



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

STATE DISCHARGE PERMIT NUMBER	18- DP-2304	NPDES PERMIT NUMBER	MD0061875
EFFECTIVE DATE	March 1, 2021	EXPIRATION DATE	February 28, 2026
MODIFICATION DATE:	N/A	REAPPLICATION DATE	February 28, 2025

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq. and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Department of the Environment, hereinafter referred to as the "Department," hereby authorizes

Veolia Water North America – Central, LLC
5800 Quarantine Road
Baltimore, Maryland 21226

TO DISCHARGE FROM a sludge composting facility

LOCATED AT 5800 Quarantine Road, Baltimore City, Maryland 21226

VIA OUTFALL 001 as identified and described herein and from facility areas identified in the storm water pollution prevention plan referenced herein

TO Curtis Bay which is protected for Use II water contact recreation, fishing, aquatic life, wildlife in accordance with the following special and general conditions and map(s) made a part hereof.

I. SPECIAL CONDITIONSA. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – Continued from previous page

During the effective period of this permit, the permittee is authorized to discharge condensate from air ducts, scrubber wastewater & storm water runoff via Outfall 001 (Maryland Coordinates 926.7 E and 502.5 N), located at the lower end of the stormwater retention pond.

As specified below, such discharge shall be limited and monitored by the permittee at the sampling port installed in the PVC pipe after the two sand filter's combine.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MGD					Continuous	Measured & Recorded	
Biochemical Oxygen Demand (BOD ₅)					30	45	mg/l	1/Month	24-hr. Composite	
Total Residual Chlorine						0.013	mg/l	1/Month	Grab	(1)
E. coli					Report	126	MPN /100ml	1/Month	Grab	
Total Suspended Solids					30	60	mg/l	1/Month	Grab	
pH				6.5		8.5	mg/l	1/Month	Grab	
Ammonia (as N) January – April & October - December						10	mg/l	2/Month	24-Hour Composite	(2)
Ammonia (as N) May - September						3.43	mg/l	2/Month	24-Hour Composite	(2)
Nitrogen, Total (as N)					Report	Report	mg/l	1/Month	Calculation	
Nitrite and Nitrate (as N)					Report	Report	mg/l	1/Month	24-Hour Composite	
Total Organic Nitrogen (as N)					Report	Report	mg/l	1/Month	24-Hour Composite	
Nitrogen, Total (as N)	Report	Report	lbs/day					1/Month	Calculation	
Nitrogen, Total (as N)	Report	310	lbs/year					1/Year	Calculation	(3) (5)
Phosphorus, Total (as P)					Report	Report	mg/l	1/Month	24-Hour Composite	
Phosphorus, Total (as P)	Report	Report	lbs/day					1/Month	Calculation	

I. SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – Continued from previous page

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Phosphorus, Total (as P)	Report	25	lbs/year					1/Year	Calculation	(3) (5)
Dissolved Oxygen					Report	Report	mg/l	1/Month	Grab	
Silver						Report	mg/l	1/Month	Grab	(4)
Copper (Total)						0.0143 ⁽⁶⁾	mg/l	1/Month	Grab	(4) (6)
Dissolved Copper					Report	Report	mg/l	1/Month	Grab	
Hardness (as CaCO ₃)						Report	mg/l	1/Month	Grab	(4)

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

The effluent limitations and monitoring requirements are based on an annual average flow of 11,300 gallons per day (gpd). In accordance with General Condition B.1, the Department must be notified at least 180 days before the annual average flow is expected to exceed this level. This requirement is not a flow limit.

- (1) The minimum level (quantification level) for total residual chlorine is 0.10 mg/l. The permittee may report all results below this minimum level as “0 mg/l”. All results reported below the minimum level shall be considered in compliance.
- (2) Limitations become effective two years following the effective date of this modification. The previous maximum daily limit of 33 mg/L remains in effect until the revised limits in this modification take effect.
- (3) To calculate the load per year use the following formula: average loading per day with discharge multiplied by number of days with discharge to get the loading for the year.
- (4) Sample to be taken at the same time the metal samples are taken.
- (5) Nitrogen and Phosphorus loading is to be reduced by at least 25% (Special Condition R).
- (6) There is a 36 month compliance schedule for copper that requires them to detail their plans and actions to meet the limit of 0.0143 mg/L (special Condition Q). The limit will take effect after the 36 month compliance period is completed, it will be report only until then.

