



MORRISTOWN UTILITIES COMMISSION  
INDUSTRIAL WASTEWATER DISCHARGE PERMIT

In accordance with the provisions of the City of Morristown Water Pollution Control Ordinance, formerly referred to as Sewer Use Ordinance (SUO), and the Morristown Utilities Commission Industrial Pretreatment Policy,

Company Name  
Company Address  
Company City, State Zip  
Permit Number 0000

is hereby authorized to discharge industrial wastewater from the above identified facility through the outfall(s) identified herein into the Publicly Owned Treatment Works in accordance with the conditions set forth in this permit. All references to Sewer Use Ordinance, or SUO, contained in this permit shall be synonymous with Water Pollution Control Ordinance. Compliance with this permit does not relieve the Permittee of its obligation to comply with any and all applicable pretreatment regulations, standards, or other requirements under Local, State, and Federal laws inclusive of any such regulating standards, requirements, or laws that may become effective during the term of this permit. Additionally, all references to Morristown Utilities Commission (MUC) shall be synonymous with Morristown Utility Systems (MUS).

Noncompliance with any term or condition identified in this permit shall constitute a violation of the Water Pollution Control Ordinance and MUC Industrial Pretreatment Policy.

This permit shall become effective on 1/1/2017, and shall expire on 1/1/2017.

The Permittee shall not discharge after the date of expiration. In order to continue discharging beyond this date, the Permittee must complete an application for re-issuance of this permit. In accordance with the requirements of the MUC Industrial Pretreatment Policy, the application must be submitted a minimum of 180 days prior to the expiration date.

By:                     **DRAFT PERMIT ONLY**                      
Michael Howard, Water Operations Manager

Issued this   1   day of   January   2017

PART I - APPLICABLE EFFLUENT LIMITATIONS

A. During the period of 1/1/2017 to 1/1/2017, the Permittee is authorized to discharge process wastewater to the Publicly Owned Treatment Works from the below listed outfall(s):

Description of outfall(s):

<u>Outfall No.</u>	<u>Description</u>
001	Through the existing sample port located at the [REDACTED] [REDACTED] on the North side of the [REDACTED], South East of the [REDACTED]. The effluent from this outfall consists of <b>unregulated wastewater</b> from [REDACTED] [REDACTED] generated from [REDACTED], consisting of [REDACTED]. The effluent from this outfall is classified as <b>Significant Noncategorical</b> , and therefore subject to all applicable local limits and thresholds.

B. During the period of 1/1/2017 to 1/1/2017 the monitoring frequency of pollutants limited by pretreatment standards shall be based upon the daily flow as established herein. Flow in excess of the established threshold shall be subject to increased monitoring requirements. The permittee shall not be subject to any further provisions for exceeding established thresholds except as follows: any flow rate that either alone, or in interaction with other substances, causes interference with the POTW, pass through of the POTW, or constitutes an adverse environmental impact shall be subject to enforcement provisions. Furthermore, in accordance with Standard Permit Requirements, Part 5, Section E Additional Reporting Requirements, Paragraph 1 Reports of Changed Conditions, Each user must notify MUC of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60) days before the change.

Parameter	Daily Threshold (GPD)	Max Threshold (GPM)	Type
Flow	[REDACTED]	[REDACTED]	Local

C. During the period of 1/1/2017 to 1/1/2017, the Permittee's effluent shall be analyzed for compatible pollutants as set forth in the MUC Industrial Pretreatment Policy (IPP) at the permittee's expense. Compatible pollutants are defined as those pollutants that the POTW is designed to treat and remove to a substantial degree. A surcharge, as defined in the MUC Surcharge Policy, shall be charged based upon the strength of the wastewater in excess of established thresholds. The permittee shall not be subject to any further provisions for exceeding established thresholds (exceeding thresholds is not a violation of this permit) except as follows: any pollutant, including compatible pollutants such as BOD, TSS, Ammonia Nitrogen, Total Phosphorus, and FOG, released at a flow rate and/or pollutant concentration that either alone, or in interaction with other substances, causes interference with the POTW; pass through of the POTW, or constitutes an adverse environmental impact shall be deemed non-compatible and shall be subject to enforcement provisions.

