

**NONDOMESTIC USER PERMIT**

CITY OF THREE RIVERS  
WASTEWATER TREATMENT PLANT

In accordance with the provisions of the City of Three Rivers Sewer Use and Pretreatment Ordinance (Chapter 19 of the Three Rivers City Code, as amended) (the “Sewer Use and Pretreatment Ordinance”):

[Company Name]  
[Premises Street Address]  
[Municipality, MI, Zip code]

[Company Name] (the “Permittee”) is hereby authorized to discharge certain wastewater from the Premises located at the above address (the “Premises”) through the outfall(s) identified in this Permit into the POTW in accordance with the terms, conditions and requirements set forth in this Permit. The Premises are limited solely to the land, building, structures, and other improvements located within the boundaries as shown by Attachment   \*

The Permittee discharges Nondomestic Waste into the POTW and is a Nondomestic User as defined by the Sewer Use and Pretreatment Ordinance.

Compliance with this Permit does not relieve the Permittee of its obligation to comply with any applicable pretreatment regulation, standard or requirement under local, state, or federal laws, including any regulation, standard, requirement or law that may become effective during the term of this Permit. Noncompliance with any term or condition of this Permit is also a violation of the Sewer Use and Pretreatment Ordinance and may also violate other applicable state and federal laws and regulations.

This Permit is based on information known to the City as of the effective date of the Permit. The Permittee’s act of discharging to the POTW constitutes the Permittee’s acceptance of all terms, conditions, and requirements of this Permit.

On its effective date, this Permit shall supersede any prior permit or other authorization to discharge, if any.

Date Permit Issued: \_\_\_\_\_, 20\_\_  
Permit Effective Date: \_\_\_\_\_, 20\_\_  
Permit Expiration Date: \_\_\_\_\_, 20\_\_  
Permit Renewal Application  
Must Be Filed No Later Than: \_\_\_\_\_, 20\_\_

By: \_\_\_\_\_  
Joseph A. Bippus, City Manager

**PART 1. EFFLUENT LIMITATIONS AND DISCHARGE PROHIBITIONS.**

A. During the effective period of this Permit, the Permittee is authorized to discharge the following specified wastewater to the POTW from the outfalls described below:

<u>Outfall</u>	<u>Name and/or Location of Outfall and Type of Discharge</u>
<u>001</u>	Outfall 001 is located at the point of discharge from the Permittee’s Premises to the POTW as shown on Attachment <u>*</u> . The discharge shall be limited to wastewater generated by the Permittee’s operations at the Premises, as follows: <i>[example: sanitary wastewater from [bathroom sinks, showers, and toilets]; and process wastewater from _____ (expressly excluding trucked and hauled waste or pollutants, or discharges from septic systems and drain fields, or other discharges prohibited by the Sewer Use and Pretreatment Ordinance)]</i> . Unless otherwise expressly authorized or required by the City Manager, all required samples shall be taken at the IPP sampling manhole at the location labeled “IPP Sample Location 001” on Attachment <u>*</u> .
<u>002</u>	<i>[If there is more than one outfall to the sewer system from the premises, repeat the same language as shown for Outfall 001 for each additional outfall, including identification of each additional IPP sample location.]</i>

B. The discharges from Outfall 001 *or Outfall 002* authorized by this Permit shall not exceed the following specific effluent limitations:

(1) Concentration Limits (“Standard Local Limits”). Except as provided by Part 1, Section (B)(2) of this Permit, the discharges authorized by this Permit shall not contain pollutants in concentrations that exceed the maximum concentrations listed below in this subsection:

<u>Parameter</u>	<u>Instantaneous Maximum (mg/l)<sup>1</sup></u>	<u>Daily Maximum (mg/l)<sup>1</sup></u>
Arsenic	---	0.45
Cadmium	---	0.63
Chromium (T)	---	2.15
Copper	---	4.38
Cyanide	---	0.26
Lead	---	2.6
Mercury	NQ <sup>2</sup>	NQ <sup>2</sup>
Molybdenum	---	0.41
Nickel	---	0.41
Selenium	---	0.45
Silver	---	0.005
Zinc	---	10.0
 Toluene	 ---	 15

BOD <sub>5</sub>	---	300 <sup>3</sup>
Phosphorous (T)	---	10 <sup>4</sup>
TSS	---	350 <sup>5</sup>
FOG	---	100
Ammonia Nitrogen (NH <sub>3</sub> as N)	---	480 <sup>6</sup>

Any discharge by the Permittee in excess of a Concentration Limit for any pollutant as specified above shall constitute a violation of this Permit and the Sewer Use and Pretreatment Ordinance.

Notes:

*T = Total*

1. *Discharges that contain more than one pollutant that may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the City Manager. The more restrictive discharge limits will be calculated based on the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge, including, without limitation, the specific compounds, if any, listed in Section 19-6.30(B) of the Sewer Use and Pretreatment Ordinance.*

*Also, see Section 19-6.34 of the Sewer Use and Pretreatment Ordinance, regarding application of most restrictive or additional standards or requirements under local, state, and federal laws and regulations.*

*If the City Manager sets a Headworks Mass Limit for BOD<sub>5</sub>, TSS, and/or Phosphorous for the Permittee as provided by Part 1 Section (B)(2) of this Permit, the pollutant shall be subject to that Headworks Mass Limit rather than the concentration limits provided above by Part 1, Section (B)(1) during the period that the Headworks Mass Limit is applicable to the pollutant.*

