


**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER DIVISION**

Subject: **Guidance Memo No. 13-2005**, Implementation Guidance for Reissuance of the General VPDES Permit for Potable Water Treatment Plants VAG64

To: Regional Directors

From: Melanie D. Davenport, Director 

Date: October 31, 2013

Copies: Deputy Regional Directors, Regional Water Permit Managers, Regional Water Compliance Managers, Rick Weeks, James Golden, and Fred Cunningham

Summary:

This guidance memo replaces Guidance Memo No. 09-2003, Implementation of the VPDES General Permit for Potable Water Treatment Plants VAG64. On June 17, 2013, the State Water Control Board adopted amendments to the General VPDES Permit Regulation for Potable Water Treatment Plants, 9VAC25-860, which modified General Permit VAG64. These modifications are effective December 24, 2013. Copies of the amended permit regulation, fact sheet, registration statement, general permit, fee form, and all transmittal letters can be found on [DEQnet](#).

Public information can be found at

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#WTP>

The purpose of this guidance memo is to identify changes that have been made to the General Permit VAG64, to provide DEQ staff with guidance on implementation of these changes, to provide guidance on aspects of the permit that have raised questions and to provide example letters that staff may use for the administration of the regulation.

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Disclaimer:

This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate any particular method nor does it prohibit any particular method for the analysis of data, establishment of a wasteload allocation, or establishment of a permit limit. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.

Implementation of VPDES General Permit for Potable Water Treatment Plants VAG64

Introduction

At the June 2013 meeting, the State Water Control Board adopted the VPDES General Permit regulation (9VAC25-860) that allows the reissuance of the subject general permit. The effective date of this general permit is December 24, 2013 and it will expire on June 30, 2018. Note this permit was adopted as a 4.5 year permit instead of a 5 year permit to correspond to a calendar quarter. A copy of the adopted regulation, fact sheet, registration statement, transmittal letters, general permit pages and DMRs are attached to this guidance for use by the permit writers. Also these documents, attachments and guidance are available on [DEQnet](#).

Changes Adopted in 2013

Section 10 – Definitions. Definitions were added for department, membrane treatment, microfiltration, municipal separate storm sewer system, nanofiltration, reverse osmosis, total maximum daily load and ultrafiltration. This terminology is used in the regulation and needed explanation. The definition of potable water treatment plant was expanded to include creation of potable water for private industrial uses, and not just limit it to plants primarily engaged in distributing water for sale for domestic, commercial or industrial use. Most of these plants fall under Standard Industrial Classified (SIC) Code 4941 (Water Supply), but some establishments that produce potable water for their own use may not fit under this SIC Code. The technical advisory committee thought these facilities should also have an opportunity for coverage under this permit.

Section 40 – Effective dates were updated to reflect this reissuance throughout the regulation. In addition, the expiration date of this permit was changed from December 23, 2018 to June 30, 2018 to move it away from the end of the year to address DEQ staff resource issues and to have the permit effective date begin on a calendar quarter which is consistent with other general permits.

Section 50 A, B– Authorization – Reformatted to match the structure of other general permits being issued at this time. Added two additional reasons authorization to discharge cannot be granted per EPA comments on other general permits issued recently. Therefore, an owner will be denied authorization when the discharge would violate the antidegradation policy or if the discharge is not consistent with the requirements and assumptions of an approved TMDL. The requirement to submit whole effluent toxicity data with the registration statement was removed and a whole effluent toxicity requirement was placed into the permit itself. However, if any whole effluent toxicity testing was done and demonstrated reasonable potential for toxicity, the discharge would not be eligible for coverage regardless of flow.

Section 50 C – Added the statement "*Compliance with this general permit constitutes compliance with the Clean Water Act and the State Water Control Law, with the exceptions stated in 9VAC25-31-60 of the VPDES Permit Regulation.*" This was added in response to AGO comments on other general permits recently reissued in order to recognize there are some exceptions to compliance with the CWA as stated in the permit regulation.

Section 50 D– Added language to allow for administrative continuances of coverage under the old expired general permit until the new permit is issued, and coverage is granted or coverage is denied; provided the permittee has submitted a timely registration and is in compliance with the expiring permit. This language is being added to all recently reissued general permits so permittees can discharge legally if the permit reissuance process is delayed.

Section 60 A – Registration Statement – Reformatted to match the structure of other recently reissued general permits. Permittees currently holding an individual VPDES permit and requesting coverage under this general permit must notify DEQ 270 days prior to the expiration date of their individual permit,

rather than 180 days prior to their expiration date. This gives the permittee time to meet the deadline for timely application for reissuance of the individual permit if their request for coverage under the general permit is denied. Owners of existing facilities covered under the existing general permit must submit a registration statement prior to October 24, 2013 (which is 60 days prior to expiration).

Section 60 B – Added language accepting late registration statements, but stating that authorization to discharge will not be retroactive. Also, existing permittees may be provided administrative continuance of their permit coverage if a complete registration statement is submitted before the December 24, 2013 effective date.

