

CITY OF DEFIANCE, OHIO

Department of Water Pollution Control

Permit to Discharge Wastewater

Issue Date _____ Permit Number _____

Expiration Date _____ Application Number _____

Company (Permittee) Name _____

Company Address: _____
Street City Zip

Mailing Address: _____
Street City Zip

In accordance with the provisions of the City of Defiance Municipal Code of Ordinances, and other lawful standards and regulations promulgated and adopted by the Ohio and United States Environmental Protection Agencies and the City of Defiance,

Company (Permittee) Name

is hereby authorized by the City of Defiance, Department of Water Pollution Control, to discharge wastewater into the sanitary sewers of the City of Defiance, Ohio, in accordance with conditions and terms specified in Chapter 925 of the City Code and in Parts I, II, III, IV, V, VI, and VII of this permit.

This permit shall remain in effect until midnight on the expiration date (above), unless reissued or amended due to changes in ownership, processes, wastewater characteristics, standards, regulations, or the issuance of orders of the Superintendent of Water Pollution Control.

Superintendent of Water Pollution Control

PART I DISCHARGE STANDARDS AND MONITORING REQUIREMENTS

A. Prohibited Discharges

1. Into any Public Sewers - The permittee shall not discharge or cause to be discharged either directly or indirectly, any of the following described substances into any public sewers:
 - a. All substances described in Section 925.05(a) of the City Code.
 - b. Any "slug load" as defined in Part VII of this permit.
2. Into a Storm Sewer or to a Natural Outlet - No person shall discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with this permit and approval has been obtained from the appropriate regulatory authority. Stormwater or other unpolluted discharges shall be discharged to storm sewers, roadside ditches, culverts, or any natural outlet approved by the appropriate regulatory authority except where allowed to be discharged to the sanitary sewer under a special agreement approved by the Superintendent.

B. Limitations on Wastewater Strength

1. National categorical pretreatment standards as promulgated by the U.S. Environmental Protection Agency (EPA) shall be met by all dischargers of the regulated industrial categories.
2. State standards shall be met by all dischargers which are subject to these standards.
3. Discharges by the permittee shall be limited and monitored as specified in Appendices A and B of this permit.
4. All persons discharging industrial wastewater into the public sewers as determined under Chapter 925 (Sewer Use Ordinance) shall be subject to surcharges determined monthly solely on the basis of the surcharge formula in Section 925.10 of the Sewer Use Ordinance.

C. Monitoring Requirements, Terms, and Conditions

1. The collection and analysis of samples as specified in this permit shall be conducted under the following terms and conditions:
 - a. Sampling and analysis shall be performed in accordance with the techniques prescribed in the Defiance City Code.
 - b. Samples (composite and/or grab) shall be representative of the volume and nature of the monitored flow.

- c. Composite samples shall be obtained flow-proportionally or time-proportionally, or as otherwise specified in this permit, over a 24 hour period. Where automatic composite sampling is not feasible, a minimum of four (4) grab samples taken over the 24 hour period at no less than two-hour intervals and composited may be accepted.

D. Resampling Requirement

If sampling performed by the permittee indicates a violation, the permittee shall notify the City within 24 hours of becoming aware of the violation. The permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within 30 days after becoming aware of the violation, except the permittee may not be required to resample if:

1. The City performs sampling at the site of the violation at a frequency of at least once per month, or
2. The City performs sampling at the site of the violation between the time when the permittee performs its initial sampling and the time when the permittee receives the results of this initial sampling.

E. Additional Discharge Standards

In addition to the limitations listed in Parts I, A and I, B, the permittee shall comply with the following limitations in the terms and conditions set forth in Appendix C.

F. Parameters not Specified in the Permit

Parameters not specifically regulated by the Permit will be regulated under the general provisions of the City Code.

