

RICHLAND COUNTY
CLERK OF COURTS
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PHILLIP SCOTT
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
RICHLAND COUNTY, OHIO

STATE OF OHIO, ex rel.	:	CASE NO. 94-548-H
BETTY D. MONTGOMERY	:	
ATTORNEY GENERAL OF OHIO	:	JUDGE HENSON
	:	
v.	:	
	:	
BOARD OF COMMISSIONERS OF	:	<u>CONSENT ORDER AND</u>
RICHLAND COUNTY, OHIO, et al.	:	<u>PERMANENT INJUNCTION</u>
	:	

The Complaint having been filed in this matter under Chapters 3767 and 6111 of the Ohio Revised Code ("R.C.") by Plaintiff, State of Ohio, and the parties to this Consent Order having consented by and through their attorneys to the entry of this Consent Order on the Journal of the Court, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

I. DEFINITIONS

1. As used in this Order:
 - a. "Defendant" or "Richland County" shall mean the Board of Commissioners of Richland County, Ohio.
 - b. "Eastview Wastewater Treatment Plant" shall mean the wastewater treatment facility owned and operated by Richland County which is located at 1740 Fleming Falls Road, Mifflin Township, Richland County, Ohio.
 - c. "Approval," as used in this Order, means acceptance as indicated in writing by Ohio EPA.

I, Phillip Scott, Clerk of Courts
 Richland County, Ohio, hereby certify that
 the foregoing is a true and correct copy of the
Consent Order
 filed with me Oct 31 1997
Jack
 Deputy Clerk of Courts

II. JURISDICTION

2. The Court has jurisdiction over the subject matter of this action and over Defendant. The Complaint states a claim upon which relief can be granted against Defendant under R.C. Chapters 3767 and 6111. Venue is proper in this Court.

III. PARTIES

3. The provisions of this Consent Order shall apply to and be binding upon the parties to this action, their agents, officers, employees, successors in interest, and any persons acting in concert, privity, or participation with them, whether by personal service or otherwise. Richland County shall provide a copy of this Consent Order to each contractor or agent conducting any of the activities required herein.

IV. SATISFACTION OF CLAIMS

4. Plaintiff alleges in the Complaint that Defendant has violated provisions of R.C. Chapter 6111 and regulations and permits adopted thereunder. Compliance with the terms of this Consent Order shall constitute full satisfaction of any civil liability by Defendant for all claims set forth in the Complaint.

5. Nothing in this Consent Order, including the imposition of stipulated civil penalties, shall limit the authority of the State of Ohio to:

a. Seek relief for claims or conditions not alleged in the Complaint, including, but not limited to, any action against Defendant or against any other person relating to such claims or conditions, under the Comprehensive Environmental Response

Compensation and Liability Act (CERCLA), as amended, 42 U.S.C. § 9601, et seq. and/or Ohio Revised Code Sections 3734.20 through 3734.27 to order the performance of, and/or recover costs for, any removal, remedial or corrective activities not conducted pursuant to the terms of this Consent Order;

b. Seek relief for claims, conditions, or violations alleged in the Complaint which occur after the entry of this Consent Order;

c. Enforce this Consent Order through a contempt action or otherwise; or

d. Take any action authorized by law against any person, including Defendant, to eliminate or mitigate conditions not alleged in the Complaint which may present a threat to the public health or welfare, or the environment.

6. Nothing in this Consent Order shall be construed to relieve Defendant of its rights and obligations to comply with applicable federal, state, or local statutes, regulations, or ordinances.

7. Nothing in this Consent Order shall be deemed an admission by Defendant of any fact or allegation of the Complaint or any liability for any conditions which are the subject matter of the Complaint.

8. Except as specifically provided in Paragraph 4, the entry of this Consent Order is without prejudice to the State's right to seek further relief from this Court, including, but not limited to, further temporary, preliminary, and/or permanent injunctive relief and civil penalties. This consent order in no way waives or affects any of defendant's claims, defenses, arguments, or causes of action regarding any claims not raised in the complaint.

V. INJUNCTION

9. Except as otherwise explicitly provided in Paragraphs 11 and 12 of this Consent Order, Richland County is enjoined from violating, and is enjoined and ordered immediately to comply with, the requirements and prohibitions of R.C. Chapter 6111, the rules and regulations adopted thereunder, and NPDES Permit No. 2PH00005*ED and any renewals and modifications thereof.