Section 60 C – Several minor edits to the registration statement questions were made for clarification. For example, added allowance for submission of computer generated maps with the registration statement, and a few other minor clarifications. The question about treatment type and whether it has changed since the previous registration was expanded. The whole effluent toxicity testing question was clarified to include submittal of data if required by the 2008 general permit or an individual permit, if this was not previously submitted to the department. The chemical usage question was expanded to ask if chemical usage had changed since the previous registration. A question about MS4s was added as follows: *"Whether the facility will discharge to a MS4. If so, the name of the MS4 owner must be provided. If the owner of the potable water treatment plant is not the owner of the MS4, the facility owner shall notify the MS4 owner of the existence of the discharge and include a copy of the notification with the registration statement. The notification shall include the following information: the name of the facility, a contact person and phone number, the location of the discharge, the nature of the discharge, and the owner's VPDES general permit number."* The TAC also thought that notification to downstream localities of any new discharges upstream was important and the following question was added: *"If a new potable water treatment plant owner proposes to discharge within five miles upstream of another public water supply system's intake, the new potable water treatment plant owner shall notify the public water supply system's owner and include a copy of the notification with the registration statement."*

Section 70 Part I A 1– General Permit limits page for process wastewater. Clarified that Part I A 1 pages apply to any water treatment plant that does not utilize reverse osmosis or nanofiltration. These are generally what are referred to as 'conventional' plants. The agency also determined that monitoring data associated with the existing general permit showed that monthly reporting from a facility is not necessary based on past permit compliance within the industry and the fact that these facilities often have no discharge. Therefore, all facilities are afforded the 'reduced monitoring' allowance of 1/3 months (quarterly). Also, footnote #3 now clarifies how a composite sample shall be taken, which varies if the discharge is continuous or batch. The previous 5Grab/8 Hour Composite requirement was a hardship for batch type discharges and not necessary to collect a representative sample.

The narrative requirement for no discharge of floating solids or visible foam in other than trace amounts was moved to Part B, Special Conditions.

Section 70 Part I A 2 – General Permit limits page for reverse osmosis and nanofiltration plants. Except for the same clarifications on the composite sampling mentioned in Part I A 1 above, these requirements remained the same. The monitoring frequencies remained monthly; although reduced monitoring may be granted based on a favorable compliance history.

Section 70 Part I B 1 - Changed the frequency of inspections to 'daily when discharging' rather than 'daily.' This was done at the request of the industry TAC members. This seemed reasonable as other states have a similar frequency or no inspections at all.

Section 70 Part I B 4 – The 'no discharge of floating solids or visible foam in other than trace amounts' requirement was moved to this section. Old special condition 4 which explained the compliance

conditions under which to reinstate more frequent monitoring (monthly) when reduced monitoring (quarterly) had been granted was deleted. Almost all water treatment plants in Virginia fall under Part I A 1 (conventional plants), which we are proposing to reduce to quarterly monitoring as the normal frequency. So this section no longer applies to them. If the owners of any reverse osmosis plants falling under Part I A 2 qualifies for reduced monitoring (monthly to quarterly) they will retain that reduced monitoring frequency until reissuance.

Section 70 Part I B 5 – Added a new special condition that *“Owners of facilities that are a source of the specified pollutant of concern to waters where an approved TMDL has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.”* This special condition is being added to all general permits as they are reissued. It reinforces the way general permits are currently handled in TMDLs. The assumption of the TMDL is that general permits are insignificant to the total load until such time that the TMDL program determines that the load is significant and the TMDL needs to be modified to include the load.

Section 70 Part I B 7 - Added that groundwater monitoring plans may be changed when appropriate and that the owner may submit that evaluation to the board for approval. This includes revision of monitoring requirement, including elimination of monitoring. The TAC thought this was reasonable.

Section 70 Part I B 9 - Clarified several of the requirements of the operations and maintenance manual. The manual shall be updated within 90 days of coverage or within 90 days of changes to the treatment system. The O&M manuals are no longer submitted to the department for approval. However, they must be made available to department personnel upon request. O&M manuals have always been an enforceable part of this permit.

Section 70 Part I B 10 – The details of the whole effluent toxicity testing requirement were moved to this special condition and out of the regulation’s 'authorization to discharge' section 50. The 2008 regulation required this WET testing before coverage could be granted. This was a hardship on new permittees who had to apply and pay for an individual permit before they could qualify for the general permit. With this draft, we are proposing to require the WET testing during the term of the general permit, only for permittees with flows greater than or equal to 50,000 GPD, and giving the owners an opportunity to find and eliminate the source of toxicity before they are subject to a WET limit upon reissuance. This will allow new permittees and existing permittees less than 50,000 GPD to move away from their individual permits to the general permit. The regulation also allows use of representative toxicity data from the past permit terms to qualify for the general permit. The WET testing requirement within the general permit will be a onetime requirement. Once the permittee shows no reasonable potential for toxicity, then there is no requirement to repeat the tests unless changes are made at the plant. The WET testing must be completed, at a minimum, during the first year of coverage under the general permit or within one year of commencing discharge. This can be problematic if a facility commences discharge near the end of the permit term and the data indicates toxicity. The permittee has little time to find and eliminate the toxicity or time to apply for and receive an individual permit. In these situations, the regional office may grant administrative continuance for coverage under the general permit until the toxicity can be eliminated or an individual permit (with a WET limit) can be issued.