Parameter	Daily Threshold (mg/l)	Daily Threshold (lbs/day)	Type
BOD	250	450	Local
TSS	250	450	Local
Ammonia as N <small>(LOWLAND BASIN ONLY)</small>	45 <small>(LOWLAND BASIN ONLY)</small>	80 <small>(LOWLAND BASIN ONLY)</small>	Local
FOG	75	100	Local

D. During the period of 1/1/2017 to 1/1/2017, the discharge from outfall shall not exceed the following effluent limitations. LIMITS ARE FOR TURKEY CREEK BASIN ONLY

Parameter	Daily Maximum (mg/l)	Daily Maximum (lbs/day)	Type
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**Primary Inorganic Pollutants**

Cyanide	0.0317		Local
pH	5.0 – 10.0 standard units (SU)		Local
Phenols, Total	0.5828		Local

**Secondary Inorganic Pollutants**

Nitrate	Report only		Local
Nitrite	Report only		Local
Phosphorus	Report only		Local
Total Kjeldahl Nitrogen	Report only		Local

Parameter	Daily Maximum Limit (mg/l)	Daily Maximum Limit (lbs/day)	Type
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**Primary Metals**

Cadmium	0.0161		Local
Chromium, Total	0.9771		Local
Copper	1.2916		Local
Lead	0.2389		Local
Mercury	0.0011		Local
Nickel	0.3700		Local
Silver	0.0607		Local
Zinc	2.9557		Local

Parameter	Daily Maximum (mg/l)	Daily Maximum (lbs/day)	Type
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**Primary Organic Pollutants**

Toluene	0.3720		Local
Benzene	0.0393		Local
1,1,1, Trichloroethane	0.8263		Local
Ethylbenzene	0.1098		Local
Carbon Tetrachloride	0.0276		Local
Chloroform	0.5804		Local
Tetrachloroethylene	0.2735		Local
Trichloroethylene	0.3096		Local
1,2, trans Dichloroethylene	0.0262		Local
Methylene Chloride	0.2060		Local
Napthalene	0.0485		Local
Phthalates, Total	0.6532		Local
Bis (2-ethylhexyl) phthalate			
Butyl benzylphthalate			
Di-n-Butylphthalate			
Diethyl phthalate			

Parameter	Daily Maximum (mg/l)	Daily Maximum (lbs/day)	Type
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**Secondary Organic Pollutants**

Acetone	Report Only		Local
Methyl Ethyl Ketone (MEK)	Report Only		Local
Methylisobutlketone (MIBK)	Report Only		Local
Tetrahydrofuran	Report Only		Local
Xylenes	Report Only		Local
Vinyl Acetate	Report Only		Local

**Additional Requirement Report Only**

Organic pollutants shall include, at minimum, Monocyclic Aromatics, Halogenated Aliphatics, Phthalate Esters, and shall identify and quantify if possible all parameters with peaks exceeding 10 times the adjacent background noise.

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- E. All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in the Water Pollution Control Ordinance, the MUC Industrial Pretreatment Policy and any applicable State and Federal laws, regulations, standards, and requirements, including any such laws, regulations, standards or requirements that may become effective during the term of this permit.

PART 2 -MONITORING REQUIREMENTS

A. From the period beginning 1/1/2017 to 1/1/2017, the effluent from outfall 001 shall be analyzed for the following parameters at the indicated frequency.