10. Richland County is enjoined and ordered to refrain from discharging sewage sludge or other solids from the Eastview Wastewater Treatment Plant to Fleming Falls Creek in quantities which will settle to form putrescent or otherwise objectionable sludge deposits, or which will cause objectionable odors.

11. Richland County is enjoined and ordered to operate the Eastview Wastewater Treatment Plant in compliance with the interim effluent limitations set forth in Exhibits A and B attached hereto and incorporated herein in accordance with the following:

a. Seven Day Limits. The County shall comply with the seven day interim effluent limits contained in Exhibit A. In the event that the flow into the plant exceeds 375,000 gallons in one day, Richland County is enjoined and ordered to operate the plant in compliance with the seven day interim effluent limitations set forth in Exhibit B attached hereto and incorporated herein, until such time as the flow into the plant returns to 250,000 gallons per day.

b. Thirty Day Limits. The County shall comply with the thirty day interim effluent limits contained in Exhibit A. In the event that the flow into the plant exceeds 375,000 gallons in sixteen or more days in the thirty day reporting period, Richland

County is enjoined and ordered to operate the plant in compliance with the thirty day interim effluent limitations set forth in Exhibit B attached hereto and incorporated herein, until such time as the flow into the plant returns to 250,000 gallons per day.

12. Richland County is enjoined and ordered to attain full compliance with the final effluent limitations of NPDES permit no. 2PH00005*ED and any renewals and modifications thereof by constructing improvements to the Eastview Wastewater Treatment Plant in accordance with the following schedule:

a. Sewer System Evaluation Study (SSES): In March, 1996, Richland County completed a Sewer System Evaluation Study ("SSES"), to determine all major sources of infiltration and inflow contributing to effluent violations and operation/maintenance problems at the Eastview Wastewater Treatment Plant. In April, 1996, Richland County submitted to Ohio EPA a final report of the results of the completed SSES, which identified measures for minimization of infiltration and set forth a schedule for implementation of such measures. Richland County hereby agrees to and is enjoined to implement all measures set forth in the SSES in accordance with the following schedule, subject to Paragraphs 21-24 and 30 of this Order:

(i) Richland County shall eliminate the storm sewer cross connections set forth in the SSES prior to the entry of this Consent Order.

(ii) Richland County shall eliminate the open cleanouts set forth in the SSES prior to the entry of this consent order.

(iii) Richland County shall eliminate the downspouts connected to laterals, as set forth in the SSES, prior to the entry of this consent order.

(iv) Richland County shall eliminate or correct the manhole castings in depressions, as set forth in the SSES, by October 1, 1997.

(v) Richland County shall eliminate footer drain connections to the sanitary sewers, as set forth in the SSES, by April 1, 1998, except that this deadline shall not apply to the following footer drain connections:

(a) where the County has entered into legal action on or before April 1, 1998 to force the owner or operator of property to eliminate the connection and the County diligently pursues such legal action through decision and execution of the decision.

(b) where the County uses block grant funding, in which case, eighty-five percent of the properties eligible for block grant funding shall be eliminated by April 1, 1999, and the remaining fifteen percent shall be eliminated by April 1, 2000.

b. Plant Improvements: Richland County shall design, and construct the improvements to the Eastview Wastewater Treatment Plant designated as Addendum 2 to its accepted general plan in accordance with the following schedule:

(i) Within six months of Ohio EPA's acceptance of Richland County's general plan, Richland County shall submit an approvable permit to install ("PTI") application, along with a completed antidegradation addendum, and for the improvements to the Eastview wastewater treatment plant designated as Supplement 2 to its approved general plan.

(ii) Subject to paragraphs 21-24 and 30, within three months of Ohio EPA's issuance of Richland County's PTI, Richland County shall award the contract for construction of the improvements to the Eastview Wastewater Treatment Plant designated as addendum 2 to its approved general plan.

(iii) Subject to paragraphs 21-24 and 30, within seventeen months of Ohio EPA's issuance of Richland County's PTI, Richland County shall complete construction of the improvements to the Eastview Wastewater Treatment Plant designated as Addendum 2 to its approved general plan.

(iv) Subject to paragraphs 21-24 and 30, within eighteen months of Ohio EPA's issuance of Richland County's PTI, Richland County shall commence operation of the improvements to the Eastview Wastewater Treatment Plant designated as Addendum 2 to its approved general plan.

