analyses;
4. The analytical procedures or methods used; and
5. The results of all required analyses.

f. RECORDS RETENTION

1. The permittee shall retain records of:

   a. All laboratory analyses performed including sample data, quality control data, and standard curves;
   b. Calibration and maintenance records of laboratory instruments;
   c. Calibration and maintenance records and recordings from continuous recording instruments;
   d. Process control monitoring records;
   e. Facility operation and maintenance records;
   f. Copies of all reports required by this permit;
   g. All data and information used to complete the permit application; and
   h. All monitoring data related to sludge use and disposal.

2. All records and information resulting from the monitoring activities and record keeping requirements required by this permit and the Rules shall be retained by the permittee for a minimum of three (3) years, whereas records pertaining to sludge shall be retained for five (5) years, or longer if requested by EPD.

3. REPORTING

a. Monitoring results obtained during the calendar shall be summarized for each month and reported on the DMR. The results of each sampling event shall be reported on an OMR and submitted as an attachment to the DMR. The DMR and OMR and any other required forms, reports and/or information shall be completed, signed and certified by a principal executive officer or ranking elected official, or by a duly authorized representative of that person who has the authority to act for or on behalf of that person, and submitted to EPD, postmarked no later than the 15th day of the month following the reporting period. Signed copies of these and all other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit cover letter signed by the Director of EPD.

b. Unless otherwise specified in this permit, quarterly samples shall be taken during the periods January-March, April-June, July-September, and October-December. Semiannual samples shall be taken during the periods January-June and July-December. Unless otherwise stated, annual samples shall be taken during the month of June and submitted with the June monitoring DMR. Results from these samples shall be reported to the EPD on the monitoring report for the last month of the period.

4. SEWAGE SLUDGE AND SLUDGE DISPOSAL AND MONITORING

a. Sewage sludge, sludge and industrial wastes (herein referred to as "sludge" in Part I.A.4 of this permit) shall be disposed of according to the regulations and guidelines established by the EPD and the Federal Clean Water Act section 405(d) and (e), and the Resource Conservation and Recovery Act (RCRA). In land applying nonhazardous sludge, the permittee shall comply with the general criteria outlined in the most current version of EPD's "Guidelines for Land Application of Sewage Sludge (Biosolids) At Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17.

Before disposing of sludge by land application or any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a Sludge Management Plan (SMP) to EPD for written approval. This plan will become a part of the Land Treatment System Permit upon issuance and/ or modification of the permit. The permittee shall notify EPD, and if applicable obtain written approval, of any changes to an approved Sludge Management Plan.

If an applicable management practice or numerical limitation for pollutants in sludge is promulgated under Section 405(d) of the Clean Water Act after approval of the SMP, then the SMP shall be modified to conform with the new regulations.

b. The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor and maintain records documenting the quantity of sludge generated and removed from the facility.

c. The total quantity of sludge removed from the facility shall be reported on the DMR in accordance with Part I.A.3 of this permit. The total quantity shall be reported on a dry weight basis as total pounds per month.

B.1. TREATMENT REQUIREMENTS, LIMITATIONS AND MONITORING

a. The effluent shall refer to the discharge from the treatment facility to the spray field(s) and shall be limited and monitored as follows:

Parameter (units)	Discharge Limitation	Monitoring Requirements		
	Monthly Average (unless otherwise stated)	Measurement Frequency	Sample Type	Sample Location
Flow, (MGD)	0.010	Daily	Instantaneous	Effluent
Biochemical Oxygen Demand- 5-day (mg/L)	50	1/month	Grab	Effluent
Nitrate-Nitrogen (mg/L)	Report	1/quarter	Grab	Effluent
TKN (mg/L)	Report	1/quarter	Grab	Effluent
Total Suspended Solids (mg/L)	90	1/month	Grab	Effluent
pH (standard units)	6-9 (min-max)	1/month	Grab	Effluent
Ammonia as N	Report	1/quarter	Grab	Effluent

b. The spray field of the land treatment system shall consist of 2.5 acres. The hydraulic wastewater loading to the spray field must not exceed 1.8 inches/week. At no time shall the maximum application rate exceed 2.5 inches/week. The instantaneous application rate for the site is 0.00719 inches/hour. The hydraulic loading rates for each spray field shall be monitored daily and submitted to EPD in accordance with Part I.A.3 of this permit.

c. A daily log will be kept by the land treatment system operator of the gallons of wastewater sprayed on each spray field for each day and shall be submitted to EPD in accordance with Part I.A.3 of this permit.

d. A daily log will be kept by the land treatment system operator of the amount of rainfall received each day within 0.5 miles of the permitted land treatment system and shall be submitted to EPD in accordance with Part I.A.3 of this permit.

e. A written summary of pertinent maintenance for the land treatment system such as planting, cutting vegetation, harvesting, resurfacing areas, etc. shall also be included in the report and submitted in accordance with Part I.A.3 of this permit.