Section 70 Part I B 11 Added *"The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards."* This is a general requirement to meet water quality standards and matches similar language going into other recently reissued general permits.

Section 70 Part I B 12 – Added a new special condition that describes how terminations of a general permit will be implemented. This is being added to all general permits as they are reissued.

Section 70 Part I B 13 Added *"Approval for coverage under this general permit does not relieve any owner of the responsibility to comply with any other federal, state or local statute, ordinance or regulation."* This requirement is part of the regulation at section 50 C and staff thought it should be repeated in the permit to remind the permittee of the responsibility to comply with this requirement.

Section 70 Part II A – Conditions applicable to all Permits - Added *"Samples taken as required by this permit shall be analyzed in accordance with IVAC30-45: Certification for Noncommercial Environmental Laboratories, or IVAC30-46: Accreditation for Commercial Environmental Laboratories."* This is a new regulatory requirement effective January 1, 2012, and is being added to all general permits as they are reissued.

Section 70 Part II Y – Transfer of permits – Deleted paragraph Y 1 which is the ability to transfer a permit to a new owner by a modification, or revocation and reissuance, or a minor modification. General permit coverage is not modified or revoked and reissued. Revised Y 2 to say automatic transfers can occur at least 30 days in advance of the proposed transfer unless permission for a later date has been granted by the board. Our regional office staff has also stated this advance transfer notification is unnecessary and we should be able to accept a transfer notification at any time.

Permit Coverage

Facilities to be covered include those which generate wastewater from membrane treatment, clarifier underflow, sludge blowdown, particulate filter backwash from plain purification and lime-soda softening processes, and iron filter backwash wastewater from iron and manganese removal processes.

Permit writers should send out the potable water treatment plant general permit registration statement to permittees covered by the 2008 general permit, by September 24, 2013. Registration for the 2013 permit is due on or before October 24, 2013. DEQ will accept 'late' registrations until December 24, 2013 and grant administrative continuance under the 2008 permit if a 2013 permit cannot be reissued by December 24, 2013.

There are approximately 85 water treatment plants still covered under individual permits. These individual permittees are required to submit a registration statement at least 270 days prior to their individual permit expiration. This deadline will have to be waived for this reissuance since many individual permits have been administratively continued in anticipation of the reissued general permit or too close to their application due date to meet the 270 days prior to expiration due date. Therefore, it is recommended for this reissuance to send all individual permit holders the registration statement as soon as possible in order to allow the Department to make a determination as to their eligibility for their general permit before April, so that maintenance fees for billing year 2014 will not be due. The general permit registration statement should not be offered to individual permit holders that are ineligible for coverage due to antibacksliding requirements, effluent toxicity problems or groundwater contamination (see the conditions 10, 11 and 12 below). The general permit registration statement, just like any application, must be complete before the discharge is covered. If necessary, staff may require additional clarification or information be submitted with the registration statement to determine eligibility for coverage under this general permit.

Facilities will need to meet the following conditions to qualify for coverage:

1. The owner of the facility has submitted a complete registration statement (including fee).
2. The owner of the facility is engaged in producing water for domestic, commercial, or industrial use as designated by SIC code 4941-Water Supply or others as approved by the board. In approving other water producers, the permit writer should make sure the water being produced is from surface, ground or city water and not reuse water. Also, be aware that some industrial uses

- may require very clean water (e.g., a semi-conductor plant) which means more pollutants are removed and the effluent limits in the general permit may not be protective of water quality.
3. The facility has a point source discharge.
 4. The discharge is to waters specifically named in other board regulations that prohibit such discharges. For example, the discharge is not prohibited by the provisions of an exceptional waters (tier 3) designation in 9VAC25-260-30 A 3 or by the provisions of the halogen ban in 9VAC25-260-110.
 5. There are no sewage discharges.
 6. The facility has not been required to obtain an individual permit as may be required in the VPDES Permit Regulation.
 7. The owner of the facility will be able to comply with the limits and special conditions of the permit. The treatment system described in the registration statement should be evaluated to determine if the discharge will meet the permit limits.
 8. The discharge meets the board's antidegradation requirements in 9VAC25-260-30 in high quality (tier 2) waters or exceptional waters.
 9. The discharge meets all approved TMDL requirements.
 10. WET testing is no longer a pre-requisite to eligibility; however, any facilities with unresolved whole effluent toxicity problems demonstrated through WET monitoring or limits in their individual permit are not eligible for coverage. This is regardless of the flow from the facility.
 11. Ensure that backsliding is not an issue. Generally, owners of facilities with individual permits with numerical limits that are not in the general permit will not be eligible for coverage (e.g., TSS loads in benthic impaired waters, nutrients, total dissolved solids, metals, whole effluent toxicity or ammonia limits). Also, owners of facilities with permits with chlorine limits less than .011 mg/l are not eligible for coverage. Individual permits with monitoring requirements for any parameters, including WET will be eligible as long as water quality standards have been met.
 12. There is no groundwater contamination needing corrective action.
 13. The facility is not subject to the requirements of 9VAC25-820-70 Part I G 1 (General Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia – Requirement to Register).