(v) Subject to paragraphs 21-24 and 30, within nineteen months of Ohio EPA's issuance of Richland County's PTI, Richland County shall attain and thereafter maintain full compliance with the final effluent limitations of NPDES permit no. 2PH00005*ED (and any renewals or modifications thereof).

13. Richland County shall manage and record the disposition of all sewage sludge from the Eastview Wastewater Treatment Plant in accordance with the approved Sludge Management Plan and the terms and conditions of NPDES Permit No. 2PH00005*ED, including Part II, Paragraph (I) thereof.

14. Richland County is enjoined and ordered to maintain and operate the polishing pond at the Eastview Wastewater Treatment Plant at no less than 75% of maximum pond

capacity, based upon semi-annual capacity calculations as generally outlined in the lagoon capacity report submitted to Ohio EPA on September 28, 1995 ("Lagoon Maintenance Plan"), until Richland County has installed and brought on-line all plant improvements and demonstrated final compliance pursuant to paragraph 12. Richland County is further enjoined and ordered to comply fully with the requirements and procedures of the Lagoon Maintenance Plan. In the event the above-referenced capacity calculations establish the polishing pond is operating at less than 75% of the maximum pond capacity, Richland County shall have 60 days to dewater/dredge the lagoon to attain greater than 75% of maximum pond capacity. If dredging is required in order to comply with this paragraph, all dredged materials shall be disposed of in accordance with the sludge management requirements set forth in the County's Sludge Management Plan approved by Ohio EPA on July 12, 1995. Further, the County shall not cause the discharge of dredged materials into waters of the State in such quantities that would result in violations of O.A.C. 3745-1-04, the applicable interim effluent limits attached to this Order, or the final effluent limits of NPDES Permit No. 2PH00005*ED.

15. Richland County is enjoined and ordered to place direct on-site responsibility for operation and maintenance of the Eastview Wastewater Treatment Plant under the responsible charge of an operator holding State of Ohio wastewater operator certification of at least Class II, in accordance with O.A.C. § 3745-7-02 and with the terms and conditions of NPDES Permit No. 2PH00005*ED. A Class II Operator shall be on-site at the Eastview Wastewater Treatment Plant at least five (5) days per week.

VI. CIVIL PENALTY

16. Defendant is hereby enjoined and ordered to pay to the State of Ohio, pursuant to R.C. § 6111.09, a civil penalty of Forty Five Thousand Dollars (\$45,000.00). The penalty amount of Forty Five Thousand Dollars (\$45,000.00) shall be paid within thirty (30) days from the date of entry of this Consent Order, by delivering a certified check for that amount, payable to the order of "Treasurer, State of Ohio" to the Administrative Assistant, Office of the Attorney General, Environmental Enforcement Section, 30 E. Broad St., 25th Floor, Columbus, Ohio 43215-3428. In lieu of paying an additional civil penalty in the amount of Seventy Thousand Dollars (\$70,000.00) defendant shall perform the supplemental environmental project proposed in paragraph 31 of this consent order. Any check submitted pursuant to this paragraph shall be in addition to and separate from any check submitted pursuant to any other term of this Consent Order.

VII. STIPULATED PENALTIES

17. In the event that Defendant fails to meet any of the requirements of Article V of this Consent Order, including, but not limited to, any time limit set forth therein, or fails to complete the Supplemental Environmental Project by April 1, 1999, Defendant shall, be liable for and shall pay a stipulated penalty according to the following payment schedule, upon condition that the Ohio Attorney General makes a written demand to Defendant for payment of such stipulated penalties:

- a. For each day of each failure to meet a requirement, up to thirty (30) days--
Two Hundred Fifty Dollars (\$250.00) per day for each requirement not met.

b. For each day of each failure to meet a requirement, from thirty-one (31) to sixty (60) days— Five Hundred Dollars (\$500.00) per day for each requirement not met.

c. For each day of each failure to meet a requirement, over sixty-one (61) days— One Thousand Dollars (\$1,000.00).per day for each requirement not met.

18. Any stipulated penalty required to be paid pursuant to this Article shall be paid by certified check made payable to the order of "Treasurer, State of Ohio," which check shall be delivered to Matt Sanders or his successor at the Office of the Attorney General, Environmental Enforcement Section, 30 East Broad St., 25th Floor, Columbus, Ohio 43215-3428, within thirty (30) days of the written request from the Ohio Attorney General.