<b>Parameter</b>	<b>Location</b>	<b>Frequency</b>	<b>Sample Type</b>
		<small>MONITORING FREQUENCY DETERMINED BY DAILY FLOW</small>	
Flow (Monthly Usage)	See note 1	1/Month	Flow Meter <sup>2</sup>
Flow (GPD)	See note 1	Semi-Annual <sup>3</sup>	Flume Reading <sup>4</sup>
<b>Compatible Pollutants</b>			
BOD (mg/l)	See note 1	1/Week	24-hr Composite <sup>5</sup>
TSS (mg/l)	See note 1	1/Week	24-hr Composite
FOG (mg/l)	See note 1	1/Week	Grab <sup>6</sup>
<b>Primary Inorganic Pollutants</b>			
Cyanide (mg/l)	See note 1	Semi-Annual	Grab
pH (standard units)	See note 1	1/Week	Grab
Phenols, Total (mg/l)	See note 1	Semi-Annual	Grab
<b>Secondary Inorganic Pollutants</b>			
Ammonia as N (mg/l)	See note 1	1/Week	24-hr Composite
Nitrate (mg/l)	See note 1	Semi-Annual	24-hr Composite
Nitrite (mg/l)	See note 1	Semi-Annual	24-hr Composite
Phosphorus (mg/l)	See note 1	Semi-Annual	24-hr Composite
Total Kjeldahl Nitrogen (mg/l)	See note 1	Semi-Annual	24-hr Composite
<b>Primary Metals</b>			
Cadmium (mg/l)	See note 1	Semi-Annual	24-hr Composite
Chromium (mg/l)	See note 1	Semi-Annual	24-hr Composite
Copper (mg/l)	See note 1	Semi-Annual	24-hr Composite
Lead (mg/l)	See note 1	Semi-Annual	24-hr Composite
Mercury (mg/l)	See note 1	Semi-Annual	24-hr Composite
Nickel (mg/l)	See note 1	Semi-Annual	24-hr Composite
Silver (mg/l)	See note 1	Semi-Annual	24-hr Composite
Zinc (mg/l)	See note 1	Semi-Annual	24-hr Composite

<b>Parameter</b>	<b>Location</b>	<b>Frequency</b>	<b>Sample Type</b>
<b>Secondary Metals</b>			
Arsenic (mg/l)	See note 1	Semi-Annual	24-hr Composite
Molybdenum (mg/l)	See note 1	Semi-Annual	24-hr Composite
Selenium (mg/l)	See note 1	Semi-Annual	24-hr Composite

**Primary/Secondary Organic Pollutants**

Primary/Secondary Organics (mg/l)	See note 1	Semi-Annual	Grab
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**Special Conditions**

- B. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.
- C. Annual and Semi-Annual analyses shall be conducted per the MUC IPP, at the users expense, which shall satisfy the monitoring requirements for Industrial Users required to monitor at this frequency, and shall also satisfy two of the monitoring requirements for Industrial Users required to monitor more frequently than Semi-Annual. Analyses required more frequently than Semi-Annual shall also be conducted per the MUC IPP. The cost of additional analyses shall be the responsibility of the Industrial User.
- D. The MUC reserves the right to increase monitoring frequencies for any Industrial User as deemed necessary to protect the POTW. Both daily maximum and monthly averages shall be used to verify compliance with applicable standards should monitoring occur more frequently.

Notes:

1. Diagram provided below for exact location.
  2. Monthly water flows will be obtained from the permittee's monthly utility bill for surcharge purposes.
  3. Semi-Annual shall be conducted every half year within the following six-month periods: January 1 through June 30, and July 1 through December 31.
  4. Flume readings will be used for compliance monitoring and verification purposes.
  5. Definition of Composite Sample provided in Part 5, Section A, Standard Permit Requirements.
  6. Definition of Grab Sample provided in part 5, Section A, Standard Permit Requirements.
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## PART 3 – REPORTING REQUIREMENTS

### A. Monitoring Reports

Monitoring results shall be summarized and reported on an Industrial User Monitoring Report on a semiannual basis prepared by the I.U. The first report is due on or before **January 10**. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the preceding calendar months June through November. The second report is due on or before **July 10**. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the preceding calendar months December through May. The reports shall include measured maximum and average daily flows. All compliance sampling and analysis shall be performed per the MUC IPP at the expense of the Industrial User.

### B. Additional Monitoring

If MUC or the Industrial User (IU) monitors any pollutant more frequently than is required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in the semiannual report.

The results of any monitoring performed by the IU is to be promptly reported to MUC. In the event monitoring performed by the IU detects a violation, this violation must be reported to MUC within 24 hours of detection. All other monitoring results by the IU shall be submitted to MUC no later than the 15<sup>th</sup> day of the following calendar month.