PART II REPORTING REQUIREMENTS

A. Semi-Annual Compliance Report

Monitoring results obtained during the previous six (6) months shall be reported on the Semi-Annual Compliance Report Form, postmarked no later than the due dates shown below. If no discharge occurs during the reporting period, "no discharge" shall be reported. Copies of these and all other reports required herein shall be submitted to the City at the following address:

City of Defiance
Water Pollution Control Division
26273 St. Rt. 281 East
Defiance, OH 43512

1. Due dates: _____

B. Notification Reports

Reports as required in Part III of this permit.

C. Reporting of Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified herein, the results of such monitoring shall be included in the reports specified in Part II of this permit. The City may require more frequent monitoring or the monitoring of other pollutants not required in this permit.

D. Additional Reporting Requirements

See Appendix D for additional reporting requirements.

PART III NOTIFICATION REQUIREMENTS

A. Notification of Discharge Changes

The permittee shall notify, in writing, the City at least 90 days prior to the introduction of new wastewater or pollutants or any substantial change (increase and/or decrease) in the volume or characteristics of the wastewater being discharged into the public sewer.

B. Notification of Accidental Discharges, Operation Upsets, and Slugloads

1. The permittee shall notify the City immediately upon becoming aware of any accidental discharge, operational "upset", or slugload. The notification shall include:
 - a. Immediate contact by telephone with the superintendent of the wastewater treatment plant to provide awareness of the discharge;
 - b. A written report within five (5) days specifying:
 - 1) A description of the discharge, the cause thereof, and the discharge's impact on any limits;
 - 2) The amount/volume and duration of the discharge, including exact times and dates;
 - 3) The time by which the discharge was or will be discontinued; and
 - 4) All steps taken or to be taken to reduce, eliminate, or prevent recurrence of such a discharge in the future.

C. Notification of Noncompliance

The permittee shall notify the Water Pollution Control Plant immediately after becoming aware of any discharge which constitutes a violation of this permit.

D. Notification of Industrial Pretreatment Bypasses

1. Anticipated industrial pretreatment bypasses

- a. If an industrial user knows in advance of the need for an industrial pretreatment bypass, it shall submit prior notification to the City, if possible, at least ten days before the date of such bypass.

2. Unanticipated industrial pretreatment bypasses

- a. An industrial user shall notify the City of an unanticipated industrial pretreatment bypass that causes a violation of this permit. The notification shall include the following:
 - 1) Oral notice to the superintendent of the wastewater treatment plant immediately after the industrial user becomes aware of such bypass.
 - 2) A written report within five days of the time the industrial user becomes aware of such bypass. This report shall specify the following:
 - a) A description of the bypass, the cause thereof, and the bypass's impact on any limits;
 - b) The amount/volume and duration of the bypass, including exact dates and times;
 - c) If the bypass has not been corrected, the anticipated time it is expected to continue;
 - d) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

The City may waive the written report if the oral notice has been received as specified in 2.a.(1) above.

3. Industrial Pretreatment Bypasses Not Subject to Notification Requirements.

- a. Industrial pretreatment bypasses not subject to the notification requirement as specified in items (D)1 and (D)2 above include only any such bypass which does not cause a violation of this permit, but only if such bypass is to allow for essential maintenance to assure efficient operation.

PART IV GENERAL REQUIREMENTS

A. Permit to Install

Any permittee wishing to install an industrial wastewater generating or treatment facility shall have the plans approved and a Permit To Install (PTI) issued by Ohio EPA before installation. As a condition for approval and prior to the issuance of the PTI by Ohio EPA, the plans must be approved by the City of Defiance. Applications for Permit to Install are to be made on forms provided by the City.

B. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the City Code and is grounds for possible enforcement action. The permittee shall also comply with all state and federal pretreatment regulations. In addition, the permittee shall comply with all the requirements of Section 925 of the Municipal Code of Ordinance of the City of Defiance, Ohio, a copy of which is provided with this permit.

C. Accidental Discharges

The permittee shall provide protection from discharges of prohibited or regulated materials or substances in concentrations exceeding limits established by this permit. Where necessary, facilities to prevent the discharge of prohibited or regulated materials shall be provided and maintained at the permittee's cost and expense.

D. Industrial Pretreatment Bypasses

1. Allowable industrial pretreatment bypasses

- a. Any industrial pretreatment bypass which does not cause a violation of this permit, but only if such bypass is to allow for essential maintenance to assure efficient operation.