*A user may request the City to develop alternative limits to the Standard Local Limits for specific pollutants (“Special Alternative Limits” or “SALs”) as provided by Section 19-6.30(D) of the Sewer Use and Pretreatment Ordinance.*

2. *NQ = Non-quantifiable concentration, defined as at or below the quantification level of 0.2 ug/l using U.S. EPA Method 245.1 (or at or below other quantification levels applicable under alternative test methods required by the City Manager or by other applicable laws or regulations). Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of Permittee’s discharge shall be in accordance with U.S. EPA method 245.1, unless the City Manager requires U.S. EPA Method 1631 (or other appropriate method). The quantification level shall be 0.2 ug/l for Method 245.1 or 0.5 ng/l for Method 1631, unless higher levels are approved by the City Manager because of sample matrix interference. Any discharge of mercury at or above the level of quantification is a specific violation of this Permit.*
3. *Any discharge of BOD<sub>5</sub> in excess of 250 mg/l shall be subject to surcharge as provided by the Sewer Use and Pretreatment Ordinance.*
4. *Any discharge of phosphorus (T) in excess of 6 mg/l shall be subject to surcharge as provided by the Sewer Use and Pretreatment Ordinance.*
5. *Any discharge of TSS in excess of 200 mg/l shall be subject to surcharge as provided by the Sewer Use and Pretreatment Ordinance.*

- 6. Discharges of ammonia nitrogen shall be subject to surcharge as provided by the Sewer Use and Pretreatment Ordinance upon establishment by the City of a surcharge threshold concentration for such discharges.

*The instantaneous maximum and daily maximum limits listed above for each pollutant parameter are the concentrations which may not be exceeded and at which enforcement begins. The surcharge threshold concentrations as specified in notes 3 through 6 (above) are the concentrations above which surcharges may be imposed. Discharges exceeding the surcharge thresholds, but which are less than the instantaneous maximum and daily maximum limits (and which do not violate any other applicable prohibitions, limitations, standards, or requirements), are not violations of this Permit or the Sewer Use and Pretreatment Ordinance, but are subject to surcharges as provided by the Sewer Use and Pretreatment Ordinance. All violations of applicable discharge prohibitions and limitations and all instances of noncompliance with applicable discharge requirements constitute a violation of this Permit and the Sewer Use and Pretreatment Ordinance, subject to applicable fines, penalties and other enforcement actions. In no event shall the imposition of a surcharge for a discharge that does not meet the applicable prohibitions, limitations or requirements be construed as authorizing the illegal discharge or otherwise excuse a violation of this this Permit or the Sewer Use and Pretreatment Ordinance.*

- (2) Headworks Mass Limits. In place of using the concentration limits provided in Part 1, Section (B)(1) above, the City Manager may allocate specified portions of the available total load to the Permittee and set a Headworks Mass Limit unique to the Permittee for certain pollutants as provided by and subject to the provisions of Section 19-6.30(B)(2) of the Sewer Use and Pretreatment Ordinance.

The following Headworks Mass Limits shall apply to the discharges authorized by this Permit, subject to any conditions as specified by the City Manager:

<u>Parameter</u>	<u>Daily Maximum Load Limit</u> (total lbs/day)
BOD <sub>5</sub>	<i>[Specify headworks mass limit. If none, indicate "Not Applicable"]</i>
TSS	<i>[Specify headworks mass limit. If none, indicate "Not Applicable"]</i>
Phosphorus (T)	<i>[Specify headworks mass limit. If none, indicate "Not Applicable"]</i>

Headworks Mass Limit Conditions: *[Specify any conditions, if any, applicable to the allocation or headworks mass limits in the space below for each pollutant. If none, indicate "Not Applicable."]*

---



---



---

If the City Manager establishes a Headworks Mass Limit for some but not all of the pollutants listed above to the Permittee, any pollutants for which a Headworks Mass Limit is not established shall be subject to the concentration limits provided by Part 1, Section (B)(1) of this Permit.

The allocation of a portion of available total load and establishment of a Headworks Mass Limit for a pollutant shall not affect the applicability of surcharges to that pollutant in the Permittee's discharge as provided by Section 19-6.30(B)(1) of the Sewer Use and Pretreatment Ordinance.

Any discharge by the Permittee in excess of a Headworks Mass Limit for any pollutant as specified above shall constitute a violation of this Permit and the Sewer Use and Pretreatment Ordinance.

The allocation of load and establishment of a Headworks Mass Limit by this Permit for a pollutant parameter shall not convey to the Permittee or any other person any property rights or privilege of any kind whatsoever, nor shall it be construed to authorize any injury to private or public property or any invasion of personal rights, or any violation of local, state or federal laws or regulations. An allocation and establishment of a Headworks Mass Limit by this Permit, if any, may be reviewed, reevaluated, modified, and/or revoked without notice at any time and for any reason determined appropriate by the City Manager. At a minimum, all existing allocations shall be reviewed whenever the POTW's NPDES permit is subject to renewal. If the City Manager revokes or otherwise determines that a Headworks Mass Limit is no longer in effect for a pollutant in the Permittee's discharge, that pollutant shall immediately be subject to the concentration limits for that pollutant as provided by Part 1, Section (B)(1) of this Permit.