Per the Memorandum of Understanding between DEQ and the other natural resources agencies and the corresponding Guidance Memo No. 07-2007, there is no threatened and endangered species coordination required for general permits. The permit limits are designed to protect all aquatic organisms, including threatened or endangered species.

Where land application is selected as the solids disposal method, a determination should be made whether a VPA permit is required.

Preparation of Permit Package

Once it is determined that the registration statement represents a facility discharge that qualifies for coverage, the general permit pages can be prepared. The cover page (printed on agency letterhead), the appropriate Part I effluent limits page (depending on whether the plant is a conventional facility, or a reverse osmosis or nanofiltration facility), special conditions and boilerplate should be assembled with the general permit registration number for the facility entered in the indicated areas on the pages. The outfall numbers must also be added at the end of the first sentence on each effluent limitations page. The pH limits may be adjusted when alternate standards for pH are established in the water quality standards river basin tables (9VAC25-260-390 through 540). The dissolved oxygen limits should be adjusted to 5.0 in stockable trout waters and 6.0 in natural trout waters. No other changes to the language of the general permit are authorized.

Registration permit numbers for individual permittees getting coverage under the general permit will be assigned sequentially by the Office of VPDES Permits (Elleanore Daub) when the registration statement data is complete. All permit numbers will begin with the same five characters: VAG64. This permit data is not in CEDS. The permits are tracked in a spreadsheet on [DEQnet](#). The permit writer should fill in the information in the next available row on the spreadsheet (region, owner information, facility information, etc...), save the spreadsheet with a new name and forward the revised spreadsheet to Elleanore Daub who will replace the document on DEQnet. Do not transmit the permit to the owner until you get a confirmation from central office on the permit registration number.

The general permit requires quarterly monitoring and reporting for conventional plants and monthly monitoring and reporting for reverse osmosis plants. The monitoring frequency can be reduced to once per quarter monitoring for reverse osmosis plants upon written notification from the DEQ regional office. The approval of a reduction in monitoring frequency should follow procedures listed in the VPDES Permit Manual. DMRs are necessary for reporting and compliance tracking. All outfalls described in the registration statement should be listed on the effluent limits page and on the DMR, so that there is an indication in the permit of what outfalls require sampling. Flow, pH, total suspended solids, and total residual chlorine monitoring are required for wastewater discharges from conventional potable water treatment plants. Flow, pH, total dissolved solids, and dissolved oxygen monitoring are required for wastewater discharges from reverse osmosis potable water treatment plants.

Use the appropriate transmittal letter to transmit the permit and DMRs to the permittee. Transmittal letters may be revised to match your regional style or if additional information is needed. It is not necessary to copy the Office of VPDES Permits or EPA on coverage under a general permit. Note that the suggested transmittal letter for coverage under a general permit does not contain the two paragraphs referencing the owner's right to appeal the decision to cover them under the permit. The transmittal should indicate where DMRs are to be sent. Tracking of compliance with the limits and other requirements of the general permit should be done according to the Compliance Auditing Manual already established for individual VPDES permits. Reporting requirements for noncompliance, unusual or extraordinary discharges, etc. are the same as for an individual permit.

Permit Inspection and Tracking

These facilities are subject to the inspection strategy in the industrial small category. They should be inspected at least once every five years.

Document files will be maintained by the regions in ECM.

Termination of Coverage

If an owner requests termination of coverage under the general permit the regional office may terminate coverage under regional delegation of permit termination authority. A termination letter is included here and on [DEQnet](#).

Change In Ownership

If there is a request for a change of ownership, then the new owner assumes the coverage under the general permit and the permit registration number does not change. The new owner may submit a new registration statement, but it is not necessary. Part II of the permit allows for automatic transfer of ownership if the 30 day prior notice (unless permission for a later date has been granted by the board) and the required written agreement between the new and old owners are provided.

Renewal of Coverage

The permittee will receive a reissuance reminder letter to submit a new registration statement for this general permit if continued coverage is desired.