I. SPECIAL CONDITIONS

B. DEFINITIONS

1. "Annual Maximum Loading Rate (in pounds/year)" limit means the highest allowable total load of a parameter calculated for a calendar year. It is calculated as the sum of the individual Total Monthly Loading Rates from January through December of the current calendar year.
2. "BOD₅ (Biochemical Oxygen Demand)" means the amount of oxygen consumed in a standard BOD₅ test without the use of a nitrification inhibitor at 20 degree centigrade on an unfiltered sample.
3. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
4. "Clean Water Act: means the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251 et seq.
5. "CFR" means the Code of Federal Regulations.
6. "COMAR" means the Code of Maryland Regulations.
7. The "daily maximum" effluent concentration means the highest reading of any daily determination of concentration.
8. The "daily maximum" effluent limitation by mass loading means the highest allowable daily determination of discharge of a constituent by mass loading during a 24-hour period
9. "Department" means the Maryland Department of the Environment (MDE).
10. "Grab sample" means an individual sample collected over a period of time not exceeding 15 minutes. Grab samples collected for pH and total residual chlorine shall be analyzed within 15 minutes of time of sample collection.
11. "Measured" flow means any method of liquid volume measurement the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.
12. The "minimum" value means the lowest value measured during a 24-hour period.
13. The "monthly, quarterly, semi-annual, or annual average" effluent concentration means the value calculated by computing the arithmetic mean of all the daily determinations of concentration made during any calendar-month, 3-month, 6-month, or 12-month period respectively.
14. The "monthly, quarterly, semi-annual, or annual average" effluent limitation by mass loading means the highest allowable value calculated by computing the arithmetic mean of all the daily determinations of discharge of a constituent by mass loading made during any calendar month, 3-month, 6-month, or 12-month period, respectively.

15. “NPDES” (National Pollutant Discharge Elimination System)” means the national system for issuing permits as designated by the Clean Water Act.
16. “Nitrogen, Total” means the sum of organic nitrogen, ammonia nitrogen, nitrate, and nitrite. All values shall be reported as nitrogen (as N).
17. “Outfall” means the location where the effluent is discharged into the receiving waters.
18. “Permittee” means an individual or organization holding the discharge permit issued by the Department.
19. “Sampling Point” means the effluent sampling location in the outfall line(s) downstream from the last addition point or as otherwise specified.
20. “Total monthly loading rate (in pounds/month)” means total load of a parameter calculated for each calendar month. For each calendar month, it is calculated using this formula (monthly average concentration in mg/l x (Total monthly flow in Million Gallons) x 8.34).
21. “TSS (Total Suspended Solids)” means the residue retained on the filter by an analysis done in accordance with Standard Methods or other approved methods.
22. “Year-to-date Cumulative load (pounds)” means cumulative load of a parameter through the reporting month in a calendar year. It is calculated as a sum of the individual total monthly loads from January through the reporting month in a calendar year.
23. "Upset" means the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

C. TOXIC POLLUTANT REPORTING

The permittee shall notify the Department as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at levels specified in 40 CFR Part 122.42(a).

D. REMOVED SUBSTANCES

1. Within 30 days after notification by the Department, the permittee shall provide information on the disposal of any removed substances, as defined by General Condition B.7, including the following information:
 - a. A suitable map showing all areas used for disposal of removed substances.
 - b. The physical, chemical, and biological characteristics, as appropriate; quantities of any removed substances; and the method of disposal.

- c. If disposal is handled by persons other than the permittee, identification of the contractor or subcontractor, their mailing address, and the information specified in a and b above.
2. The Department's notification may also require the permittee to provide the above information prior to the use of new or additional disposal areas, contractors, or subcontractors.