2. Prohibited industrial pretreatment bypasses

- a. Any industrial pretreatment bypass which does not meet the conditions specified in (1) above is prohibited unless all of the following conditions are met:
 - (1) Such bypass would be unavoidable to prevent loss of life, personal injury, or severe property damage. As used here, "severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of such a bypass. As used here, severe property

damage does not mean economic loss caused by delays in production.

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- (2) There would be no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent such a bypass from occurring during normal periods of equipment downtime or preventative maintenance.
 - (3) The industrial user complied with notification requirements as specified in Part III, D, 1, of this permit.
- b. The City may consider approving an anticipated bypass, after considering its adverse effects, if all of the conditions specified above hereof are met.

E. Duty to Mitigate - Prevention of Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health, the POTW, the waters receiving the POTW's discharge, or the environment.

F. Facilities Operation

1. The permittee shall at all times maintain in good working order and operate as efficiently as possible, all control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions provided for and in accordance with the requirements set forth by this permit.
2. The permittee shall have appropriately qualified and experienced personnel available to operate and maintain all such control facilities or systems addressed in (1) above.

G. Sludges and Chemicals Disposal

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutants from such materials from entering the sewer system. Moreover, the disposal of sludges and chemicals shall be in accordance with all applicable local, state, and federal regulations.

H. Hazardous Wastes Handling and Disposal

The permittee is responsible for assuring its compliance with any federal, state, and local requirements regarding the generation, treatment, storage, and/or disposal of hazardous wastes.

I. Monitoring Facility Provision

The permittee shall provide and operate at its own expense any monitoring facility to allow for

inspection, sampling, and flow measurement. These facilities shall be constructed in accordance with plans and specifications approved by the City and shall be maintained at all times in a safe and proper condition.

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J. Records Retention

The permittee shall retain and preserve, for not less than three (3) years, any records, books, documents, memoranda, reports and correspondence, and any and all summaries thereof, relating to monitoring, sampling, and chemical analyses made by or in behalf of the permittee in connection with its discharge. All records which pertain to matters which are the subject of any enforcement or litigation activities brought by the City pursuant hereto shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

K. Duty to Provide Information

The permittee shall furnish to the Superintendent of Water Pollution Control or his designee, within a reasonable time to be determined by the Superintendent or his designee, any information which the Superintendent, his designee, or the state or federal government 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 which the City required the discharger to keep.

L. Signatory Requirements

1. All reports required by this permit shall be signed by an authorized representative of the permittee. An authorized representative shall be:
 - a. A responsible corporate officer if the permittee is a corporation. This includes the president, secretary, treasurer, or a vice-president of the corporation in charge of principal business functions.
 - b. A general partner or proprietor if the permittee is a partnership or sole proprietorship.
 - c. A duly authorized representative of the individuals designated in (1) or (2) hereof.
2. All reports required by the City shall contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

M. Reapplication for Permit Renewal

The permittee is responsible for filing on forms provided by the City an application for re-issuance of this permit within 90 days of its expiration date.

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- N. Wastewater Discharge Data Disclosure/Permit Application. Industrial users required to have a discharge permit shall complete and file with the City a disclosure declaration/application in the form prescribed by the City. Proposed new dischargers and existing dischargers who plan to modify their processes or wastewater characteristics, including flow rates and volumes, shall file their disclosure/application forms ninety days prior to any connection or change. Any significant industrial user which discharges into the POTW prior to the effective date of this ordinance who does not already have an industrial user discharge permit and who wishes to continue such discharges in the future, shall within 90 days after the effective date of this ordinance, apply to the City for an industrial user discharge permit and shall not cause or allow discharges to the POTW to continue after 180 days from the effective date of this ordinance except in accordance with a discharge permit issued by the Superintendent. Within 180 days after the effective date of a categorical pretreatment standard or a final administrative category determination, whichever is later, existing industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the POTW, must submit a disclosure/application form if one was not previously submitted (baseline monitoring report).