- (3) The discharges authorized by this Permit shall not contain pollutants in concentrations that exceed the instantaneous maximum concentrations listed below in this subsection:

<u>Parameter</u>	<u>Instantaneous Maximum</u>	<u>Daily Maximum</u>
------------------	------------------------------	----------------------

PCBs (T)	The instantaneous maximum and daily maximum discharge limit for PCBs is non-detect. Except as otherwise required by the City Manager, compliance with this limit shall be determined as follows:	
----------	--	--

A compliance limit of "non-detect" shall be used for the instantaneous maximum and daily maximum discharge limits. Any discharge of PCBs at or above the quantification level is a specific violation of this Permit and of the Sewer Use and Pretreatment Ordinance.

PCB sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of the Permittee's discharge shall be in accordance with U.S. EPA method 608. The quantification level shall be 0.1 ug/l, unless higher levels are determined appropriate by the City Manager because of sample matrix interference. Total PCBs shall be defined as the sum of the Aroclors

1016, 1221, 1232, 1242, 1248, 1254 and 1260. In addition, any detected Aroclor-specific measurements shall be reported.

- C. The Permittee shall not discharge or contribute to the POTW, directly or indirectly, any pollutant, substance or wastewater which will cause “pass through” or “interference” as those terms are defined by the Sewer Use and Pretreatment Ordinance.
- D. The Permittee shall not discharge or contribute to the POTW, directly or indirectly, any of the substances, pollutants, or wastewater prohibited by Section 19-6.30(B)(4) through 19-6.30(B)(42) of the Sewer Use and Pretreatment Ordinance.
- E. The dilution of any of Permittee’s effluent or discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable local, state or federal standards or limitations is prohibited as provided by Section 19-6.35 of the Sewer Use and Pretreatment Ordinance.
- F. Except as may be otherwise expressly provided by this Permit, or as otherwise required by the City Manager, the Permittee shall follow the sampling, analysis, and monitoring requirements and procedures as provided by Section 19-9 of the Sewer Use and Pretreatment Ordinance.
- G. Discharges that originate from any area other than the Permittee’s Premises are prohibited. The Permittee shall not permit, and shall take such all such actions as are necessary to stop or prevent, any discharge into the POTW from any area outside the Permittee’s Premises. If the Permittee becomes aware that any such discharge exists or may exist, the Permittee shall immediately notify the City regarding the discharge.
- H. The City may refuse to accept and/or may terminate any discharge from the Permittee to the POTW that does not comply with any of the terms, conditions, and requirements of this Permit and/or the Sewer Use and Pretreatment Ordinance, and under circumstances including, but not limited to the following, as determined by the City:
  - (1) The Permittee has failed or refused to pay all or any portion of charges, costs, penalties, fees, or other amounts due and payable to the City;
  - (2) The Permittee has failed or refused to comply with any provision of this Permit, the Sewer Use and Pretreatment Ordinance, or any notice, order or determination made or issued by the City Manager under the Sewer Use and Pretreatment Ordinance;
  - (3) The discharge to the POTW contains pollutants, substances or constituents of a type or in a quantity that may cause or contribute to a violation of the general or specific discharge prohibitions of the Sewer Use and Pretreatment Ordinance;
  - (4) For such other reasons as provided by other provisions of this Permit.

- I. The Permittee’s discharges shall at all times comply with all other applicable local, state and federal laws, regulations, standards, and requirements, including, without limitation, the Sewer Use and Pretreatment Ordinance, and any such laws, regulations, standards, or requirements that may become effective during the term of this Permit.

**PART 2. MONITORING AND SAMPLING REQUIREMENTS.**

The Permittee shall comply with all monitoring requirements as provided by this Permit, the Sewer Use and Pretreatment Ordinance, and other applicable laws and regulations, including, without limitation, the following:

- A. Monitoring Location, Frequency and Sample Type for Specified Pollutant Parameters. During the effective period of this Permit, and for purposes of determining compliance by the Permittee with the effluent limitations and discharge prohibitions as provided by Part 1 of this Permit, the Permittee shall monitor for the following sample parameters, according to the following monitoring locations, frequencies, and sample types:

<u>Parameter</u>	<u>Location</u> <sup>1</sup>	<u>Frequency</u> <sup>2</sup>	<u>Type</u> <sup>3</sup>
Arsenic	Outfalls 001/002	_____	Composite
Cadmium	Outfalls 001/002	_____	Composite
Chromium (T)	Outfalls 001/002	_____	Composite
Chromium, Hexavalent	Outfalls 001/002	_____	Composite
Copper	Outfalls 001/002	_____	Composite
Cyanide	Outfalls 001/002	_____	Grab <sup>4</sup>
Lead	Outfalls 001/002	_____	Composite
Molybdenum	Outfalls 001/002	_____	Composite
Nickel	Outfalls 001/002	_____	Composite
Selenium	Outfalls 001/002	_____	Composite
Silver	Outfalls 001/002	_____	Composite
Zinc	Outfalls 001/002	_____	Composite
Toluene	Outfalls 001/002	_____	Grab
Mercury	Outfalls 001/002	_____	Composite
PCBs (T)	Outfalls 001/002	_____	Composite
Ammonia Nitrogen (NH <sub>3</sub> as N)	Outfalls 001/002	_____	Composite
BOD <sub>5</sub>	Outfalls 001/002	_____	Composite
Phosphorous (T)	Outfalls 001/002	_____	Composite
FOG	Outfalls 001/002	_____	Grab
pH	Outfalls 001/002	_____	Grab

Notes:

- 1 Samples shall be taken separately for each Outfall at “IPP Sample Location 001” and “IPP Sample Location 002” as shown on Attachment \* of this Permit. The specific sample monitoring and measurement locations and methods at Outfall 001 and Outfall 002 shall be as required by the City Manager.
- 2 “Daily” means at least once within every 24 hour period; “weekly” means at least once within every 7 day period; “quarterly” means at least once within every 3 month period (once during March, June, September, and December, unless otherwise noted); “semi-annually” means at least twice per year (once during June and December, unless otherwise noted); and “continuous” means at all times during discharge.
- 3 “Grab” sample means an individual sample that is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes. Where representative samples are required to be taken for facilities for which historical sampling data does not exist (or if otherwise requested by the City Manager), the Permittee shall take a minimum of 4 grab samples for pH, temperature, cyanide, FOG, and volatile organics (and any other parameters designated by the City Manager), unless a greater number of grab samples is required in advance by the City Manager. For facilities for which historical sampling data is available, or under other circumstances determined appropriate by the City Manager, the City Manager may authorize a lower minimum number of grab samples (except that historical data shall not be used for periodic compliance reports as required by Section 19-8.53 of the Sewer Use and Pretreatment Ordinance). In all cases, the Permittee shall take the minimum number of grab samples determined necessary by the City Manager to assess and assure compliance by the Permittee with applicable pretreatment standards and requirements. Grab samples may be required to show compliance with instantaneous minimum or instantaneous maximum discharge limits.  
  
“Composite” sample means a series of individual samples collected on a flow or time proportional basis, taken at regular intervals over a specific time period, and combined into a single sample (formed either by continuous sampling or by mixing discrete samples) representative of the average stream during the sampling period. For categorical sampling, a composite sample shall consist of at least four (4) individual samples taken within a 24-hour period. 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the City Manager. Where time-proportional composite sampling or grab sampling is authorized by the City Manager, the samples must be representative of the Permittee’s discharge and the decision to allow the alternative sampling must be documented in the Permittee’s file for the Premises. Using protocols (including appropriate preservation) specified in 40 CFR part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; for volatile organics and oil & grease the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City Manager, as determined appropriate by the City Manager.  
  
Except as otherwise provided by this Permit, or otherwise required by the City Manager, the specific requirements applicable to the use of grab and composite sampling shall be as provided by the Sewer Use and Pretreatment Ordinance.
- 4 Monitoring for cyanide must be conducted after cyanide treatment and before dilution with other streams.

The Permittee may be required by the City Manager to perform additional monitoring of the parameters listed in this section (including, without limitation, different locations,

frequencies or sample types) as determined necessary by the City Manager or as otherwise authorized under applicable laws and regulations.

- B. Determination of Flow. The Permittee shall use the methods, singly or in combination, as provided by Section 19-9.73 of the Sewer Use and Pretreatment Ordinance and as directed by the City Manager to determine the total amount of wastewater flow discharged to the POTW from the Permittee's Premises. If there is more than one outfall, the flow from each outfall shall be determined separately.

**Monthly** wastewater flow data for each outfall using the method or methods specified by the City Manager shall be determined for each calendar **month** and shall be reported to the POTW no later than the 10th day of the following **month**.

The Permittee may be required by the City Manager to perform additional or different flow monitoring (including, without limitation, different locations, frequencies, or methods) as determined necessary by the City Manager or as otherwise authorized under applicable laws and regulations. If required by the City Manager, the Permittee shall install and maintain wastewater flow meters, at such locations and of the type as determined appropriate by the City. The City shall be allowed immediate access to the meters at all times.

- C. Self-Monitoring. Except as otherwise provided by Part 2, Section (E), the Permittee shall conduct self-monitoring as provided by Section 19-9.68 of the Sewer Use and Pretreatment Ordinance to insure compliance with all applicable requirements of this Permit, the Sewer Use and Pretreatment Ordinance, and other applicable laws and regulations.
- D. Automatic Resampling Upon Indication of Permit Violation; Notification and Report Required. If sampling performed by the Permittee indicates a violation, the Permittee shall notify the City Manager within 24 hours of becoming aware of the violation; and shall repeat the sampling and analysis as required by Section 19-9.68(D) of the Sewer Use and Pretreatment Ordinance.
- E. Sampling and Analysis Performed by City. The sampling and analysis required by Part 2, Section (C), may be performed by the City in lieu of the Permittee, as determined necessary by the City Manager, as provided by Section 19-9.69 of the Sewer Use and Pretreatment Ordinance.
- E. Splits. If requested, the City or by the Permittee, splits shall be taken and provided as provided by Section 19-9.70 of the Sewer Use and Pretreatment Ordinance.
- F. Surcharge. If an analysis of wastewater discharged from the Permittee identifies any strength characteristic in excess of Normal Strength Domestic Waste, then a surcharge may be levied against the Permittee by the City on any such excess characteristic, in accordance with this Permit and the Sewer Use and Pretreatment Ordinance.

- G. Monitoring Points. All samples and measurements shall be taken at the monitoring points specified in this Permit and at any other monitoring points as required by the City Manager. The Permittee shall not change monitoring points without the prior approval of the POTW.
- H. Control Structures. As determined necessary and appropriate by the City to verify compliance with the requirements of this Permit and applicable laws and regulations, the City may require the Permittee to install, or cause to be installed, suitable control structures as provided by Section 19-9.72 of the Sewer Use and Pretreatment Ordinance.
- I. Sampling and Analytical Methods to Demonstrate Compliance. All sampling, measurements, tests, and analyses of the characteristics of discharges to the POTW shall be performed in accordance Section 19-9.63 of the Sewer Use and Pretreatment Ordinance.
- J. Representative Sampling. All samples and measurements taken as required by this Permit shall be representative of the volume and nature of the monitored discharge as required by the Sewer Use and Pretreatment Ordinance.
- K. Maintenance, Repair and Calibration of Sampling Equipment. All equipment used for sampling, measurement and analysis as required by this Permit (including, but not limited to, all required discharge flow meters) must be routinely calibrated, inspected, and maintained by the Permittee as provided by the Sewer Use and Pretreatment Ordinance. Calibration, inspection and maintenance shall be performed as often as determined necessary by the City Manager to ensure that monitoring data, measurements and analysis are accurate and representative, and consistent with the accepted capability of the type of equipment used. At a minimum, meters shall be calibrated once every 12 months or at such other frequency specified by the City Manager.