Permit Fee

The fee for coverage under this general permit is \$600.00. Fees submitted for this permit should be handled according to the same procedures that are followed for other permit fees. Refer to the VPDES permit fee regulation. Notify Burt Tuxford of any individual permit holders that get coverage under the general permit so that he may submit a VPDES/VPA Annual Permit Maintenance Fee Change Form to Finance so the permittee won't get an invoice for the billing year.

Attachments:

1. General Permit Regulation
2. General Permit Fact Sheet
3. General Permit Pages
4. Registration Statement and Instructions
5. Example Transmittal Letters
6. Discharge Monitoring Reports

1. GENERAL PERMIT REGULATION

GENERAL VPDES PERMIT FOR POTABLE WATER TREATMENT PLANTS
STATE WATER CONTROL BOARD
Effective December 24, 2014

9VAC25-860-10. Definitions.

The words and terms used in this regulation shall have the meanings defined in the State Water Control Law and 9VAC25-31, the VPDES Permit Regulation, unless the context clearly indicates otherwise, except that for the purposes of this chapter:

"Department" or "DEQ" means the Virginia Department of Environmental Quality.

"Membrane treatment" means a pressure driven process using synthetic materials to separate constituents from water. Membranes are used for dissolved solids or suspended solids removal. Membrane treatment for dissolved solids removal includes reverse osmosis and nanofiltration. Membrane treatment for suspended solids removal includes ultrafiltration and microfiltration.

"Microfiltration" means a method of membrane treatment designed to remove particles down to 0.1 μm in size. The treatment removes cysts, bacteria, and most (but not all) particulates.

"Municipal separate storm sewer system" or "MS4" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) (i) owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under § 208 of the Clean Water Act (CWA) that discharges to surface waters of the state; (ii) designed or used for collecting or conveying storm water; (iii) which is not a combined sewer; and (iv) which is not part of a publicly owned treatment works (POTW).

"Nanofiltration" or "low-pressure reverse osmosis" or "membrane softening" means a method of membrane treatment designed to remove multivalent ions (softening) and removes contaminants down to 1 nm (nanometer = 0.001 μm) in size.

"Potable water treatment plant" means an establishment engaged in producing water for domestic, commercial, or industrial use as designated by Standard Industrial Classified (SIC) Code 4941 – Water Supply (Office of Management and Budget (OMB) SIC Manual, 1987), or others as approved by the board.

"Reverse osmosis" means a method of membrane treatment designed to remove salts and low-molecular weight solutes and remove all contaminants down to 0.0001 μm (microns) in size. Reverse osmosis methods apply pressure in excess of osmotic pressure to force water through a semi-permeable membrane from a region of high salt concentration to a region of lower salt concentration.

"Total maximum daily load" or "TMDL" means a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges, and load allocations (LAs) for nonpoint sources or natural background or both, and must include a margin of safety (MOS) and account for seasonal variations.

"Ultrafiltration" means a method of membrane treatment designed to remove particles down to 0.01 μm in size. The treatment removes cysts, bacteria, and viruses as well as suspended solids.

9VAC25-860-15. Applicability of incorporated references based on the dates that they became effective.

Except as noted, when a regulation of the U.S. Environmental Protection Agency set forth in Title 40 of the Code of Federal Regulations (CFR) is referenced and incorporated herein, that regulation shall be as it exists and has been published as of July 1, 2012.

9VAC25-860-40. Effective date of the permit.

This general VPDES permit will become effective on December 24, 2013, and will expire on June 30, 2018. This general permit is effective for any covered owner upon compliance with all the provisions of 9VAC25-860-50.

9VAC25-860-50. Authorization to discharge.

A. Any owner governed by this general permit is hereby authorized to discharge to surface waters of the Commonwealth of Virginia provided that:

1. The owner submits a registration statement in accordance with 9VAC25-860-60 and that registration statement is accepted by the board;
2. The owner submits the required permit fee;
3. The owner complies with the applicable effluent limitations and other requirements of 9VAC25-860-70; and
4. The board has not notified the owner that the discharge is not eligible for coverage in accordance with subsection B of this section.

B. The board will notify an owner that the discharge is not eligible for coverage under this general permit in the event of any of the following:

1. The owner is required to obtain an individual permit in accordance with 9VAC25-31-170 B 3 of the VPDES Permit Regulation;
2. The owner is proposing to discharge to state waters specifically named in other board regulations that prohibit such discharges;
3. The discharge violates or would violate the antidegradation policy in the Water Quality Standards at 9VAC25-260-30;
4. The discharge is not consistent with the assumptions and requirements of an approved TMDL;
5. The facility is subject to the requirements of 9VAC25-820-70 Part I G 1 (General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia - Requirement to Register); and
6. An owner applying for coverage under this general permit submits the results of representative whole effluent toxicity testing of the discharge, and the results demonstrate that there is a reasonable potential for toxicity.

C. Compliance with this general permit constitutes compliance with the federal Clean Water Act and the State Water Control Law with the exceptions stated in 9VAC25-31-60 of the VPDES Permit Regulation. Approval for coverage under this general permit does not relieve any owner of the responsibility to comply with any other applicable federal, state, or local statute, ordinance, or regulation.