PART V GENERAL CONDITIONS

A. Responsibilities, Liabilities, Penalties

Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any federal, state, or local laws or regulations.

B. Accessibility for Inspection, Sampling, Examination, or Photographs

The Superintendent and/or other duly authorized employees of the City, bearing proper credentials and identification, shall be permitted to enter at all times all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with this permit, including but not limited to, taking necessary photographs; and shall be permitted to review and/or copy any records/information specified in the City Ordinance, Section 925.08(1). Each significant industrial user discharging to the POTW shall be inspected and sampled by the City at least once a year. The City and Ohio EPA shall have the right to set up sampling/monitoring/ metering devices on the discharger's property.

C. Slugload/Accidental Spill Control Plans

The City shall evaluate, at least once every 2 years, whether each significant industrial user needs a plan to control slugload/accidental spill discharges. If the City determines that a slugload/accidental spill control plan is needed, the significant industrial user will be required to submit such a plan to the City.

D. Availability of Records

Except for the information and data determined under the City Code, Section 925.09(c) to be confidential, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the City of Defiance. As required by the City Code, Section 925.09(c)(2), effluent data shall not be considered confidential.

E. Permit Modification

The requirements and/or conditions of this permit are subject to change based on regulatory or policy changes.

F. Severability

The provisions of this permit are severable and, if any provision of this permit or the application of any provisions 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.

G. Permit Revocation

This permit may be revoked when it is determined that the discharge of wastewater to the sanitary sewer is in violation of federal, state, or local regulations. In addition, falsification or internal misrepresentation of data, information, or statements pertaining to any required report may be cause for permit revocation.

H. Non-Transferability

This wastewater discharge permit shall not be assigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

I. Falsifying Information

Any industrial user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this permit shall, upon conviction, be punished by a fine of not more than \$5,000 per violation per day, or imprisonment for not more than 6 months, or both.

J. Civil and Criminal Liability

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

K. Penalties for Violations of Permit Conditions

1. If any person served with the notice provided for in Section 925.23 of the Defiance City Code continues any violation beyond the time allotted for compliance, such person shall be guilty of a misdemeanor and shall be fined not more than one thousand dollars (\$1,000.00) for individuals and five thousand dollars (\$5,000.00) for partnerships or corporations or imprisoned not more than thirty (30) days for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. However, no additional notice of violation shall be required to be given for the subsequent days.
2. In addition to the civil and criminal penalties provided herein, whoever violates or fails to comply with any of the provisions of this permit shall be liable to the City for any expense, loss or damage to the Municipality occasioned by reason of such violation or noncompliance.

L. Need to Halt or Reduce not a Defense

It shall not be a defense for a 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 the permit.

M. Judicial Proceedings

The Director of Law may, following the authorization of such action by the City, commence an action for appropriate legal and/or equitable relief in any court of competent jurisdiction against any person discharging sewage, industrial wastes or other wastes into the POTW contrary to the provisions of this chapter or a discharge permit or order issued hereunder.

N. Civil/Criminal Penalties

Any discharger who is found to have violated a permit or order of the City or who has failed to comply with any of the provisions of the City code and the regulations or rules of the City, or with the orders of any court of competent jurisdiction, may be subjected to the imposition of a civil and/or criminal penalty.

O. Recovery of Costs

Any discharger violating any of the provisions of the City Code, or who discharges or causes a discharge producing a deposit, substance or obstruction; causes damage to or impairs the City's wastewater works; or causes additional abnormal costs, as determined by the City, shall be liable to the City for any expense, loss, damage, or additional abnormal costs caused by such violation or discharge. The City shall bill the discharger for the costs incurred. Refusal to pay the

assessed costs shall constitute a violation of the City Code, enforceable under that Code.

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P. Publication of Significant Noncompliance

A list of all dischargers that have been found to be in significant noncompliance as defined below during the twelve (12) previous months shall be annually published by the City in the largest daily newspaper published in the City, and shall include a summary of the enforcement actions taken against the dischargers during the same twelve (12) months.