The Permittee shall keep a complete and accurate written record of all calibrations, inspections and maintenance done (including, without limitation, the date and time of the activity, a description of what was done and the methods used, the names of persons conducting the activity, and any required or recommended follow-up). The record shall also include a description of all problems discovered regarding the equipment whether in response to a regularly scheduled inspection or otherwise. The City Manager, in any event, may inspect and test the Permittee's sampling and flow measurement equipment and instruments at all reasonable times.

- L. Records of Sampling and Analysis. The Permittee shall keep a written record of all samples, measurements, and analysis required by this Permit and the Sewer Use and Pretreatment Ordinance (including any sampling and monitoring associated with Best Management Practices). At a minimum, the records shall include the date, exact location, time (including start time and stop time) and method of sampling or measurement, and the name(s) of person(s) taking the samples or measurements; sampler programming information; the sample preservation techniques or procedures used; the full chain-of-custody for each sample; the dates the analyses were performed and completed; who

performed the analyses; the analytical techniques and methods used; the detection limits and/or quantification level used per parameter; quality assurance/quality control (QA/QC) procedures used and QA/QC data; and the results of the analyses.. Records shall be maintained and retained as provided by Section 19-14.90 of the Sewer Use and Pretreatment Ordinance.

- M. Costs. All costs of monitoring, sample collection, and sample analyses (including, but not limited to, the costs or fees associated with inspection or surveillance), and the costs of purchasing, maintaining, repairing and calibrating all equipment used for sampling, measurement and analysis as required by this Permit and the Sewer Use and Pretreatment Ordinance, shall be the responsibility of the Permittee, and at no cost to the City regardless of whether such activities are undertaken by the City, the Permittee, or any other person.

### **PART 3. REPORTING, NOTIFICATION, AND RECORDS RETENTION.**

- A. Required Reports and Notifications. The Permittee shall comply with all reporting and notice requirements as provided by Section 19-8 of the Sewer Use and Pretreatment Ordinance, by this Permit, and other applicable laws and regulations, including, without limitation, the following:
1. Baseline Reports. If determined applicable to the Permittee, the Permittee shall submit to the POTW within the required submission deadlines the reports as required by Section 19-8.52(A) of the Sewer Use and Pretreatment Ordinance.
  2. Reports on Compliance with Categorical Pretreatment Standard Deadline. If determined applicable to the Permittee, the Permittee shall submit to the POTW within the required submission deadlines the reports as required by Section 19-8.52(B) of the Sewer Use and Pretreatment Ordinance.
  3. Periodic Reports on Continued Compliance; and Reports Required for Nondomestic Users Not Subject to Categorical Pretreatment Standards. All monitoring results obtained by the Permittee as required by this Permit shall be summarized and reported in a form and manner as required by the POTW once every 6 months (unless required more frequently by the applicable pretreatment standard, or by the City Manager, or by this Permit) and as otherwise required by Section 19-8.52 (C) or Section 19-8.53 (as determined applicable by the City Manager) of the Sewer Use and Pretreatment Ordinance. The **semi-annual** reports are due 30 days after the end of each **half year**, and shall be submitted no later than **July 30 and January 30** of each year (unless alternate months are specified by the City Manager). Each report shall indicate the following information for the applicable reporting period: the nature and concentration (or mass) of all pollutants in the effluent for which sampling and analysis were performed; the measured maximum and average daily flows; the names of all person(s) responsible for operating and maintaining any pretreatment equipment, pretreatment processes, or responsible for wastewater management at the

Permittee's Premises, with a brief description of each person's duties; information regarding materials or substances which may cause interference or pass through; and any other information required by the Sewer Use and Pretreatment Ordinance or deemed necessary by the City Manager to assess and assure compliance with applicable discharge requirements or to safeguard the operation of the POTW.

4. Notice of Potential Problems. The Permittee shall immediately notify the POTW of any discharge by the Permittee that could cause problems to the POTW, including, without limitation, slug loadings, or discharges that exceed any applicable discharge prohibition or limitation, or otherwise result in noncompliance with permit requirements.
  5. Notice by User of Violation of Pretreatment Standards. If sampling performed by the Permittee indicates a violation, the Permittee shall notify the POTW within 24 hours of becoming aware of the violation (and shall comply with other applicable requirements provided by Part 2 of this Permit regarding repeat sampling and analysis).
  6. Notice of Changed Discharge or Change in User Status. The Permittee shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in its discharge, or of any facility expansion, production increase, or process modifications that could result in a substantial change in the volume or character of pollutants in its discharge, as provided by Section 19-8.56 of the Sewer Use and Pretreatment Ordinance.
- B. Requirements Applicable to All Reports and Notifications. All reports and notifications submitted by the Permittee to the POTW as required by this Permit shall meet the requirements as provided by Section 19-8.61 of the Sewer Use and Pretreatment Ordinance.