### C. Automatic Resampling

If the results of a wastewater analysis indicates that a violation of this permit has occurred, a repeat sampling and pollutant analysis will be conducted at the users expense to determine compliance.

### D. Accidental Spill or Slug Discharge Report

1. All Industrial Users shall prepare a plan to prevent or control accidental spills or slug discharges of prohibited materials or other substances regulated by this permit, and shall submit said plan to the Pretreatment Coordinator for review and approval. An approved plan to prevent or control accidental spills or slug discharges of prohibited materials shall be on file with the Pretreatment Coordinator within 90 days after the effective date of this permit. In addition, such plans and operating procedures shall not relieve the IU from responsibility of any physical or environmental damage that might result from accidental spills or

slug discharges of prohibited materials. The approved plan must be evaluated by the IU on an annual basis, and approval of the Pretreatment Coordinator must be renewed every two years. The plan shall include, as a minimum, a description of discharge practices, including nonroutine batch discharges, and a description of all stored chemicals or other materials that could be accidentally discharged to the POTW. In addition, the plant should include procedures for immediately notifying the POTW of any accidental or slug discharge, and procedures to prevent adverse impact to the POTW or the environment from any slug or accidental discharge.

2. The permittee shall notify the Pretreatment Coordinator immediately upon the occurrence of an accidental discharge or any slug loads or spills that may enter the public sewer. During normal business hours, the Pretreatment Coordinator should be notified by telephone at (423) 317-6331. At all other times, Morristown Utility Dispatch should be notified by telephone at (423)586-4121. The notification shall include the location of discharge, date and time thereof, type of waste including concentration and volume, and corrective actions taken. The POTW shall keep a log of such events.
3. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State, or Federal laws.
4. Within five calendar days of an accidental discharge, the permittee shall submit to the Pretreatment Coordinator a detailed written report. The report shall specify:
  - a. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
  - b. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
  - c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such and upset, slug load, accidental discharge, or other conditions of noncompliance.
  - d. Such notification shall not relieve the permittee of any liability which may be incurred as a result of the accidental spill or slug discharge of prohibited materials, nor shall notification relieve the permittee of any fines, civil penalties, or other damages which may be imposed by any applicable regulations or laws.

5. A notice shall be permanently posted at a prominent place in the permittee's facility advising employees whom to call in the event of accidental spills or slug discharges of prohibited materials. The permittee shall insure that all employees who may cause or allow such a discharge to occur are advised of the emergency notification procedure.

E. Submission of Reports

All reports required by this permit shall be submitted to the Pretreatment Coordinator at the following address:

Morristown Utilities Commission  
Turkey Creek Wastewater Treatment Plant  
Attention: Pretreatment Coordinator  
1722 Tyler Road  
Morristown, TN 37814

F. Receipt of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports that are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

#### PART 4 – SPECIAL CONDITIONS

##### SECTION A – ADDITIONAL / SPECIAL MONITORING REQUIREMENTS

Should circumstances warrant additional or special monitoring requirements, the following conditions may be imposed as deemed appropriate.

1. Bio-monitoring or other toxicity testing to determine the toxicity of the discharge.
2. Additional monitoring of pollutants that are limited in the wastewater discharge permit in response to noncompliance.
3. Periodic monitoring for specific pollutants to verify absence (i.e. complete priority pollutant scans).
4. Development of sludge disposal plan, spill prevention or slug loading control plan, or Best Management Practices Plan.
5. Additional monitoring of pollutants not specifically contained in the permit, or other requirements as may be needed to insure compliance with all environmental concerns on a case by case basis.