E. ANALYTICAL LABORATORY

Within 30 days after the effective date of this permit, the permittee shall submit to the Department the name and address of the analytical laboratory (including the permittee's own laboratory) which is used to perform the monitoring required by this permit.

If the laboratory changes during the effective period of this permit, the permittee shall notify the Department of the new laboratory within 30 days after the change.

F. WASTEWATER OPERATOR CERTIFICATION

As of the effective date of this permit, the permittee's facility shall be operated by an industrial wastewater operator duly certified by the Maryland Board of Waterworks and Waste Systems Operators. Certification shall be for operation of a Class 2 industrial wastewater works, unless the Board determines that a different classification is appropriate. At no time during the effective period of this permit shall the treatment facilities be operated for more than two months without a certified operator.

G. FLOW MONITORING

In lieu of providing measured flow (defined in the Special Conditions Definitions section) at Outfall 001, the permittee may estimate flows and submit the following information at the time of submission of the initial discharge monitoring report and/or upon any change in the methodology:

1. a description of the methodology used to estimate flow at each outfall where flow measurement equipment is not present;
2. documentation appropriate to the methodology utilized which provides information necessary to support the validity of the reported flow estimate. If actual measurements or observations are made, a description of typical sampling times, locations, and persons performing the measurements/observations should also be provided.
3. a description of the factors (e.g., batch discharges, intermittent operation, etc.) which cause flow at the outfall to fluctuate significantly from the estimate provided.

H. FLOW BASIS FOR ANNUAL DISCHARGE PERMIT FEE

The Department will calculate permit fees annually and will invoice the permittee based upon average discharge flow. Permit fees are payable in advance to the Department by July 1 of each fiscal year (July 1 through June 30).

The permittee shall provide to the Department's Industrial and General Permits Division by May 1 of each year an updated average discharge flow value for the next billing period if the flow volume used to calculate the most recent annual permit fee (or, if the permit was renewed within the past year, the flow volume used to calculate the application fee) differs significantly from either of the following flow determinations:

1. average flow data from the current fiscal year as reported on the permittee's discharge monitoring reports, or
2. the estimated flow volume for the next billing period based upon recent changes at the facility.

The permittee shall include with their flow revision notification a summary of flow data reported on discharge monitoring reports for the previous year and any other supporting documentation to be used as the basis for the flow determination.

I. REAPPLICATION FOR A PERMIT

The Department is implementing a schedule for issuance of discharge permits grouped by geographical areas (watersheds). To implement the watershed-based schedule, the Department may revoke and reissue this permit concurrently with other permits in the watershed.

Unless the Department grants permission for a later date, the permittee shall submit a renewal application by no later than 12 months prior to the expiration date on the first page of this permit, or notify the Department of the intent to cease discharging by the expiration date.

In the event that a timely and sufficient reapplication has been submitted and the Department is unable, through no fault of the permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

J. PERMIT REOPENER FOR TOTAL MAXIMUM DAILY LOAD (TMDL)

This permit may be reopened as a major modification to implement any applicable requirements associated with a Total Maximum Daily Load (TMDL) issued or approved for this watershed (Curtis Bay (Baltimore Harbor): 02-13-09-03), including but not limited to: total suspended solids, nitrogen, phosphorus, suspended solids and PCB's.

This permit is consistent with the terms and conditions of the Chesapeake Bay Total Maximum Daily Load (TMDL) for Sediments, Nitrogen and Phosphorus, approved December 29, 2010.

At this time, the permit limits total suspended solids. Such limitations are to prevent water quality degradation of the receiving waters and ultimately the Chesapeake Bay. This determination has been based on facility operations and/or discharge characteristics.

To ensure the Chesapeake Bay and its tributaries are protected from discharges of sediments, nitrogen and phosphorus, this permit may be reopened as a major modification to implement any applicable requirements associated with the Chesapeake Bay TMDL. The permittee may become subject to a Department-issued General Permit regarding the discharge of such pollutants.