D. Continuation of permit coverage.

1. Any owner that was authorized to discharge under the potable water treatment plant general permit issued in 2008 and that submits a complete registration statement on or before December 24, 2013, is authorized to continue to discharge under the terms of the 2008 general permit until such time as the board either:

- a. Issues coverage to the owner under this general permit; or
 - b. Notifies the owner that the discharge is not eligible for coverage under this general permit.
2. When the owner that was covered under the expiring or expired general permit has violated or is violating the conditions of that permit, the board may choose to do any or all of the following:
- a. Initiate enforcement action based upon the 2008 general permit;
 - b. Issue a notice of intent to deny coverage under the reissued general permit. If the general permit coverage is denied, the owner would then be required to cease the discharges authorized by administratively continued coverage under the terms of the 2008 general permit or be subject to enforcement action for discharging without a permit;
 - c. Issue an individual permit with appropriate conditions; or
 - d. Take other actions authorized by the VPDES Permit Regulation (9VAC25-31).

9VAC25-860-60. Registration statement.

A. Deadlines for submitting registration statement. The owner seeking coverage under this general permit shall submit a complete VPDES general permit registration statement in accordance with this section, which shall serve as a notice of intent for coverage under the general VPDES permit for potable water treatment plants.

- 1. New facilities. Any owner proposing a new discharge shall submit a complete registration statement at least 60 days prior to the date planned for commencement of the new discharge.
- 2. Existing facilities.
 - a. Any owner covered by an individual VPDES permit who is proposing to be covered by this general permit shall submit a complete registration statement at least 270 days prior to the expiration date of the individual VPDES permit.
 - b. Any owner that was authorized to discharge under the general VPDES permit that became effective on December 24, 2008, and who intends to continue coverage under this general permit shall submit a complete registration statement to the board on or before October 24, 2013.
 - c. Any owner of a potable water treatment plant not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file the registration statement.

B. Late registration statements. Registration statements for existing owners covered under subdivision A 2 b of this section will be accepted after December 24, 2013, but authorization to discharge will not be retroactive. Owners described in subdivision A 2 b of this section that submit registration statements after October 24, 2013, are authorized to discharge under the provisions of 9VAC25-860-50 D if a complete registration statement is submitted on or before December 24, 2013.

C. The required registration statement shall contain the following information:

- 1. Facility name and street address, owner name, mailing address, telephone number, and email address (if available);
- 2. Operator or other contact name, mailing address, telephone number, and email address (if available);
- 3. The nature of the business;

4. A USGS 7.5 minute topographic map or equivalent computer generated map showing the facility location extending to at least one mile beyond the property boundary and the location of the discharge point(s);
5. The receiving waters of the discharge;
6. The outfall number, the daily maximum actual or projected wastewater flow rate (millions of gallons per day or gallons per day), typical volume, duration of discharges, and frequency of discharge;
7. The type of water treatment (e.g. conventional, microfiltration, ultrafiltration, nanofiltration, reverse osmosis, or a combination of these) and, if applicable, a description of any treatment type changes since the previous registration statement was submitted;
8. The number of any existing VPDES permit that authorizes discharges from the potable water treatment plant;
9. If the existing VPDES permit contains a groundwater monitoring plan requirement, a copy of the board-approved plan should be submitted;
10. Information regarding the lining of any settling basins or lagoons, whether such units are earthen lined, and if so, whether the linings have a permeability of no greater than 10^{-6} cm/sec;
11. The results of any whole effluent toxicity evaluation required by the 2008 potable water treatment plant general permit regulation, 9VAC25-860-50 A 3, or the current individual permit, if not previously submitted to the department;
12. A schematic drawing showing the source(s) of water used on the property and the conceptual design of the methods of treatment and disposal of wastewater;
13. Information on chemicals used in the treatment, to include (i) a description of chemicals, (ii) a proposed or actual schedule and quantity of chemical usage and, if applicable, (iii) a description of any chemical or chemical usage changes since the previous registration statement was submitted;
14. A description of how solids and residue from any settling basins or lagoons are disposed;
15. Whether the facility will discharge to a MS4. If so, the name of the MS4 owner must be provided. If the owner of the potable water treatment plant is not the owner of the MS4, the facility owner shall notify the MS4 owner of the existence of the discharge and include a copy of the notification with the registration statement. The notification shall include the following information: the name of the facility, a contact person and phone number, the location of the discharge, the nature of the discharge, and the owner's VPDES general permit number;
16. If a new potable water treatment plant owner proposes to discharge within five miles upstream of another public water supply system's intake, the new potable water treatment plant owner shall notify the public water supply system's owner and include a copy of the notification with the registration statement; and
17. The following certification:

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

that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

D. The registration statement shall be signed in accordance with 9VAC25-31-110.

9VAC25-860-70. General permit.