## SECTION B – COMPLIANCE SCHEDULE

Sample Compliance Schedule: **If no dates appear below, this section does not apply to this permit.**

1. The permittee shall accomplish the following tasks in the designated time period:

<u>Activity</u>	<u>Completion Date</u>
Prepare and deliver to the Control Authority, by the specified deadline, an engineering report outlining the proposed improvements along with the basis for design.	[Date]
Prepare and deliver to the Control Authority, by the specified deadline, design plans for a pretreatment facility.	[Date]
Commence construction of the pretreatment facility.	[Date]
Develop, and submit to the Control Authority, a slug control plan to eliminate or minimize accidental spills or slug discharges to the sewer system.	[Date]
Implement the slug loading control plan.	[Date]
Complete installation of the pretreatment facility	[Date]
Obtain full operational status of the pretreatment facility and achieve full compliance.	[Date]

2. Compliance Schedule Reporting

No later than 7 days following each date in the above schedule, the permittee shall submit to the Pretreatment Coordinator a report including, at a minimum, whether or not it complied with the increment process to be met on such date and, if not, the date on which the permittee expects to comply with the increment of progress, the reasons for delay, and the steps being taken to return the project to the established schedule.

## PART 5 – STANDARD CONDITIONS

### SECTION A – ABBREVIATIONS AND DEFINITIONS

Abbreviations:

BOD	Biochemical Oxygen Demand
°C	Degrees Celsius
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
EPA	Environmental Protection Agency
°F	Degrees Fahrenheit
FOG	Fats, Oils, and Grease
GPD	Gallons per Day
GPM	Gallons per Minute
IPP	MUC Industrial Pretreatment Policy
IU	Industrial User
M.B.A.S.	Methylene Blue Active Substance (Surfactants)
MGD	Million Gallons per Day
mg/l	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of liquid nature. It also includes sewers, pipes, and other conveyances connected to a facility providing treatment. The term also means the municipality, which has jurisdiction over the indirect discharges from such a treatment works.
SIU	Significant Industrial User
SUO	City of Morristown Sewer Use Ordinance
TKN	Total Kjeldahl Nitrogen
TOC	Total Organic Carbon
TOMP	Toxic Organic Management Plan
TSS	Total Suspended Solids
TTO	Total Toxic Organics

Bi-Weekly – Once every other week.

Bi-Monthly – Once every other month commencing in January.

Bypass - The diversion of wastes from any portion of a treatment facility.

Calendar Day – Any 24-hour period beginning at 12:00 a.m.

Categorical Industrial User – An industrial user subject to National categorical pretreatment standards.

City – City of Morristown, Tennessee

Control Authority – The City of Morristown, which has authorized Morristown Utilities Commission dba Morristown Utility Systems (MUS) to act on its behalf as the Control Authority, or any authorized person acting on its behalf.

Daily Maximum Concentration – The maximum allowable discharge of a pollutant in milligrams per liter during any calendar day. When a proportional-to-flow composite sample device is used, the daily concentration is the concentration of that 24 hour composite sample; when other sampling means are used, the daily concentration is the arithmetic mean of the concentrations of equal volume samples collected during any calendar day or sampling period. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day.

Composite Sample – A sample that is taken over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between aliquots.

Cooling Water –

Uncontaminated (Non-contact) – Water used for cooling purposes only, which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the total intake water.

Contaminated (Contact) – Water used for cooling purposes only, which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.

Grab Sample – An individual sample collected in less than 15 minutes, without regard to flow or time.

Instantaneous Maximum Concentration – The maximum concentration allowed in any grab sample.

Monthly Average – The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30-day period (as opposed to a rolling 30-day window).

Pretreatment Coordinator – The person designated by MUC who is charged with certain duties and responsibilities regarding pretreatment of discharges set forth in this permit, or their duly authorized representative.

Threshold – A value established for parameters, such as compatible pollutants and flow rates, whereby exceeding the value will subject the permittee to a surcharge for compatible pollutants or additional monitoring requirements for flow, but is not deemed a violation of the permit, the IPP, or the Water Pollution Control Ordinance.

Weekly Average – The arithmetic mean of the values for effluent samples collected over a period of seven consecutive days.

## SECTION B – GENERAL CONDITIONS

### 1. 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 circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

### 2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

### 3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the POTW or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-compliant discharge.