K. BIOMONITORING PROGRAM – [Reserved]

L. TOXICITY REDUCTION EVALUATION

A Toxicity Reduction Evaluation (TRE) is an investigation conducted to identify the causative agents of effluent toxicity, isolate the source(s), determine the effectiveness of control options, implement necessary control measures and confirm the reduction in toxicity. The permittee shall conduct a TRE when a review of toxicity test data by the Department indicates unacceptable, acute, or chronic effluent toxicity.

1. Within 90 days following notification by the Department that a TRE is required the permittee shall submit a study plan and schedule for conducting the TRE. The permittee shall conduct the TRE in a manner consistent with the plan and schedule submitted to the Department.
2. The plan should follow the framework set forth in *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, April 1989).
3. Beginning 60 days following the date of the Department's acceptance of a TRE study plan and every 60 days thereafter the permittee shall submit progress reports including all relevant test data to the Department. The permittee shall continue to submit progress reports every 60 days until the toxicity reduction confirmation is completed.

All TRE-related materials shall be submitted electronically to the Department if the permittee has already been approved for the NetDMR tool. The material shall be attached as a separate single file and labeled as "TRE" in the NetDMR tool. Otherwise, the permittee shall submit all pertinent physical documents to:

Attention: Whole Effluent Toxicity Coordinator
Compliance Program
Water and Science Administration
Maryland Department of the Environment
Montgomery Park Business Center
1800 Washington Boulevard, Suite 420
Baltimore, MD 21230-1708

The permittee shall notify the Department at the above address or via email at mde.biomonitoring@maryland.gov immediately upon electronic submission of TRE material through NetDMR tool.

4. Within 60 days following completion of the toxicity identification (source isolation) phase of the TRE the permittee shall submit a plan and schedule to the Department for implementing measures necessary to eliminate acute toxicity and/or reduce chronic toxicity to acceptable levels. Implementation of the measures identified shall begin immediately upon submission of this plan.

5. Within 60 days after completing the implementation of control measures to eliminate or reduce toxicity the permittee shall submit a study plan to the Department for approval, to confirm the elimination or reduction of toxicity using biomonitoring.
6. If for any reason the implemented measures do not result in compliance with the Department's toxicity limitations the permittee shall continue the TRE.

M. MIXING ZONES AND POLLUTION PREVENTION –

“Chesapeake 2000” is a comprehensive Agreement for the restoration of the Chesapeake Bay signed June 28, 2000 by the State of Maryland, Commonwealths of Virginia and Pennsylvania, the District of Columbia, U.S. Environmental Protection Agency and Chesapeake Bay Commission. Among its goals the Agreement includes the following:

“Through continual improvement of pollution prevention measures and other voluntary means, strive for zero release of chemical contaminants from point sources, ... Particular emphasis shall be placed on achieving ... elimination of mixing zones for persistent or bioaccumulative toxics.”

To support attainment of this goal the permittee shall strive to meet water quality standards (WQS) for toxic substances at the point of discharge, including WQS for copper, through continual improvement of pollution prevention measures and other means.

Beginning within 12 months after the effective date of this permit and continuing annually thereafter, the permittee shall report to the Department (WSA) on progress made toward the elimination of mixing zones for persistent or bioaccumulative toxics.

N. PROTECTION OF WATER QUALITY

It is a violation of this permit to discharge any substance not otherwise listed under the permit's "Effluent Limitations and Monitoring Requirements" special conditions at a level which would cause or contribute to any exceedance of the numerical water quality standards in COMAR 26.08.02.03 unless the level and the substance were disclosed in writing in the permit application prior to the issuance of the permit. If a discharge regulated by this permit causes or contributes to an exceedance of the water quality standards in COMAR 26.08.02.03, including but not limited to the general water quality standards, or if the discharge includes a pollutant that was not disclosed or addressed in the public record for the permit determination, the Department is authorized to modify, suspend or revoke this permit or take enforcement action to address unlawful discharges of pollutants.