1. Significant noncompliance" means industrial user violations which meet one or more of the following criteria:
 - a. Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken during a 6-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter.
 - b. Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements for each pollutant parameter taken during a 6-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH).
 - c. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the City determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public).
 - d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.
 - e. Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.
 - f. Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
 - g. Failure to accurately report noncompliance.
 - h. Any other violation or group of violations which the City determines will adversely affect the operation or implementation of the local pretreatment program.

PART VI SPECIAL CONDITIONS/ REQUIREMENTS

- A. See Appendix E for special conditions/requirements.
- B. Compliance Schedules.

Where additional facilities, pretreatment, control, and/or operation and maintenance activities will be required to comply with this chapter or a discharge permit or order issued hereunder, the discharger shall provide a declaration of the shortest schedule by which the discharger will

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provide these additional facilities and/or implementation of additional operational and maintenance activities. This time shall not exceed a total of two years unless approved by the City; or if complying with categorical pretreatment standards.

The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional facilities required for the discharger to comply with this chapter or a discharge permit or order issued hereunder, including, but not limited to, dates relating to hiring an engineer, hiring other appropriate personnel, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction and all other acts necessary to achieve compliance with this chapter or a discharge permit or order issued hereunder.

Under no circumstances shall the City permit a time increment for any single step directed toward compliance which exceeds nine months.

Not later than fourteen days following each milestone date in the schedule and the final date for compliance, the discharger shall submit a progress report to the City, including not less than a statement as to whether or not it complied with the increment of progress represented by that milestone date, and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay and the steps being taken by the discharger to return the construction to the approved schedule. In no event shall more than nine months elapse between these progress reports to the City.

- C. When additional pretreatment or operation and maintenance activities are placed into operation, the discharger shall revise the data disclosure requirements.
- D. If the discharger installs pretreatment or control facilities, the design, installation and operating procedures for these facilities shall be subject to review and approval of the City and the State EPA, and subject to the requirements of all applicable local and State codes, ordinances and laws. All facilities shall be located so as to be readily and easily accessible for cleaning and inspection.

PART VII RECONSIDERATIONS/APPEALS

- A. Requests for Reconsideration - Any person adversely affected by a determination made by the Superintendent in administering the provisions of the Sewer Use Ordinance may submit to the Superintendent a written request for reconsideration within 10 days of the issuance of such determination. The request shall detail the arguments supporting a reconsideration. The Superintendent shall respond to the request in writing within 30 days of receipt. If the Superintendent makes a determination not to reconsider, a Notice of Appeal may be submitted to the Pretreatment Appeal Board within 10 days of receipt of such determination. If the board

believes the appeal has merit, it may convene a hearing on the matter within 30 days of receipt of the appeal. The board shall issue a written decision on the appeal within 10 days of the hearing. If the board decides not to convene a hearing, the board shall respond to the appeal in writing within 30 days of receipt of the appeal.

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- B. Right of Appeal - Where the Sewer Use Ordinance specifically provides for an appeal before the Pretreatment Appeal Board, the appealing party shall submit a written Notice of Appeal to any member of the board within the time frame specified. Failure to submit a timely appeal shall be considered a waiver of the right to appeal. The Notice of Appeal shall contain, at a minimum, the name, address, and telephone number of the appellant, the date of the appeal, the arguments in support of the appeal, and any supporting documentation. The board shall respond within the time frame specified for that type of appeal. If the board believes an appeal has merit, it may convene a hearing, but need not do so. Notice of a hearing shall be mailed to the appellant no later than 20 days prior to the scheduled date of the hearing. All responses by the board shall be issued in writing. The Sewer Use Ordinance provides for appeal of: 1) Permit conditions, in accordance with 925.06(e)(3); 2) administrative fines, in accordance with 925.13(h); and 3) negative responses by the Superintendent to requests for reconsideration, in accordance with 925.135(b).
1. Permit Appeals: The Superintendent will provide all interested persons with notice of final permit decisions. Upon notice by the Superintendent, any person, including the industrial user, may submit to the Pretreatment Appeal Board a written notice of appeal within 30 days of receipt of the Superintendent's final permit decision.
 - a. Failure to submit a timely Notice of Appeal shall be deemed to be a waiver of the appeal.
 - b. In its petition, the appealing party must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.
 - c. The effectiveness of the permit shall not be stayed pending reconsideration by the Pretreatment Appeal Board. If, after considering the petition and any arguments put forth by the appealing party, the Pretreatment Appeal Board determines that reconsideration is proper, it shall remand the permit back to the Superintendent for reissuance. Those permit provisions being remanded by the Pretreatment Appeal Board for reconsideration shall be stayed pending reissuance.
 - d. The Pretreatment Appeal Board's decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review.
 - e. Aggrieved parties seeking judicial review of final Pretreatment Appeal Board actions must do so by filing a complaint with the appropriate local court for the City in accordance with state and local law.
 2. The Pretreatment Appeal Board is hereby authorized and directed to consider and respond to written notices of appeal submitted by appealing parties which relate to pretreatment issues.