### 4. Permit Modification and/or Revocation and Reissuance

This permit may be modified, revoked and reissued, or terminated for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements
- b. Material or substantial alterations or additions to the permittee's operation processes, or discharge volume or character that were not considered in drafting the effective permit
- c. A change in any condition in either the industrial user or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge
- d. Information indicating that the permitted discharge poses a threat to the MUC collection and treatment systems, POTW personnel or the receiving waters
- e. Violation of any terms or conditions of the permit
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required report

- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR § 403.13
- h. To correct typographical or other errors in the permit
- i. To reflect the transfer of the facility ownership and/or operation to a new owner/operator
- j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations

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

5. Permit Termination

This permit may be terminated for reasons including, but not limited to, the following:

- a. Falsifying self-monitoring reports
- b. Tampering with monitoring equipment
- c. Refusing to allow timely access to the facility premises and records
- d. Failure to meet effluent limitations
- e. Failure to pay fines
- f. Failure to pay sewer charges
- g. Failure to meet compliance schedules

6. Permit Appeals

- a. The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice. This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee 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.
- b. MUC shall not stay the effectiveness of this permit pending reconsideration. If MUC determines that reconsideration is proper, those permit provisions being reconsidered shall be stayed pending reissuance. A response will be provided in writing within 30 days, either modifying the permit or denying the appeal.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Limitation on Permit Transfer

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned, or transferred, or sold to a new owner, new user, different premises, or a new or changed operation without prior written authorization from the Pretreatment Coordinator. Upon request from the current owner, the Pretreatment Coordinator will forward a copy of the current permit to the proposed new owner, such actions must precede any further actions on the transfer.

Permits may be reassigned or transferred to a new owner and/or operator with prior approval by the Pretreatment Coordinator under the following conditions:

- a. The permittee must give at least thirty (30) days advance notice to the Pretreatment Coordinator.
- b. The notice must include a written certification by the new owner which:
  1. The new owner acknowledges receipt of the current facility permit from the Pretreatment Coordinator
  2. States that the new owner has no immediate intent to change the facility's operations and processes
  3. Identifies the specific date on which the transfer is to occur
  4. Acknowledges full responsibility for complying with the existing permit

9. Duty to Reapply

If the permittee intends to continue an activity regulated by this permit after the expiration date, the permittee must apply for, and obtain, a new permit. In accordance with the requirements of the MUC Industrial Pretreatment Policy, the application must be submitted a minimum of 180 days prior to the expiration date.

10. Dilution

The permittee shall not increase the use of potable or process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with Federal Categorical Pretreatment Standards, or any other pollutant-specific limitation developed by the State or contained in this permit.

11. General Prohibitive Standards

The permittee shall comply with all the general prohibitive discharge standards in the MUC Industrial Pretreatment Policy. Namely, the permittee shall not discharge wastewater into the public sewer, POTW, or any receiving stream any of the following described pollutants:

- a. Flammable or explosive liquids, solids, or gases; and in no case pollutants with a closed cup flash-point of less than 140°F (60°C) using the test methods specified in 40 CFR § 261.21, or pollutants which cause an exceedance of 10 percent of the Lower Explosive Limit (LEL) at any point within the POTW, or that cause two

- successive readings on an explosive hazard meter to be more than 5 percent of the LEL;
- b. Pollutants which may cause corrosive structural damage to the public sewers or the POTW, or a hazard to equipment or personnel of the system; and in no case shall any discharge have a pH lower than 5.0 or higher than 10.0, nor can the pH fluctuate more than one unit per hour;
  - c. Solid or viscous substances in amounts which may cause obstruction to the flow in the sewer or other interferences with the operation of the wastewater treatment facility. Prohibited materials include, but are not limited to grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, mud, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances.
  - d. Any pollutant, including BOD, COD, total nitrogen, total phosphorus, total suspended solids and/or FOG released at a flow rate and/or pollutant concentration that either alone, or in interaction with other substances, will cause interference with the treatment plant or constitute an adverse environmental impact;
  - e. Discharges with elevated temperatures which may accelerate the biodegradation of wastes, creating noxious or corrosive gases to form in the public sewer or POTW, or which may inhibit biological activity in the system resulting in interference, but in no case shall the temperature at the user discharge point exceed 140°F (60°C), nor shall cause the temperature of the influent measured at the POTW to exceed 104°F (40°C);
  - f. Petroleum products, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
  - g. Pollutants which contain noxious, malodorous gases or substances in quantities that would create a public nuisance or hazard to life, or that might result in the creation of toxic gases, vapors, or fumes within the POTW in a quantity that may result in a nuisance or threaten worker health and safety;
  - h. Any trucked or hauled waste except at discharge points designated by the POTW;
  - i. Any wastewater containing radioactive waste or isotopes;
  - j. Any radiological, chemical, or biological warfare agent(s) that exceeds limits established by the City or applicable State or Federal Regulations;
  - k. Wastewater containing any element or compound that is not adequately removed by the POTW which is known to be an environmental hazard
  - l. Wastewater containing discoloration which is not removed in the treatment process such that the receiving water quality requirements cannot be met or interferes with plant processes or lab analyses;
  - m. Wastewater containing any element or compound known to act as a lacrimator, known to cause nausea, or known to cause odors constituting a public nuisance.

12. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, State, and Federal pretreatment standards

and requirements including any such standards or requirements that may become effective during the term of this permit.

## SECTION C – OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

### 1. Proper Operation and Maintenance

- a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit.
- b. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

### 2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with this permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. For example, this requirement applies when the primary source of power to the treatment facility fails or is reduced. It shall not be a defense for a permittee in enforcement action that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

### 3. Bypass of Treatment Facilities/Treatment Upset

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist.
- b. The permittee may allow bypass to occur that does not cause effluent limitations to be exceeded with prior authorization from the Pretreatment Coordinator, but only if it is for essential maintenance to assure efficient operation.
- c. Notice of bypass/treatment upset:
  1. Anticipated bypass: If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the Pretreatment Coordinator.
  2. Unanticipated bypass/treatment upset: The permittee shall immediately notify the Pretreatment Coordinator, and submit a written notice to the POTW within 5 days. This report shall specify:
    - (i) A description of the bypass/upset, and its cause, including its duration;
    - (ii) Whether the bypass/upset has been corrected; and
    - (iii) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass/upset.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act. When requested, the permittee shall submit a plan for such disposal to the Pretreatment Coordinator.

## SECTION D – MONITORING AND RECORDS

### 1. Representative Sampling

- a. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance.
- b. Sampling shall be conducted on a day of normal to maximum process operation. All sampling shall be conducted on a day of normal to maximum process operation. All samples shall be taken at the monitoring points specified before the effluent joins, or is diluted, by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to, and approval by, the Pretreatment Coordinator.
- c. For the purpose of pretreatment compliance monitoring, grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. A minimum of one grab is all that is required. At the discretion of the Pretreatment Coordinator, more than one grab may be required. If multiple grab samples are required, each must be analyzed individually. For all other parameters, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques.
- d. Where approved by MUC, flow-proportional composite sampling may be waived if the permittee demonstrates that it is infeasible. In such cases, samples may be obtained through time-proportional composite techniques, or through a minimum of four grab samples where the permittee can document to MUC that this will provide a representative sample of the effluent being discharged. This documentation along with the MUC rationale for granting the waiver shall be clearly identified in this permit and become a part of the file for the IU. All sampling must be performed using the appropriate preservation techniques, containers, and analytical methods as specified in 40 CFR Part 136.

2. Flow Measurements

As flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

4. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by the EPA, or as specified in this permit, the results of this monitoring shall be provided to the Pretreatment Coordinator per Part 3.B of this permit.

5. Inspection and Entry

The permittee shall allow the City of Morristown, MUC, Tennessee Department of Conservation (TDEC), U.S. Environmental Protection Agency (EPA) or an authorized representative, upon the presentation of credentials to:

- a. Enter the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to, and copy, any records that must be kept under the conditions of this permit;
- c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location;
- e. Inspect any production, manufacturing, fabricating or storage area where pollutants regulated under the permit could originate.

6. Retention of Records

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended at any time at the discretion of the MUC, TDEC and/or EPA.
- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by MUC, TDEC and/or EPA 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.