O. PROHIBITED DISCHARGES

The permittee is prohibited from discharging the following wastewaters to waters of the State:

1. Sanitary wastewater
2. Drainage from the receiving bin area
3. Reactor Building wash water
4. Reactor drainage and drainage from the exhaust system's air plenum
5. Exterior and interior vehicle wash water

P. OPERATION AND MAINTENANCE

1. The permittee is required to keep an Operations and Maintenance Manual permanently on site for guidance and operating the storm water treatment system. The manual shall include, at minimum, description of treatment components, inventory of spare parts, routine and emergency operational procedures, troubleshooting guide and contact list. This manual shall be available for review upon request by Department personnel.
2. The permittee shall maintain a valid Sewage Sludge Utilization Permit.
3. The permittee shall sweep or vacuum bulking agents and compost from open paved areas at least once every workday. A logbook shall be kept recording the date and time of each activity.

Q. COMPLIANCE SCHEDULE FOR TOTAL COPPER

1. Every six months, the permittee shall submit to the Department a status report detailing current plans for meeting the copper limits in Special Condition A. This report is due six months after the effective date of the permit and every six months thereafter until the effective date of the permit limits. The plans may include alternative treatment technologies or other discharge options which will result in compliance with the final discharge limitations.
2. If the permittee has not yet met the copper limits, then no later than 36 months after the effective date of this permit, the permittee may apply for a permit modification to revise or remove the permit limit(s) based on any combination of the following options allowed under COMAR 26.08:
 - a. Chemical or Biological Translator: The permittee shall complete all studies supporting use of the translator under COMAR 26.08.04.02-3C, paragraphs (1), (3) and (4) for biological translators or under COMAR 26.08.04.02-4C, paragraphs (1), (3) and (4) for chemical translators and submit the results to the Department as part of the application for a permit modification.
 - b. Mixing Zone Study: [Reserved]
 - c. Additional Data: As part of the application for a permit modification, the permittee may submit any new or additional data which demonstrates that there is no reasonable potential for violation of applicable water quality standards.

Alternatives for making such a demonstration include, but are not limited to, the following:

- i. collection of effluent data using analytical methods which have lower detection levels;
- ii. collection of data using techniques designed to minimize the effects of contamination on sample results; and
- iii. collection of data utilizing alternate monitoring locations to show compliance with water quality standards.

R. NUTRIENT REDUCTION GOALS

1. The Department has established goals to reduce Total Nitrogen (TN) and Total Phosphorus (TP) loading by 25% by December 31, 2022. For TN this means a reduction from 310 to 248 lbs/year and for TP 25 lbs/year to 20 lbs/year. The permittee shall implement this reduction goal through any combination of the following: treatment, re-use, recycling, land application, and trading. Implementation of the reduction goal through offsets or trading shall be consistent with requirements and procedures specified in Maryland state policies for trading, including but not limited to “Maryland’s Policy for Nutrient Cap Management and Trading in Maryland’s Chesapeake Bay Watershed,” or its successor. This policy requires reopening of this permit to implement trades and offsets.
2. The permittee shall develop and annually submit a Nutrient Reduction Report to the Department detailing its efforts towards meeting the goal. The report shall be submitted with the 1st Discharge Monitoring Report of each calendar year, with the exception of the first report which is due within six months after the permit effective date.
3. All reports due before calendar year 2021 shall describe the Permittee's plans, goals, and progress towards reducing nutrients discharging from the site via both groundwater and surface water pathways. All reports due in calendar year 2021 and after will focus on whether the goals were attained during the previous calendar year and include a summary of the TN levels during any periods in which the goals were not achieved and any justification for not achieving the goals.
4. The Department reserves the right to re-open this permit, in the event that it finds deficiencies in the plans, limits, and progress reported, after providing the permittee with a reasonable opportunity to address such deficiencies.

S. STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

1. No later than 6 months after the permit’s effective date the permittee shall apply for coverage under the *General Permit for Discharges from Stormwater Associated with Industrial Activities* (State Permit No. 12-SW, NPDES Permit No. MDR0000) in accordance with Section II.A of the 12-SW Permit. A copy of the 12-SW permit, notice of intent (NOI) and associated guidance are available at "http://bit.ly/MDE_industrial_stormwater". The application submitted should, minimally, address the following:
 - a. The NOI submitted shall address all storm water associated with industrial activity, including but not limited to any storm water discharging via the outfalls authorized under this permit.
 - b. The storm water pollution prevention plan (SWPPP) submitted must be updated in accordance with the requirements of the 12-SW. These requirements are found in Part III, sections C. and D. of the 12-SW permit.
2. Until the facility is covered under the 12-SW, the permittee shall continue to keep up-to-date and implement the SWPPP prepared in accordance with the requirements of your previous permit, 01-DP-2304A. Once a 12-SW caliber SWPPP has been completed the permittee shall switch, as soon as feasible, to complying with the new SWPPP. The 12-SW SWPPP must be completed and implemented no later than 6 months after the effective date of this permit.

3. Once the Department provides written confirmation of registration under the 12-SW, industrial stormwater coverage will cease under this individual permit. Violations of the conditions of the 12-SW are not to be considered violations of this permit.

II. GENERAL CONDITIONS

A. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements taken as required herein shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods.

2. REPORTING-MONITORING RESULTS SUBMITTED QUARTERLY

Monitoring results obtained during each calendar quarter shall be summarized and submitted electronically using NetDMR. For each effluent characteristic monitored at a frequency of less than once per month the results obtained during the reporting period shall be summarized on a single report for each quarter. More frequently monitored effluent characteristics and effluent characteristics limited as a monthly average shall be reported on a separate report for each calendar month of the reporting period. Results shall be submitted to the Department via NetDMR no later than the 28th of the month following the end of the reporting period. Specific requirements regarding submittal of data and reports using NetDMR are described below:

- a. NetDMR is a U.S. EPA tool allowing regulated Clean Water Act permittees to submit monitoring reports electronically via a secure Internet application. The permittee must apply for access to NetDMR at www.epa.gov/netdmr and register for a NetDMR Webinar. Before the permittee can submit official DMRs using NetDMR the permittee must attend a training Webinar and successfully set-up and submit test monitoring results electronically.
- b. The permittee may be eligible for a temporary waiver by MDE from NPDES electronic reporting requirements if the permittee has no current internet access and is physically located in a geographic area (i.e., zip code) that is identified as under-served for broadband internet access in the most recent National Broadband Map from the Federal Communications Commission (FCC); or if the permittee can demonstrate that such electronic reporting of the monitoring data and reports would pose an unreasonable burden or expense to the NPDES-permitted facility. Waiver requests must be submitted in writing to the Department for written approval at least 120 days prior to the date the permittee would be required under this permit to begin using NetDMR. This demonstration shall be valid for one (1) year from the date of the Department approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to the Department unless the permittee submits a renewed waiver request and such request is approved by the Department.

3. SAMPLING AND ANALYSIS METHODS

The analytical and sampling methods used shall conform to procedures for the analysis of pollutants as identified in Title 40 CFR Part 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants" unless otherwise specified.

4. DATA RECORDING REQUIREMENTS

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

- a. the exact place, date, and time of sampling or measurement;
- b. the person(s) who performed the sampling or measurement;
- c. the dates and times the analyses were performed;
- d. the person(s) who performed the analyses;
- e. the analytical techniques or methods used; and
- f. the results of all required analyses.

5. MONITORING EQUIPMENT MAINTENANCE

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to insure accuracy of measurements.

6. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors any pollutant, using approved analytical methods as specified above, at the locations designated herein more frequently than required by this permit, the results of such monitoring, including the increased frequency, shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA No. 3320-1).

7. RECORDS RETENTION

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation, and original recordings from continuous monitoring instrumentation shall be retained for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department.

B. MANAGEMENT REQUIREMENTS

1. CHANGE IN DISCHARGE

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a level in excess of that authorized shall constitute a violation of the terms and conditions of this permit. The permittee shall report any anticipated facility expansions, production increases, or process modifications which will result in new, different or an increased discharge of pollutants by submitting a new application at least 180 days prior to the commencement of the changed discharge except that if the change only affects a listed pollutant and will not violate the effluent limitations specified in this permit, by providing written notice to the Department. Following such notice, the permit may be modified by the Department to include new effluent limitations on those pollutants.