PART VIII **DEFINITIONS**

- A. "City Code" means the Defiance Municipal Code of Ordinances.
- B. "Industrial pretreatment bypass" means an intentional diversion of wastestreams from any portion of an industrial user's treatment facility.
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- C. "Industrial wastes" means the liquid wastes from industrial manufacturing processes, trades or business as distinct from sanitary wastewater.
- D. "Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
1. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 2. Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the federal statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations).
- E. "Natural outlet" means any outlet, including the outlet of storm sewers, into a watercourse, pond, ditch, lake or other body of surface or groundwater which may or may not require a NPDES permit.
- F. "NPDES permit" means the National Pollutant Discharge Elimination System permit, as issued by the Ohio Environmental Protection Agency.
- G. "Pass through" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
- H. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- I. "POTW" (Publicly Owned Treatment Works) means a treatment works which is owned by the City. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pump stations, pipes, and any other conveyances only if they convey wastewater to the POTW treatment plant. The term also means the City which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.
- J. "POTW Treatment Plant" means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.
- K. "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or

in lieu of discharging or otherwise introducing such pollutants into the POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, process changes, or other means except dilution which is prohibited by 40 code of Federal Regulations (CFR) 403.6(d).

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- L. "Pretreatment Appeal Board" means a board consisting of the City Administrator, City Law Director, and the Superintendent which is charged with considering written Notices of Appeal submitted by appealing parties which are related to pretreatment issues.
- M. "Public sewer" means a sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.
- N. "Sanitary sewer" means a sewer which carries wastewater and to which storm, surface, and ground waters are not intentionally admitted.
- O. "Sewer" means a pipe or conduit for carrying wastewater or drainage water.
- P. "Shall" is mandatory.
- Q. "Significant industrial user" means:
1. All industrial users subject to categorical pretreatment standards; and
 2. Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the City on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- R. "Slug load" means any substance, including oxygen demanding pollutants (BOD and the like), released at such a flow rate and/or concentration and/or volume which may cause interference (as defined in Part VII of this permit) to the POTW or "pass-through" the POTW; or which may alone or in conjunction with a discharge or discharges from other sources, cause a hazard to human life (including POTW workers) or create a public nuisance.
- S. "Storm sewer" means a sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source, but excludes wastewater and industrial wastes, other than unpolluted cooling water.
- T. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with the effluent limitations of this permit because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed or inadequate treatment facilities, lack of preventative maintenance, or careless or improper operations.

U. "Wastewater treatment plant" means all facilities for treating, conditioning, and disposing of wastewater and residual solids.