Any owner whose registration statement is accepted by the board will receive coverage under the following permit and shall comply with the requirements therein and be subject to all requirements of 9VAC25-31.

General Permit No.: VAG64
 Effective Date: December 24, 2013
 Expiration Date: June 30, 2018

GENERAL PERMIT FOR POTABLE WATER TREATMENT PLANTS

AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of potable water treatment plants are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in board regulations that prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II - Conditions Applicable To All VPDES Permits, as set forth herein.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

1. Facilities other than reverse osmosis or nanofiltration plants.

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from outfall(s): _____

Such discharges shall be limited and monitored as specified below:

EFFLUENT CHARACTERISTICS	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Minimum	Maximum	Frequency ⁽¹⁾	Sample Type
Flow (MGD)	NL	NA	NL	1/3 Months	Estimate
pH (SU) ⁽²⁾	NA	6.0	9.0	1/3 Months	Grab
Total Suspended Solids (mg/l)	30	NA	60	1/3 Months	Composite ⁽³⁾
Total Residual Chlorine ⁽⁴⁾ (mg/l)	0.011	NA	0.011	1/3 Months	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

⁽¹⁾ Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the 10th day of April, July, October, and January.

⁽²⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent

limitations.

⁽³⁾ Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases, or until a minimum of five grab samples have been collected. For continuous or batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

⁽⁴⁾ Total residual chlorine limit shall only be applicable to facilities that use chlorine in the treatment process.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

2. Reverse osmosis and nanofiltration plants.

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater originating from outfall(s): _____

Such discharges shall be limited and monitored as specified below:

EFFLUENT CHARACTERISTICS	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Minimum	Maximum	Frequency ⁽¹⁾	Sample Type
Flow (MGD)	NL	NA	NL	1/ Month	Estimate
pH (SU) ⁽²⁾	NA	6.0	9.0	1/ Month	Grab
Total Dissolved Solids (mg/l)	NA	NA	NL	1/ Month	Composite ⁽³⁾
Dissolved Oxygen (mg/l) ⁽⁴⁾	NA	4.0	NA	1/ Month	Grab

NL - No limitation, monitoring requirement only

NA - Not applicable

⁽¹⁾ Monitoring frequencies shall be reduced to 1/quarter upon written notification from the DEQ regional office. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the 10th day of April, July, October, and January.

⁽²⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent limitations.

⁽³⁾ Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases or until a minimum of five grab samples have been collected. For continuous or batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

⁽⁴⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for dissolved oxygen in waters receiving the discharge, those standards shall be the minimum effluent limitations.

B. Special conditions.

1. Inspection of the effluent, and maintenance of the wastewater treatment facility, shall be performed daily when discharging. Documentation of the inspection and maintenance shall be recorded in an operational log. This operational log shall be made available for review by the department personnel upon request.

2. No domestic sewage discharges are permitted under this general permit.
3. No chemicals, other than those listed on the owner's accepted registration statement, are allowed. Prior approval shall be obtained from the board before any changes are made to the chemical(s), in order to assure protection of water quality and beneficial uses of the waters receiving the discharge.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts.
5. Owners of facilities that are a source of the specified pollutant of concern to waters where an approved total maximum daily load (TMDL) has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.
6. The permittee shall notify the department as soon as he knows or has reason to believe:
 - a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter;
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
 - (3) Five times the maximum concentration value reported for that pollutant in the general permit registration statement; or
 - (4) The level established by the board.
 - b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) Five hundred micrograms per liter;
 - (2) One milligram per liter for antimony;
 - (3) Ten times the maximum concentration value reported for that pollutant in the general permit registration statement; or
 - (4) The level established by the board.
7. If a board-approved groundwater monitoring plan was submitted with the registration statement, the permittee shall continue to sample and report in accordance with the plan. The approved plan shall be an enforceable part of this permit. The board or the owner, with board approval, may evaluate the groundwater monitoring data and demonstrate that revisions to or the cessation of the groundwater monitoring are appropriate.
8. Compliance reporting under Part I A.
 - a. The quantification levels (QL) shall be as follows:

Effluent Characteristic	Quantification Level
Chlorine	0.10 mg/l
TSS	1.0 mg/l
 - b. Reporting.
 - (1) Monthly average. Compliance with the monthly average limitations and reporting requirements for the parameters listed in subdivision 8 a shall be determined as

follows: all concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed in subdivision 8 a shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

(2) Daily maximum. Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in subdivision 8 a above shall be determined as follows: all concentration data below the QL listed in subdivision 8 a above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

c. Any single datum required shall be reported as "<QL" if it is less than the QL in subdivision 8 a. Otherwise, the numerical value shall be reported.

d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

9. Operation and Maintenance Manual Requirement.

a. Within 90 days after the date of coverage under this general permit, the permittee shall develop an Operation and Maintenance (O & M) Manual for the treatment works. The O & M manual shall be reviewed within 90 days of changes to the treatment system. The O & M manual shall be certified in accordance with Part II K of this permit. The O & M manual shall be made available for review by department personnel upon request.