VIII. PERMITS, AUTHORIZATIONS AND APPROVALS

19. The interim effluent limitations set forth in Exhibits A, B and C do not constitute an NPDES permit or a modification of any existing permit. Nothing in this Consent Order shall constitute authorization or approval of the construction of any physical structures or facilities, or the modification of any existing treatment works or sewer system. Approval for any such construction or modification shall be by permit issued by Ohio EPA or such other permits as may be required by applicable federal, state, or local laws, rules or regulations.

20. All reports, notices, and any other documents, reports, analyses, approvals, work plans, and correspondence demonstrating compliance with this Consent Order shall be sent by certified mail, return receipt requested (or the equivalent) to Ohio EPA at the following address:

Ohio Environmental Protection Agency
Division of Surface Water
Northwest District Office
347 N. Dunbridge Rd.
Bowling Green, OH 43402
Attn: Elizabeth Wick

21. In the event that Ohio EPA determines that, in whole or in part, any document required to be submitted pursuant to this Consent Order is insufficient for approval, Ohio EPA will notify Defendant of said insufficiency and will provide a written explanation as to the changes, deletions, or additions necessary in order for approval of the document. Subject to Paragraph 30, Defendant shall amend and submit to Ohio EPA, within fourteen (14) days of receipt of notification of disapproval, or within such other period as agreed to by Ohio EPA, a revised document incorporating all requested changes, deletions, or additions.

22. In the event that Defendant does not submit a revised document making all requested changes, deletions, or additions as required by Paragraph 21, above, Ohio EPA may incorporate said changes, deletions, or additions, and may approve the document as so modified. Subject to Paragraph 23, upon receipt of a notice of approval or modification from Ohio EPA, Richland County shall proceed to undertake the activities required by the approved document as approved or modified.

23. Nothing in Paragraphs 21 and 22 shall limit Defendant's right to appeal final agency action of the Director of environmental protection to the Ohio Environmental Review Appeals Commission.

24. In the event that changes, deletions, acceptances, approvals or revisions required by Ohio EPA delay the time schedules set forth in a work plan or other plan, said schedule may be adjusted accordingly upon agreement of the parties.

IX. POTENTIAL FORCE MAJEURE

25. In any action to enforce any of the provisions of this Consent Order, Richland County may raise at that time the issue of whether it is entitled to a defense that its acts or omissions were caused by reasons entirely beyond its control, such as, by way of example and not limitation, acts of God, unusually severe weather conditions, strikes, acts of war, civil disturbances, or orders of any regulatory agency. Although Plaintiff does not agree that such a defense exists, the parties agree that it is premature at this time to raise and adjudicate the existence of such a defense. In any action to enforce any of the provisions of this Consent Order, Richland County shall bear the burden of proving that any delay was or will be caused by circumstances entirely beyond its control. Changed financial circumstances or unanticipated or increased costs associated with compliance with this Consent Order shall not constitute circumstances entirely beyond the control of Richland County. Acceptance of this consent order without a force majeure clause does not constitute a waiver by Richland County of any rights or defenses it may have under applicable law.

X. EFFECTIVE DATE AND SUBSEQUENT MODIFICATION

26. The effective date of this Consent Order shall be the date on which it is entered by the Court. This Consent Order may be modified by the written mutual agreement of Defendant and the Attorney General of Ohio or an authorized designee thereof.

XI. RETENTION OF JURISDICTION

27. This Court shall retain jurisdiction of this matter for the purposes of making any order or decree which it deems necessary to implement and/or enforce this Consent Order.

XII. COSTS

28. Defendant is hereby enjoined and ordered to pay the court costs of this action.

XIII. TERMINATION OF STIPULATED PENALTIES

29. Article VII of this Consent Order may be terminated after Richland County has paid all penalties required by this Consent Order, all activities required under this Consent Order have been completed, and after Defendant has maintained continual, substantial compliance with Paragraph 9 of this Consent Order for a period of twelve (12) consecutive months after the date for final compliance set forth in paragraph 12. In the event that Richland County fails to comply substantially with any term and/or condition of its NPDES Permit as described in Paragraph 9 of this Consent Order, and any renewals or modifications thereof, the twelve month compliance period shall not begin again until Richland County demonstrates compliance. Termination of Article VII shall be by order of the Court, upon

application by either party, and upon demonstration that the conditions set forth in this Paragraph have been met. Ohio EPA reserves the right to oppose any such application.