B.2. GROUNDWATER MONITORING REQUIREMENTS

a. Groundwater leaving the land treatment system boundary (as defined in this permit as the spray field), in which the groundwater in the wells must not exceed the primary maximum contaminant levels for drinking water. The maximum contaminant level for nitrate nitrogen is 10.0 mg/l, as amended in the Safe Drinking Water Rules and Regulations. Samples of the groundwater shall be monitored from each groundwater monitoring well(s) by the permittee for the parameters and at the frequency listed below:

Parameter (units)	Measurement Frequency	Sample Type
Depth to Groundwater (feet)	1/month	Grab
Nitrate-Nitrogen, (mg/L)	1/quarter	Grab
pH (standard units)	1/quarter	Grab
Specific Conductivity (μmhos/cm)	1/quarter	Grab
Fecal Coliform Bacteria (# col/100mL)	1/semiannually	Grab

b. Monitoring wells shall be identified in all reports submitted to EPD as up-gradient, midfield, and down-gradient, as referenced below. The down-gradient groundwater monitoring wells shall be considered the compliance wells. The monitoring wells are identified as follows:

Well Name	Gradient Type
U1	Up gradient wells
M1, M2, M3, M4	Midfield wells
D1	Down gradient well
D2	Down gradient well

c. As per Part I.B.2 and Part II.A.8-9 of this permit, upon written notification to EPD, additional up-gradient, mid-gradient and down-gradient monitoring wells may be added in accordance with EPD's Manual for Groundwater Monitoring, September 1991, as amended, the Environmental Protection Agency Guidance Design and Installation of Monitoring Wells, or other approved guidance without EPD approval and without modification to this permit. The additional wells are subject to the sampling parameters and sampling frequency(s) in Part I.B.2 of this permit, Groundwater Monitoring Requirements. The sampling analysis of additional wells shall be reported in accordance with Part I.A.3 of this permit.

B.4. SOIL MONITORING REQUIREMENTS

a. A Soil Fertility Test(s) shall be performed annually in the fourth (4th) calendar quarter in accordance with the latest edition of Methods of Soil Analysis (published by the American Society of Agronomy, Madison, Wisconsin) or other methods approved by EPD. Representative soil samples shall be collected from the land treatment system using the Mehlich-1 extraction procedure. Results of the Soil Fertility Test(s) shall be utilized by the permittee in the continuing operation and maintenance of the land treatment system. The sampling analysis shall be reported in accordance with Part I.A.3 of this permit.

b. If the Soil Fertility Test(s) indicates a change in the pH value of one standard unit from the previous year's pH value, the permittee shall immediately perform a Cation Exchange Capacity and Percent Base Saturation analysis for the land treatment system. The monitoring results of the Cation Exchange Capacity and Percent Base Saturation analysis shall be submitted to EPD in accordance with Part I.A.3 of this permit.

B.5. SURFACE WATER MONITORING

Surface water(s)[1] adjacent to or traversing the land treatment system shall be monitored. Unless otherwise stated and or approved by EPD, samples will be collected at a maximum of 100 feet upstream and a maximum 100 feet downstream of the land treatment system and the surface water shall be monitored for the parameters and at the frequency listed below:

Parameter (units)	Measurement Frequency	Sample Type
Nitrate-Nitrogen (mg/L)	Quarterly	Grab
Biochemical Oxygen Demand-5 Day (mg/L)	Quarterly	Grab
Specific Conductivity (µmhos/cm)	Quarterly	Grab
pH, (standard units)	Quarterly	Grab
TKN (mg/L)	Quarterly	Grab
Temperature (°C)	Quarterly	Grab
Dissolved Oxygen (mg/L)	Quarterly	Grab
Fecal Coliform	Quarterly	Grab
Phosphorus	Quarterly	Grab

[1] Surface waters as identified in the Design Development Report and permit application are:
None identified in Design Development Report and/or permit application.

C. ADDITIONAL REQUIREMENTS

1. LAS OPERATIONS

The land treatment system will be operated and maintained in accordance with the design criteria as presented in the approved engineering reports, operation and maintenance manuals, the permit application and/or other written agreements between EPD and the permittee. This includes, but is not limited to, the following:

a. A vegetative cover must be maintained at all times on the land treatment site and must be managed according to design criteria;

b. All treatment units are to be maintained and operated for maximum efficiency;

c. Hydraulic and nitrogen loading is to be maintained within design criteria;

d. Unless otherwise approved, no wastewater shall be applied when conditions are such that the applied wastewater will not be absorbed into the soil. In addition, no wastewater shall be applied via spray or drip irrigation when it's raining; and

e. If the hydraulic application rate(s) cannot satisfactorily be handled by the approved land treatment system, corrective actions shall immediately be taken by the permittee, which could include curtailing or ceasing operation.

2. CHANGE IN WASTEWATER INFLUENT

The influent to the system is authorized as long as it is consistent with the design criteria specified in the approved Design Development Report and application. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased pollutants or flow to the system must be approved by EPD prior to implementation. Submittal of a new permit application and reissuance of the Land Application System permit, as well as upgrading of the system, may be required in the process of obtaining EPD approval.

PART II.

A. MANAGEMENT REQUIREMENTS

1. FACILITY OPERATION

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Proper operation of the land treatment system also includes the best management practice of establishing and maintaining a vegetative cover on the land treatment system.