2. NONCOMPLIANCE WITH EFFLUENT LIMITATIONS

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum or daily minimum effluent limitation specified in this permit, the permittee shall notify the Inspection and Compliance Program by telephone at (410) 537-3510 within 24 hours of becoming aware of the noncompliance. Within five calendar days, the permittee shall provide the Department with the following information in writing:

- a. a description of the non-complying discharge including its impact upon the receiving waters;

- b. cause of noncompliance;
- c. anticipated time the condition of noncompliance is expected to continue or if such condition has been corrected, the duration of the period of noncompliance;
- d. steps taken by the permittee to reduce and eliminate the non-complying discharge;
- e. steps to be taken by the permittee to prevent recurrence of the condition of noncompliance; and
- f. a description of the accelerated or additional monitoring by the permittee to determine the nature and impact of the noncomplying discharge.

3. FACILITIES OPERATION

All treatment, control and monitoring facilities, or systems installed or used by the permittee, are to be maintained in good working order and operated efficiently.

4. ADVERSE IMPACT

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State or to human health resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. BYPASSING

Any bypass of treatment facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited unless:

- a. the bypass is unavoidable to prevent a loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources;
- b. there are no feasible alternatives;
- c. notification is received by the Department within 24 hours (if orally notified, then followed by a written submission within five calendar days of the permittee's becoming aware of the bypass). Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten calendar days before the date of bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days; and
- d. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effects.

6. CONDITIONS NECESSARY FOR DEMONSTRATION OF AN UPSET

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based effluent limitations only if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

- a. an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. the permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
- c. the permittee submitted a 24-hour notification of upset in accordance with the reporting requirements of General Condition II.B.2 above;
- d. the permittee submitted, within five (5) calendar days of becoming aware of the upset, documentation to support and justify the upset; and
- e. the permittee complied with any remedial measures required to minimize adverse impact.

7. REMOVED SUBSTANCES

Wastes such as solids, sludges, or other pollutants removed from or resulting from treatment or control of wastewaters, or facility operations, shall be disposed of in a manner to prevent any removed substances or runoff from such substances from entering or from being placed in a location where they may enter the waters of the State.

8. POWER FAILURE

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. provide an alternative power source sufficient to operate the wastewater collection and treatment facilities or,
- b. halt, reduce or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater collection and treatment facilities.

C. RESPONSIBILITIES

1. RIGHT OF ENTRY

The permittee shall permit the Secretary of the Department, the Regional Administrator for the Environmental Protection Agency, or their authorized representatives, upon the presentation of credentials to:

- a. enter upon the permittee's premises where an effluent source is located or where any records are required to be kept under the terms and conditions of this permit;
- b. access and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
- c. inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;

- d. inspect, at reasonable times, any collection, treatment, pollution management, or discharge facilities required under this permit; and
- e. sample, at reasonable times, any discharge of pollutants.

2. TRANSFER OF OWNERSHIP OR CONTROL OF FACILITIES

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred to another person if:

- a. the permittee notifies the Department in writing, of the proposed transfer;
- b. a written agreement, indicating the specific date of proposed transfer of permit coverage and acknowledging responsibilities of current and new permittees for compliance with the liability for the terms and conditions of this permit, is submitted to the Department; and
- c. neither the current permittee nor the new permittee receive notification from the Department, within 30 calendar days, of intent to modify, revoke, reissue or terminate the existing permit.

3. REAPPLICATION FOR A PERMIT –[Reserved]

4. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Section 308 of the Clean Water Act, 33 U.S.C. § 1318, all submitted data shall be available for public inspection at the offices of the Department and the Regional Administrator of the Environmental Protection Agency.

5. PERMIT MODIFICATION

A permit may be modified by the Department upon written request of the permittee and after notice and opportunity for a public hearing in accordance with and for the reasons set forth in 40 CFR § 122.62 and 122.63.

6. PERMIT MODIFICATION, SUSPENSION, OR REVOCATION

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked and reissued in whole or in part during its term, in accordance with the provisions set forth in COMAR 26.08.04.10, for causes including, but not limited to, the following:

- a. violation of any terms or conditions of this permit;
- b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- d. a determination that the permitted discharge poses a threat to human health or welfare or to the environment and can only be regulated to acceptable levels by permit modification or termination.