All written reports and notifications submitted by mail or hand-delivery shall be sent or delivered to the following address:

City of Three Rivers  
WWTP  
333 West Michigan Avenue  
Three Rivers, MI 49093  
Attn: WWTP Director

All written reports, notifications, and applications required by this shall be signed and certified by the Permittee as provided by Section 19-8.62.

Where notifications are allowed to be made by telephone, the Permittee shall use the telephone numbers provided by Part 4, Section 4(B)(1) of this Permit.

Failure to timely provide the notifications and reports required by this Permit constitutes a violation of this Permit and the Sewer Use and Pretreatment Ordinance. Providing the required notifications and reports shall not relieve the Permittee of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification or report relieve the Permittee of any fines, penalties, or other liability which may be imposed by applicable laws or regulations. Further, the reporting and notification requirements required by this Permit shall not be construed to authorize a discharge that exceeds a discharge prohibition or limitation under this Permit or other applicable laws or regulations.

- C. Records Retention. The Permittee shall retain and preserve records and information related to matters regulated by this Permit in accordance with the Section 19-14.90 of the Sewer Use and Pretreatment Ordinance.

#### **PART 4. ACCIDENTAL DISCHARGE.**

- A. Accidental Discharge Requirements. The Permittee shall meet and maintain compliance at all times with the minimum requirements for preparing for, responding to, and reporting, accidental discharges to the POTW as provided by Section 19.10 of the Sewer Use and Pretreatment Ordinance, and any additional or more restrictive requirements provided by this Permit, a slug control plan, or other applicable laws and regulations.

- B. Accidental Discharge Notice and Report.

1. Upon the occurrence of any accidental discharge of any substance, pollutant or wastewater prohibited by this Permit, or the occurrence of any slug load or spill that may enter the POTW, the Permittee shall *immediately* (regardless of the time of day) notify the POTW of the incident by telephone at the following telephone numbers: If during regular business hours: \_\_\_\_\_. If after regular business hours (or if no answer at first number): \_\_\_\_\_. The notification shall include all available information regarding the date, time and location of the discharge, its volume, duration, constituents, loading and concentrations, corrective actions taken and required, and other available information as necessary to determine what impact the discharge may have on the POTW.
2. Within 5 days of an accidental discharge, the Permittee shall submit to the POTW a detailed written report. The report shall specify the same and any additional available information regarding the accidental discharge, slug load or spill as required by Part 4, Section (B)(1), above. The report shall also specify the cause of the incident; the exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur; the impact on the Permittee's compliance status; the measures that have been or will be taken by the Permittee to prevent similar future incidents from occurring.

**PART 5. MODIFICATION, SUSPENSION, REVOCATION, REISSUANCE, EXPIRATION, AND/OR CONTINUATION.**

- A. Permit Modification. This Permit may be modified by the City Manager for any reason determined necessary by the City Manager to assure compliance with the requirements of the Sewer Use and Pretreatment Ordinance and other applicable laws and regulations, as provided by Section 19-7.42 of the Sewer Use and Pretreatment Ordinance, including, without limitation, in response to a violation of any terms or conditions of this permit.
- B. Permit Suspension and Revocation. This Permit may be suspended (for a specified period) or permanently revoked by the City Manager for any reason determined necessary by the City Manager to assure compliance with the requirements of the Sewer Use and Pretreatment Ordinance, the POTW's NPDES permit, or other applicable laws and regulations, as provided by Section 19-7.46 of the Sewer Use and Pretreatment Ordinance, including, without limitation, in response to a violation of any terms or conditions of this permit. Upon suspension or revocation of this Permit, the Permittee shall immediately terminate its discharge to the POTW and shall not thereafter recommence discharge without further authorization from the City Manager as provided by the Sewer Use and Pretreatment Ordinance.
- C. Permit Reissuance. To apply for reissuance of this Permit, the Permittee must submit a complete permit application accompanied by payment of an application fee to the POTW at least 90 days prior to the expiration date of this Permit (or at least 180 days prior to the expiration date of this Permit if this is a 5 year permit). It shall be the responsibility of the Permittee to make a timely application for reissuance.
- D. Permit Expiration; Continuation of Expired Permits.
1. This Permit shall expire on the date indicated on page 1 of this Permit. Except as provided by Section (D)(2) of this Part, upon expiration of this Permit the Permittee shall immediately terminate its discharge to the POTW and shall not thereafter recommence discharge without further authorization from the City Manager as provided by the Sewer Use and Pretreatment Ordinance.
  2. This Permit shall continue to be effective (and the Permittee may continue its discharge to the POTW) after the date of expiration until it is reissued only if: the Permittee has submitted a complete permit application in a form and containing the information required by the City Manager prior to the expiration date of the Permittee's existing permit in compliance with the deadlines provided by Part 5, Section (C) of this Permit; and the failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the Permittee.
- E. Permit Non-Transferable. This Permit was issued to the Permittee for specific discharges from specific outfalls and may not be assigned or transferred or sold to a new or different owner, operator, user, discharger, facility or premises, or to a new or changed facility or

operation unless the transfer is approved as provided by Section 19-7.47 of the Sewer Use and Pretreatment Ordinance.

- F. Permit Not Stayed. Except as otherwise expressly provided by the Sewer Use and Pretreatment Ordinance, no action taken or request filed by the Permittee shall operate to stay the effect of this Permit or of any provision, term or condition of this Permit, including, without limitation, a request for permit modification or reissuance, or a notification of planned changes or anticipated noncompliance.