XIV. DISPUTE RESOLUTION

30. Disputes concerning any plan, report, study, or other document that Defendant is required to submit to Ohio EPA for review and approval pursuant to Paragraph 12 of this Consent Decree, and disputes concerning the review and acceptance/approval of any such plan, report, study, or other document, shall be resolved as follows:

a. Defendant may request a meeting with Ohio EPA within five (5) working days of its receipt of the written notice provided pursuant to Paragraph 21, above, to discuss or dispute any deficiencies specified in said notice or any requirement to modify the document under review. Such meeting shall, if possible, be held within five (5) working days of the request, and may be conducted by telephone unless one of the parties requests a face-to-face meeting. The period for said meeting may be extended upon mutual agreement of the parties. Ohio EPA and Defendant shall each appoint a project coordinator who shall make reasonable efforts to resolve all such disputes or disagreements informally.

b. Disputes not resolved by the project coordinators pursuant to Paragraph 30.a, above, shall be referred to the Submittals Dispute Resolution Committee, which Committee shall be composed of an individual designated by Ohio EPA, an individual designated by Defendant, and the project coordinators. The Ohio EPA designee shall be the Unit Supervisor, Division of Surface Water, Northwest District Office. Within

three (3) working days of receipt of a disputed matter, the Submittals Dispute Resolution Committee shall meet and attempt resolution. Meetings may be conducted by telephone, unless one of the parties requests a face-to-face meeting.

c. Disputed matters not resolved by the Committee within ten (10) working days of the initial meeting, or within such period as extended upon mutual agreement of the parties, shall be referred to Ohio EPA's Chief of the Division of Surface Water, or his/her functional equivalent, who shall render a final decision. Such decision will be based upon and be consistent with this Consent Order, any approved plan or report, R.C. §§ 6111.04, 6111.44, 6111.45 and other appropriate or applicable state or federal laws or regulations, and applicable Ohio EPA and U.S. EPA policies.

d. Notwithstanding any provision of this Consent Decree to the contrary, the dispute resolution provisions of this Article shall not apply to decisions by the Director of Environmental Protection on any application or other request for a permit or license, or to any other final action of the Director of Environmental Protection which is appealable to the Ohio Environmental Review Appeals Commission pursuant to R.C. Chapter 3745.

e. The invocation of Dispute Resolution procedures under this Article shall not extend, postpone, or affect in any way any obligation of the Defendant under this Consent Decree not directly in dispute or directly affected by the issue in dispute, unless Ohio EPA agrees otherwise in writing, or unless defendant prevails on the disputed issue, or unless the final decision-maker pursuant to Paragraph 30.c decides otherwise. Stipulated penalties with respect to the disputed matter shall continue to

accrue pursuant to Article VII of this Consent Order, but payment shall be stayed pending resolution of the dispute as provided in this Article. Notwithstanding the stay of payment, stipulated penalties shall accrue from the first day of noncompliance with any applicable provision of this Consent Decree. In the event that Defendant does not prevail on the disputed issue, stipulated penalties shall be assessed and paid in accordance with Article VII.

f. Defendant reserves the right to seek relief from the court or the Ohio EPA from stipulated penalties that may accrue with respect to the disputed matter during dispute resolution procedures or during an appeal pursuant to R.C. Chapter 3745. The State reserves any and all rights it may have to oppose any such attempt.

XVI. SUPPLEMENTAL ENVIRONMENTAL PROJECT

31. In lieu of paying an additional civil penalty in the amount of Seventy Thousand Dollars (\$70,000.00), Defendant agrees to permanently discontinue operation of the Heatherwood Wastewater Treatment Plant, located in Richland County, by April 1, 1999. In the event that operation of the Heatherwood plant is not permanently and fully discontinued by this date, Defendant agrees to and is enjoined to pay, upon the condition that or the Attorney General's office makes a written demand to defendant for payment, \$70,000 minus the cost, in terms of SEP credit, of accelerated abandonment activities that have been completed as of April 1, 1999. Such cost shall be determined in accordance with calculations and assumptions used to determine the \$70,000 SEP Credit. In addition to the foregoing