- e. upon a final, unreviewable determination that the permittee lacks, or is in violation, of any federal, state, or local approval necessary to conduct the activities by this permit.

7. TOXIC POLLUTANTS

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such toxic effluent standard or prohibition) is established by the U.S. Environmental Protection Agency, or pursuant to Section 9-314 of the Environment Article, Annotated Code of Maryland, for a toxic pollutant which is present in the discharges authorized herein and such standard is more stringent than any limitation upon such pollutant in this permit, this permit shall be revoked and reissued or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified. Any effluent standard established in this case for a pollutant which is injurious to human health is effective and enforceable by the time set forth in the promulgated standard, even absent permit modification.

8. OIL AND HAZARDOUS SUBSTANCES PROHIBITED

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liability, or penalties to which the permittee may be subject under Section 311 of the Clean Water Act (33. U.S.C. § 1321), or under the Annotated Code of Maryland.

9. CIVIL AND CRIMINAL LIABILITY

Except as provided in permit conditions on "bypassing," "upset," and "power failure," nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local, or other State law or regulation.

10. PROPERTY RIGHTS/COMPLIANCE WITH OTHER REQUIREMENTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State or local laws or regulations.

11. SEVERABILITY

The provisions of this permit are severable. If any provisions of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this permit to any circumstances is held invalid, its application to other circumstances shall not be affected.

12. WATER CONSTRUCTION AND OBSTRUCTION

This permit does not authorize the construction or placing of physical structures, facilities, or debris, or the undertaking of related activities in any waters of the State.

13. COMPLIANCE WITH WATER POLLUTION ABATEMENT STATUTES

The permittee shall comply at all times with the provisions of the Environment Article, Title 7, Subtitle 2 and Title 9, Subtitle 3 of the Annotated Code of Maryland and the Clean Water Act, 33 U.S.C. § 1251 et seq.

14. ACTION ON VIOLATIONS

The issue or reissue of this permit does not constitute a decision by the State not to proceed in administrative, civil, or criminal action for any violations of State law or regulations occurring before the issue or reissue of this permit, nor a waiver of the State's right to do so.

15. CIVIL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that any person who violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed \$37,500 per day for each violation.

16. CRIMINAL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that:

- a. any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one (1) year, or by both.
- b. any person who knowingly violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than three (3) years, or by both.
- c. any person who knowingly violates Section 301, 302, 306, 307, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more \$250,000 or imprisonment of not more than 15 years, or both.
- d. any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under the Act, is subject to a fine of not more than \$10,000 or by imprisonment for not more than two (2) years, or by both.

17. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

18. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Director shall be signed and certified as required by 40 CFR 122.22.

19. REOPENER CLAUSE FOR PERMITS

This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301, 304, and 307 of the Clean Water Act [33 USCS §§ 1311, 1314, 1317] if the effluent standard or limitation so issued or approved:

- a. contains different conditions or is otherwise more stringent than any effluent limitation in this permit or
- b. controls any pollutant not limited in this permit. This permit, as modified or reissued under this paragraph, shall also contain any other requirements of the Act then applicable.

D. AUTHORITY TO ISSUE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

On September 5, 1974, the Administrator of the U.S. Environmental Protection Agency approved the proposal submitted by the State of Maryland for the operation of a permit program for discharges into navigable waters pursuant to Section 402 of the Clean Water Act, 33 U.S.C. Section 1342.

Pursuant to the aforementioned approval, this discharge permit is both a State of Maryland discharge permit and a NPDES permit.

This permit and the authorization to discharge shall expire at midnight on the expiration date. The permittee shall not discharge after that date unless a new application has been submitted to the Department in accordance with the renewal application provisions of this permit.

D. Lee Currey, Director
Water and Science Administration

LOCATION OF OUTFALL 001 FOR THE VEOLIA COMPOSTING FACILITY



PLANT LAYOUT FOR THE VEOLIA COMPOSTING FACILITY