**PART 6. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS.**

- A. Provision of Necessary Pretreatment Facilities. The Permittee shall provide all necessary wastewater treatment required to comply with all applicable pretreatment standards and requirements within the time limitations specified by this Permit or other applicable law or regulation, as determined necessary by the City as provided by Section 19-16.93 of the Sewer Use and Pretreatment Ordinance. All facilities required to pretreat wastewater shall be provided, operated, and maintained at the Permittee's sole expense.
- B. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to comply with the requirements of this Permit. Proper operation and maintenance includes, without limitation, effective performance, adequate funding (including replacement costs), adequate operator staffing, and adequate quality assurance/quality control (QA/QC) procedures for sampling and analysis, so as to provide adequate wastewater collection and treatment on a continuing basis, to conform with all local, state and federal laws and regulations, and to assure optimum long-term management of the facilities and system.
- C. 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 noncomplying discharge.

**PART 7. INSPECTION, SURVEILLANCE AND MONITORING.**

- A. In General. The POTW is authorized to carry out all inspection, surveillance, sampling and monitoring activities and procedures, as necessary to determine, independent of information supplied by the Permittee or any other persons, compliance or noncompliance with applicable pretreatment standards and requirements, this Permit, the Sewer Use and Pretreatment Ordinance, and other applicable laws and regulations, as provided by Section 19-17.102 (A) of the Sewer Use and Pretreatment Ordinance.
- B. Right of Entry. The City Manager and other authorized representatives of the City bearing proper credentials and identification are authorized to enter the Permittee's Premises to conduct inspection, surveillance and monitoring activities as necessary to determine compliance with this Permit and the Sewer Use and Pretreatment Ordinance as

provided by Sections 19-17.102(B), (C), and (D) of the Sewer Use and Pretreatment Ordinance.

- C. Duty to Provide Information and Records. The Permittee shall furnish to the POTW any available information which the POTW requests to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit as provided by Section 19-7.48 of the Sewer Use and Pretreatment Ordinance.

## **PART 8. VIOLATIONS AND ENFORCEMENT.**

- A. Duty to Comply. The Permittee must comply with all standards, requirements and conditions of this Permit, the Sewer Use and Pretreatment Ordinance, any notice, order, decision or determination promulgated, issued or made by the POTW under the Sewer Use and Pretreatment Ordinance, and state and federal laws and regulations. Failure to comply shall be grounds for enforcement action or proceedings, including, without limitation, those provided by this Permit.
- B. Municipal Civil Infractions. Any person that violates any provision of this Permit, the Sewer Use and Pretreatment Ordinance, or any notice, order, decision or determination promulgated, issued or made by the POTW under the Sewer Use and Pretreatment Ordinance, shall (except as provided by Part 8, Section C) be responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$1,000.00 per day for each infraction and not more than \$10,000.00 per day for each infraction, plus costs and other sanctions, as provided by Section 19-17.107(A) of the Sewer Use and Pretreatment Ordinance. Further, repeat offenses shall be subject to increased fines of not less than \$2,500.00 plus costs and other sanctions for a first repeat offense, and not less than \$5,000.00 plus costs and other sanctions for a second or any subsequent repeat offense as provided by Section 19-17.107(B) of the Sewer Use and Pretreatment Ordinance.
- C. Criminal Penalties; Imprisonment. Any person that (1) at the time of a violation knew or should have known that a pollutant or substance was discharged contrary to any provision of this Permit or the Sewer Use and Pretreatment Ordinance, or contrary to any notice, order, decision or determination promulgated, issued or made by the POTW under the Sewer Use and Pretreatment Ordinance; or (2) intentionally makes a false statement, representation, or certification in an application for, or form pertaining to a permit, or in a notice, report, or record required by this Permit or the Sewer Use and Pretreatment Ordinance, or in any other correspondence or communication, written or oral, with the POTW regarding matters regulated by this Permit or the Sewer Use and Pretreatment Ordinance; or (3) intentionally falsifies, tampers with, or renders inaccurate any sampling or monitoring device or record required to be maintained by this Permit or the Sewer Use and Pretreatment Ordinance; or (4) commits any other act that is punishable under state law by imprisonment for more than 93 days; shall, upon conviction, be guilty of a misdemeanor punishable by a fine of \$500.00 per violation, per day, or imprisonment for up to 90 days, or both in the discretion of the court, as provided by Section 19-17.108 of the Sewer Use and Pretreatment Ordinance.

- D. Judicial Relief. With the approval of the City, in conjunction with the City's legal counsel, the City Manager may institute legal proceedings in a court of competent jurisdiction to seek all appropriate relief for violations of this Permit. The action may seek temporary or permanent injunctive relief, damages, penalties, costs, and any other relief, at law or equity, that a court may order. The City Manager may also seek collection of surcharges, fines, penalties and any other amounts due to the POTW that a person has not paid.
- E. Continuing Violation. Each act of violation, and each day or portion of a day that a violation of this Permit exists or occurs, constitutes a separate violation subject to the fines, penalties and other sanctions and remedies as provided by this Permit and by the Sewer Use and Pretreatment Ordinance.
- F. Reimbursement of POTW. Any person that discharges to the POTW (including, but not limited to, any person that causes or creates a discharge that violates any provision of the Sewer Use and Pretreatment Ordinance, produces a deposit or obstruction, or otherwise damages, injures, or impairs the POTW, or causes or contributes to a violation of any federal, state or local law governing the POTW, whether any such act is intentional or unintentional) shall be liable to and shall fully reimburse the POTW for all expenses, costs, losses or damages (direct or indirect) payable or incurred by the POTW as a result of, or associated with, any discharge, deposit, obstruction, damage, injury, impairment, violation, exceedence, noncompliance, or act. The costs that must be reimbursed to the POTW shall include, but shall not be limited to, all of the costs as provided by Section 19-17.112 of the Sewer Use and Pretreatment Ordinance.