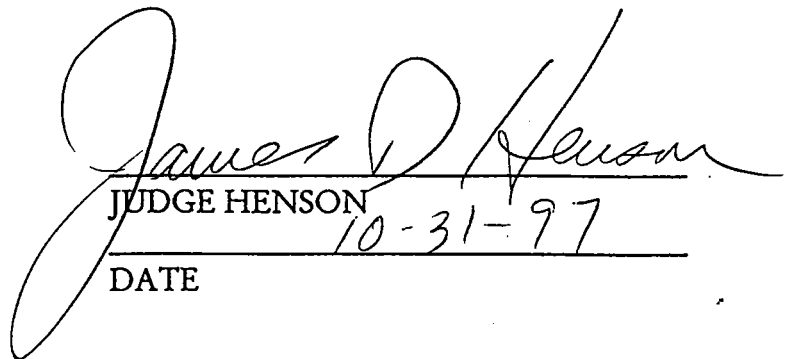
payment, Defendant may be required to pay stipulated penalties in accordance with Article VII of this Order.

XV. ENTRY OF CONSENT ORDER AND FINAL JUDGMENT BY CLERK

32. The parties agree and acknowledge that this Consent Order is being made available for public comment and final approval by the Plaintiff and Defendant, and entry of this Consent Order is subject to the requirement of 40 C.F.R. §123 (d)(1)(iii), which provides for notice of the lodging of this Consent Order, opportunity for public comment, and the consideration of any public comment. The State and Defendant, reserve the right to withdraw consent to this consent order based on comments received during the public comment period. Defendant shall pay the cost of publishing the public notice.

33. Upon the signing of this Consent Order by the Court, the clerk is hereby directed to enter it upon the journal. Within three days of entering the judgment upon the journal, the clerk is hereby directed to serve upon all parties notice of the judgment and its date of entry upon the journal in the manner prescribed by Rule 5(B) of the Ohio Rules of Civil Procedure and note the service in the appearance docket.

IT IS SO ORDERED.



JUDGE HENSON

DATE 10-31-97

APPROVED BY:

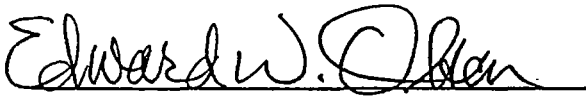
BETTY D. MONTGOMERY
ATTORNEY GENERAL OF OHIO



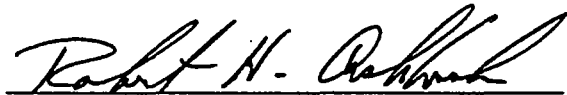
JOHN K. McMANUS (0037140)
Assistant Attorneys General
Environmental Enforcement Section
30 E. Broad St., 25th Floor
Columbus, OH 43215-3428

Attorney for Plaintiff State of Ohio

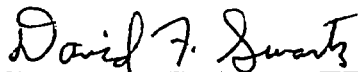
BOARD OF COMMISSIONERS OF _
RICHLAND COUNTY, OHIO



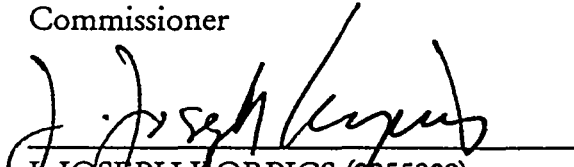
Commissioner



Commissioner



Commissioner



J. JOSEPH KORPICS (0055909)

Jones, Day, Reavis and Pogue
901 Lakeside Ave.
Cleveland, Ohio 44114
(216) 586-3939

Attorneys for Defendant Richland County

EXHIBIT A

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
OUTFALLS 2PH00005001 AND 2PH00005002

EFFLUENT CHARACTERISTIC			DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS**	
Reporting Code	Units	Parameter	Concentration Specified Units		Loading kg/day		Meas. Freq.	Sample Type
			30 Day	7 Day	30 Day	7 Day		
00010	°C	Temperature	-	-	-	-	Daily	Continuous (Max. Ind. Therm.)
00530	mg/l	Total Suspended Solids (Summer)	48	72	-	-	2/Week	Grab
		(Winter)	28	42	-	-	2/Week	Grab
00556	mg/l	Oil and Grease, Total	Not to exceed 10 at any time				1/Quarter	Grab
00610	mg/l	Ammonia (N) Summer	12.5	18.8	-	-	1/2 Weeks	Grab
		Winter	8.8	13.2	-	-	1/2 Weeks	Grab
31616	#/100ml	Fecal Coliform (Summer Only)	1000	2000	-	-	1/Week	Grab
50050	MGD	Flow Rate	-	-	-	-	Daily	Continuous
80082	mg/l	CBOD ₅ Summer	26	39	-	-	2/Week	Grab
		Winter	32	48	-	-	2/Week	Grab