7. Record Contents

Records of sampling information shall include:

- a. The date, exact place, time and methods of sampling or measurements, and sample preservation techniques or procedures;
- b. Who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. Who performed the analyses;
- e. The analytical techniques or methods used;
- f. The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, may result in punishment under criminal law proceedings and/or civil penalties.

SECTION E – ADDITIONAL REPORTING REQUIREMENTS

1. Reports of Changed Conditions

Each user must notify MUC of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60) days before the change.

- (a) MUC may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application.
- (b) MUC may issue an individual wastewater discharge permit, or modify an existing wastewater discharge permit in response to changed conditions or anticipated changed conditions.

2. Duty to Provide Information

Permittee shall furnish to MUC, within 30 days any information which MUC 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 upon request, also provide to MUC within 30 days, copies of any records required to be kept in this permit.

3. Signatory Requirements

All applications, reports, or information submitted to MUC must contain the following certification statement and be signed as required in Sections (a), (b), or c) below:

“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 fines and imprisonment for knowing violations.”

- a. By a responsible corporate officer, if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officers means:
  1. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy – or decision-making functions for the corporation, or;
  2. The manager of one or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental law and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
- c. By a duly authorized representative if:
  1. The authorization is made in writing by the individual described in paragraph (a)(1) or (a)(2);

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
3. The written authorization is submitted to MUC.

If an authorization under paragraph (c) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph (c) of this section must be submitted to MUC prior to or together with any reports to be signed by an authorized representative.

## SECTION F – ENFORCEMENT PROVISIONS

### 1. Enforcement Response Plan

The specific procedures established in Appendix A “Enforcement Response Guide,” are subject to change as necessary to enable MUC to provide efficient wastewater treatment to protect public health and the environment, and to enable MUC to meet requirements contained in its National Pollutant Discharge Elimination System (NPDES) permit and any other State law or Federal rules and regulations concerning the discharge of pollutants.

### 2. Significant Noncompliance

Any user meeting one or more of the following conditions shall be considered to be in significant noncompliance if its violation meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit, the average limit, or the instantaneous limit for the same pollutant parameter;
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent or more of all the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit, average limit, or the instantaneous 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 standard or requirement (daily maximum, long-term average, instantaneous limit, or narrative standard or requirement) that MUC 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 under paragraph (f)(1)(vi)(B) of section 40 CFR 403.8 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 45 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 may include a violation of pollution prevention alternatives, which MUC determines, will adversely affect the operation or implementation of the local pretreatment program.

3. Annual Publication

The Morristown Utilities Commission, in the largest daily newspaper within its service area, shall annually publish a list of all industrial users, which were determined to be in significant noncompliance during the twelve (12) previous months. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

4. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under local, or State, or Federal laws and regulations.

5. Penalties for Violations of Permit Conditions

City of Morristown Water Pollution Control Ordinance and the MUC Industrial Pretreatment Policy provide that any person, including but not limited to industrial users, who violates a permit condition is subject to a civil penalty of up to ten thousand (\$10,000) dollars per day for each day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties and/or imprisonment of up to the maximum amount allowable by law. The permittee may also be subject to sanctions under State and/or Federal law.

6. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or the MUC Industrial Pretreatment Policy, or causing damage to or otherwise inhibiting the MUC wastewater disposal system shall be liable to MUC for any expense, loss, or damage caused by such violation or discharge. MUC shall bill the permittee for the costs incurred by MUC for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation.

PART 6 – SURCHARGE FEES

MUC may accept waste for treatment at the POTW that contains excessive quantities of compatible pollutants. In the event MUC elects to accept such waste for treatment, a surcharge shall be charged based upon the strength of the discharge up to the maximum levels established herein. Any pollutant, including compatible pollutants such as BOD, Ammonia Nitrogen, Total Phosphorus, TSS and FOG, released at a flow rate and/or pollutant concentration that either alone, or in interaction with other substances, causes interference with the POTW, pass through of the POTW, or constitutes an adverse environmental impact shall be deemed non-compatible and shall be subject to enforcement provisions.

The surcharge for compatible pollutants shall be calculated as established in the City of Morristown Water Pollution Control Ordinance and/or the MUC Surcharge Policy.