The City is authorized to correct any violation of this Permit or the Sewer Use and Pretreatment Ordinance or damage or impairment to the POTW caused by a discharge and to bill the person causing the violation or discharge for the amounts to be reimbursed to the City. The costs reimbursable under this section shall be in addition to fees, amounts or other costs and expenses required to be paid by the Permittee under other sections of this Permit or the Sewer Use and Pretreatment Ordinance. In determining the amounts to be reimbursed to the City, the POTW may consider factors such as, but not limited to, those listed in Section 19-17.112(B) of the Sewer Use and Pretreatment Ordinance. The failure by the Permittee to pay any amounts required to be reimbursed to the POTW or the City as provided by this section shall constitute an additional violation of this Permit and the Sewer Use and Pretreatment Ordinance.

## **PART 9. ADDITIONAL TERMS AND CONDITIONS.**

- A. Most Restrictive Standards or Requirements Control. In all cases, the most stringent or restrictive standard or requirement applicable to the Permittee's discharge shall control, whether established by this Permit, the Sewer Use and Pretreatment Ordinance, any notice, order, decision or determination promulgated, issued or made by the City Manager under the Sewer Use and Pretreatment Ordinance, state laws or regulations, including the POTW's NPDES permit, or federal laws or regulations. Further, if state or

federal laws or regulations provide for standards and requirements not covered by this Permit or the Sewer Use and Pretreatment Ordinance that are otherwise applicable to the Permittee's discharge, those standards and requirements shall apply to the Permittee in addition to those required by this Permit or the Sewer Use and Pretreatment Ordinance, and the most restrictive of those additional standards or requirements shall control and shall be complied with by the Permittee immediately or within the time period required by the law or regulation.

- B. Incorporation By Reference. Unless otherwise expressly provided by this Permit, specific provisions of the Sewer Use and Pretreatment Ordinance referred to in this Permit are incorporated by reference in this Permit as if set forth fully herein.
- C. Effect of Issuance of Permit. The issuance of this Permit does not convey to the Permittee any property or contractual rights or privileges of any kind whatsoever, nor does it authorize any injury to private or public property or any invasion of personal rights, nor any violation of local, state or federal laws or regulations. The City does not guarantee uninterrupted service and shall not be liable for injuries or damages by such interruptions whether caused by defects in original construction, cave-ins, accidents, repairs or other causes; nor shall the City be liable, to the Permittee or any other person, firm or corporation for injuries or damages of any nature caused by the use of the sewage disposal system of the City or the Permittee or by interruptions therein. Further, nothing in this Permit shall be construed to permit the Permittee to discharge to the POTW except in full compliance with the Sewer Use and Pretreatment Ordinance; or any notice, order or determination made or issued by the City under the Sewer Use and Pretreatment Ordinance.
- D. 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.
- E. Waiver. No waiver of any provision of this Permit shall constitute a waiver of any other provision nor shall any waiver of any provision of this Permit constitute a continuing waiver unless otherwise expressly provided.

**PART 10. SPECIAL CONDITIONS.**

The special conditions specified by this Part shall apply to the Permittee's discharge to the POTW. All costs, if any, associated with meeting the requirements of and implementing the Special Conditions as provided by this Part shall be the sole responsibility of the Permittee, and shall be at no cost to the City.

*[If there are any special conditions, indicate them here. If none, indicate "Not Applicable."]*

**PART 11. DEFINITIONS.**

All terms used in this Permit that are defined in the Sewer Use and Pretreatment Ordinance shall have the meaning given by that ordinance.

\* \* \*

An “authorized representative” of the Permittee (as defined by the Sewer Use and Pretreatment Ordinance) must sign the certification below and return the signed and dated original of this Permit to the City Manager within 5 business days of the date of permit issuance (as set forth on the first page of this permit):

*I certify that I have read, understand, and acknowledge that the Permittee is bound by all of the provisions, standards, requirements and conditions of this Permit. Further, I acknowledge that the Permittee will fully comply with all applicable requirements of the City’s Sewer Use and Pretreatment Ordinance and other applicable state and federal pretreatment laws and regulations.*

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Authorized Representative  
(Please Print)

\_\_\_\_\_  
Title of Authorized Representative  
(Please Print)

It is a violation of this Permit and of the Sewer Use and Pretreatment Ordinance to commence or continue to discharge to the POTW without signing the certification and returning the Permit as provided above. A permittee’s failure or refusal to sign and/or return the permit shall have no effect on the issuance or effectiveness of the permit. If a permittee fails or refuses to sign the certification and return the permit as herein required, the City Manager may take any of the following actions, as determined necessary by the Superintendent: (1) suspend or revoke the permit and require termination of the discharge, if any; (2) proceed on the basis that the permit has been issued and is effective as written despite the absence of a required signature; or (3) undertake enforcement proceedings for any violations associated with the discharge, including, but not limited to, a permittee’s failure to sign and return the permit as required by the Sewer Use and Pretreatment Ordinance.

[End of Permit]