Sample Collection Location Identification
for Appendix A

Sample collection locations are identified and described as follows:

A. Sample collection location number _____

1. Description:

2. Map:

B. Sample collection location number _____

1. Description:

2. Map:

Sample Collection Location Identification
for Appendix B

Sample collection locations are identified and described as follows:

A. Sample collection location number _____

1. Description:

2. Map:

B. Sample collection location number _____

1. Description:

2. Map:

APPENDIX C

ADDITIONAL DISCHARGE STANDARDS

APPENDIX D

ADDITIONAL REPORTING REQUIREMENTS

APPENDIX E

SPECIAL CONDITIONS/REQUIREMENTS

TOXIC ORGANIC COMPOUNDS REGULATED UNDER
ELECTROPLATING & METAL FINISHING TTO PRETREATMENT STANDARD

Acenaphthene	Di-n-butyl phthalate
Acrolein	Di-n-octyl phthalate
Acrylonitrile	Diethyl phthalate
Benzene	Dimethyl phthalate
Benzidine	1,2-benzanthracene (benzo(a)anthracene)
Carbon tetrachloride (tetrachloromethane)	Benzo(a)pyrene (3,4-benzopyrene)
Chlorobenzene	3,4-Benrofluoranthene (benzo(b)fluoranthene)
1,2,4-trichlorobenzene	11,12-benzofluoranthene (benzo(k)fluoranthene)
Hexachlorobenzene	Chrysene
1,2-dichloroethane	Acenaphthylene
1,1,1-trichloroethane	Anthracene
Hexachloroethane	1,12-benzoperylene (benzo(ghi)perylene)
1,1-dichloroethane	Fluorene
1,1,2-trichloroethane	Phenanthrene
1,1,2,2-tetrachloroethane	1,2,5,6-dibenzanthracene (dibenzo(a,h)anthracene)
Chloroethane	Indeno (1,2,3-cd)pyrene (2,3-o-phenylene pyrene)
Bix (2-chloroethyl) ether	Pyrene
2-chloroethyl vinyl ether (mixed)	Tetrachloroethylene
2-chloronaphthalene	Toluene
2,4,6-trichlorohenol	Trichloroethylene
Parachlorometa cresol	Vinyl Chloride (chloroethylene)
chloroform (trichloromethane)	3,3-dichlorobenzidine
2-chlorohenol	1,1-dichloroethylene
1,2-dichlorobenzene	1,2-trans-dichloroethylene
1,3-dichlorobenzene	2,4-dichlorophenol
1,4-dichlorobenzene	
N-nitrosodi-n-propylamine	
Pentachlorophenol	
Phenol	
Bix (2-ethylhexyl) phthalate	
Butyl benzyl phthalate	

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1,2-dichloropropane (1,3-dichloropropene)	Ethylbenzene
2,4-dimethylphenol	Fluoranthene
4-chlorophenyl phenyl ether	Heptachlor epoxide (BNC - hexachlorocyclohexane)
4-bromophenyl phenyl ether	Alpha-BHC
Bis (2-chloroisopropyl) ether	Beta-BHC
Bis (2-chloroethoxy) methane	Gamma-BHC
Methylene chloride (dichloronethane)	Delta-BHC (PCB-polychlorinated biphenyls)
Methyl chloride (chloromethane)	PCB-1242 (Arochlor 1242)
Methyl bromide (bromomethane)	PCB-1254 (Arochlor 1254)
Bromoform (tribromomethane)	PCB-1221 (Arochlor 1221)
Dichlorobromomethane	PCB-1232 (Arochlor 1232)
Chlorodibromomethane	PCB-1248 (Arochlor 1248)
Hexachlorobutadine	PCB-1260 (Arochlor 1260)
Hexachlorocyclopentadiene	PCB-1016 (Arochlor 1016)
Isophorone	Toxaphene
Naphthalene	2,3,7,8-tetrachlorodibenzo- p-dioxin (TCDD)
Nitrobenzene	Endosulfan sulfate
2-nitrophenol	Endrin
4-nitrophenol	Endrin aldehyde
2,4-dinitrophenol	Heptachlor
N-nitrosodimethylamine	4,6-dinitro-o-cresol
N-nitrosodiphenylamine	2,4-dinitrotoluene
Aldrin	
Dieldrin	
Chlordane (technical mixture and metabolites)	
4,4-DDT	
4,4-DDE (p,p-DDX)	
4,4-DDD (p,p-TDE)	
Alpha-Endosulfan	
Beta-endosulfan	
2,6-dinitrotoluene	
1,2-diphenylhydrazine	