2. NONCOMPLIANCE NOTIFICATION

If, for any reason the permittee does not comply with, or will be unable to comply with any limitations specified in the permit, the permittee shall provide EPD with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

a. A description of the noncompliance and its cause;

b. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and

c. The steps taken to reduce, eliminate, and prevent recurrence of the non-complying discharge.

3. ANTICIPATED NONCOMPLIANCE NOTIFICATION

The permittee shall give written notice to the EPD at least 10 days before:

a. Any planned changes in the permitted facility; or

b. Any activity which may result in noncompliance with the permit.

4. OTHER NONCOMPLIANCE

The permittee must report all instances of noncompliance not reported under other specific reporting requirements, at the time monitoring reports are submitted. The reports shall contain the information required in Part II.A.2, Noncompliance Notification, of this permit.

The permittee shall notify EPD immediately if mechanical failure, inclement weather or other factors cause a discharge of contaminated runoff from the fields or an overflow from a pond, or if any other problems occur which could cause an adverse effect on the environment.

5. OPERATOR CERTIFICATION REQUIREMENTS

The permittee shall ensure that, when required, the person in responsible charge of the daily operation of this land treatment system shall be certified in accordance with the Georgia Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and specified by Subparagraph 391-3-6-.12 of the Georgia Rules and Regulations for Water Quality Control.

6. LABORATORY ANALYST CERTIFICATION REQUIREMENTS

The permittee shall ensure that, when required, the person(s) performing the laboratory analyses for this land treatment system is a Certified Laboratory Analyst in accordance with the Georgia Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act, as amended, and the Rules promulgated thereunder.

7. POWER FAILURES

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

8. MONITORING WELL REQUIREMENTS

The permittee, upon written notification by the EPD, may be required to install groundwater monitoring wells at the existing land treatment system. This requirement may apply if monitoring wells were not included in the original design of the facility and also, if the EPD determines the existing groundwater monitoring wells are not adequate.

9. GROUNDWATER REQUIREMENTS

If groundwater samples are above the primary maximum contaminant levels for drinking water and/or indicate contamination, the permittee shall immediately develop a plan which will ensure that the primary maximum contaminant levels for drinking water are not exceeded. The plan will be implemented by the permittee upon EPD approval.

10. NO POINT SOURCE DISCHARGE(S) OF A POLLUTANT TO SURFACE WATERS OF THE STATE.

The land treatment system must be operated and maintained to ensure there is no point source discharge(s) of pollutants directly to surface waters of the State.

11. NOTICE CONCERNING ENDANGERING WATERS OF THE STATE

a. Whenever, because of an accident or otherwise, any toxic or taste and color producing substance, or any other substance which would endanger downstream users of the waters of the State or would damage property, is discharged into such waters, or is so placed that it might flow, be washed, or fall into them, it shall be the duty of the person in charge of such substances at the time to forthwith notify EPD in person or by telephone of the location and nature of the danger, and it shall be such person's further duty to immediately take all reasonable and necessary steps to prevent injury to property and downstream users of said water.

B. RESPONSIBILITIES

1. COMPLIANCE

The permittee must comply with this permit. Any permit noncompliance is a violation of the State Act, and the Rules, and is grounds for:

a. Enforcement action;

b. Permit termination, revocation and reissuance, or modification; or

c. Denial of a permit renewal application.

It shall not be a defense of the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

2. RIGHT OF ENTRY

The permittee shall allow the Director of EPD and/or their authorized representatives, agents, or employees, upon presentation of credentials:

a. To enter upon the permittee's premises where a regulated activity or facility is located or conducted, in which any records are required to be kept under the terms and conditions of this permit; and

b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters at any location.

3. SUBMITTAL OF INFORMATION

The permittee shall furnish to the EPD Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request copies of records required to be kept by this permit. When the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts and information.

4. TRANSFER OF OWNERSHIP OR CONTROL

A permit may be transferred to another person by a permittee if:

a. The permittee notifies the Director in writing of the proposed transfer at least thirty (30) days in advance of the proposed transfer;

b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director at least thirty (30) days in advance of the proposed transfer; and

c. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of EPD's intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

5. PERMIT MODIFICATION

This permit may be modified, terminated, or revoked and reissued in whole or part during its term for cause including, but not limited to, the following:

a. Violation of any condition of this permit;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted activity.

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

6. PENALTIES

The State Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The State Act also provides procedures for imposing civil penalties which may be levied for violations of the State Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of EPD.

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. CIVIL AND CRIMINAL LIABILITIES

The permittee is liable for civil or criminal penalties for noncompliance with this permit and must comply with applicable State laws including promulgated water quality standards. The permit cannot be interpreted to relieve the permittee of this liability even if it has not been modified to incorporate new requirements.

8. EXPIRATION OF PERMIT

The permittee shall not operate the system after the expiration date of the permit. In order to receive authorization to operate beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by the EPD no later than 180 days prior to the expiration date.

9. SEVERABILITY

The provisions of this permit are severable; and, if any provision of this permit, or the application of any provision of this permit to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.