1. The pH (Reporting Code 00400) shall not be less than 6.5 S.U. nor greater than 9.0 S.U. and shall be monitored daily by grab sample.
2. If the entity uses chlorine for disinfection, the Chlorine Residual (Reporting Code 50060) shall be maintained at a level not to exceed 0.02 mg/l and shall be monitored by grab sample and reported daily (Summer Only)**.
3. The Dissolved Oxygen (Reporting Code 00300) shall be maintained at a level of not less than 5.0 mg/l and shall be monitored daily by grab sample.

** See Part II, Item K.

EXHIBIT A (Cont.)

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
 OUTFALLS 2PH00005001 AND 2PH00005002

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
Reporting Code	Units	Parameter	Concentration Specified Units		Loading kg/day		Meas. Frequency	Sample Type
			30 Day	Daily	30 Day	Daily		
01027	µg/l	Cadmium, Total (Cd)	-	-	-	-	1/Year	Composite
01034	µg/l	Chromium, Total (Cr)	-	-	-	-	1/Year	Composite
01042	µg/l	Copper, Total (Cu)	-	-	-	-	1/Year	Composite
01051	µg/l	Lead, Total (Pb)	-	-	-	-	1/Year	Composite
01067	µg/l	Nickel, Total (Ni)	-	-	-	-	1/Year	Composite
01092	µg/l	Zinc, Total (Zn)	-	-	-	-	1/Year	Composite
71900	µg/l	Mercury, Total (Hg)	-	-	-	-	1/Year	Composite

EXHIBIT B

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
 OUTFALLS 2PH00005001 AND 2PH00005002

EFFLUENT CHARACTERISTIC			DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS**	
Reporting Code	Units	Parameter	Concentration Specified Units		Loading kg/day		Meas. Freq.	Sample Type
			30 Day	7 Day	30 Day	7 Day		
00010	°C	Temperature	-	-	-	-	Daily	Continuous (Max. Ind. Therm.)
00530	mg/l	Total Suspended Solids	60	92	-	-	2/Week	Grab
00556	mg/l	Oil and Grease, Total	Not to exceed 10 at any time				1/Quarter	Grab
00610	mg/l	Ammonia (N)	15	30	-	-	1/2 Weeks	Grab
31616	#/100ml	Fecal Coliform (Summer Only)	1000	2000	-	-	1/Week	Grab
50050	MGD	Flow Rate	-	-	-	-	Daily	Continuous
80082	mg/l	CBOD ₅	40	75	-	-	2/Week	Grab

1. The pH (Reporting Code 00400) shall not be less than 6.5 S.U. nor greater than 9.0 S.U. and shall be monitored daily by grab sample.
2. If the entity uses chlorine for disinfection, the Chlorine Residual (Reporting Code 50060) shall be maintained at a level not to exceed 0.02 mg/l and shall be monitored by grab sample and reported daily (Summer Only)**.
3. The Dissolved Oxygen (Reporting Code 00300) shall be maintained at a level of not less than 5.0 mg/l and shall be monitored daily by grab sample.

** See Part II, Item K.

EXHIBIT B (Cont.)

**INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
OUTFALLS 2PH00005001 AND 2PH00005002**

EFFLUENT CHARACTERISTIC			DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
Reporting Code	Units	Parameter	Concentration Specified Units		Loading kg/day		Meas. Frequency	Sample Type
			30 Day	Daily	30 Day	Daily		
01027	µg/l	Cadmium, Total (Cd)	-	-	-	-	1/Year	Composite
01034	µg/l	Chromium, Total (Cr)	-	-	-	-	1/Year	Composite
01042	µg/l	Copper, Total (Cu)	-	-	-	-	1/Year	Composite
01051	µg/l	Lead, Total (Pb)	-	-	-	-	1/Year	Composite
01067	µg/l	Nickel, Total (Ni)	-	-	-	-	1/Year	Composite
01092	µg/l	Zinc, Total (Zn)	-	-	-	-	1/Year	Composite
71900	µg/l	Mercury, Total (Hg)	-	-	-	-	1/Year	Composite