b. This manual shall detail the practices and procedures that will be followed to ensure compliance with the requirements of this permit. Within 30 days of a request by the department, the current O & M Manual shall be submitted to the board for review and approval. The permittee shall operate the treatment works in accordance with the O & M Manual. Noncompliance with the O & M Manual shall be deemed a violation of the permit.

c. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

(1) Techniques to be employed in the collection, preservation, and analysis of effluent samples;

(2) Discussion of best management practices, if applicable;

(3) Treatment system design, treatment system operation, routine preventive maintenance of units within the treatment system, critical spare parts inventory and record keeping;

(4) A plan for the management and/or disposal of waste solids and residues, which includes a requirement to clean settling basins and lagoons (if present at the facility) in order to achieve effective treatment and a requirement that all solids shall be handled, stored, and disposed of so as to prevent a discharge to state waters; and

(5) Procedures for measuring and recording the duration and volume of treated wastewater discharged.

10. Owners with a daily maximum flow rate greater than or equal to 50,000 gallons per day that have not conducted whole effluent toxicity (WET) testing to demonstrate there is no reasonable potential for toxicity from their discharge shall conduct WET testing as described in subdivisions a through e of this subsection. Owners with changes in treatment technology or chemical usage that change the characteristics of the discharge and with a daily maximum flow rate greater than or equal to 50,000 gallons per day shall conduct WET testing as described in subdivisions a through e of this subsection.

a. The WET testing shall consist of a minimum of four sets (set = vertebrate and invertebrate) of acute or chronic tests that reflect the current characteristics of the treatment plant effluent using the following tests and organisms:

For an intermittent or batch discharger	48 hour static acute toxicity tests
Freshwater organisms	Pimephales promelas or Oncorhynchus mykiss (for cold water) (vertebrates) Ceriodaphnia dubia (invertebrate)
Saltwater organisms	Cyprinodon variegates (vertebrate) Americamysis bahia (invertebrate)
For continuous discharger	
Freshwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with Pimephales promelas (vertebrate) 3-Brood Chronic Static Renewal Survival and Reproduction Test with Ceriodaphnia dubia (invertebrate)
Saltwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with Cyprinodon variegatus (vertebrate) 7-Day Chronic Static Renewal Survival, Growth and Fecundity Test with Americamysis bahia (invertebrate)

Freshwater organisms are used where the salinity of the receiving water is less than 1.0‰ (parts per thousand). Where the salinity of the receiving water is greater than or equal to 1.0‰ but less than 5.0‰ either freshwater or saltwater organisms may be used. Saltwater organisms are used where the salinity is greater than or equal to 5.0‰. There shall be a minimum of 30 days between sets of tests, and test procedures shall follow Title 40 of the Code of Federal Regulations, Part 136 (40 CFR Part 136), which references the EPA guidance manuals for WET testing.

b. This testing shall be completed, at a minimum, during the first year of coverage under the general permit or within one year of commencing discharge.

- c. The department will evaluate all representative data statistically to see if there is reasonable potential for toxicity in the facility discharge. If such reasonable potential exists and cannot be eliminated, the owner will be notified that he must apply for an individual VPDES permit at next reissuance and a WET limit will be included in that individual permit. If the potential cause of the toxicity is eliminated during the five year term of this general permit, the owner may conduct additional WET testing to demonstrate that there is no longer reasonable potential for toxicity and an individual permit will not be required at the next reissuance.
 - d. If the department determines that no reasonable potential for toxicity exists in the facility discharge, no further WET testing is required unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. If there have been changes to the effluent characteristics, then four sets of WET testing, either acute or chronic tests as applicable, must be performed to recharacterize the discharge.
 - e. Any WET testing data will be submitted with the next required discharge monitoring report.
11. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards.
12. Notice of termination.
- a. The owner may terminate coverage under this general permit by filing a complete notice of termination with the department. The notice of termination may be filed after one or more of the following conditions have been met:
 - (1) Operations have ceased at the facility and there are no longer discharges of process wastewater from the potable water treatment plant;
 - (2) A new owner has assumed responsibility for the facility. A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement form has been submitted;
 - (3) All discharges associated with this facility have been covered by an individual VPDES permit or a VPDES general permit; or
 - (4) Termination of coverage is being requested for another reason, provided the board agrees that coverage under this general permit is no longer needed.
 - b. The notice of termination shall contain the following information:
 - (1) Owner's name, mailing address, telephone number, and email address (if available);
 - (2) Facility name and location;
 - (3) VPDES general permit registration number for the facility; and
 - (4) The basis for submitting the notice of termination, including:
 - (a) A statement indicating that a new owner has assumed responsibility for the facility;
 - (b) A statement indicating that operations have ceased at the facility and there are no longer discharges from the facility;
 - (c) A statement indicating that all discharges have been covered by an individual VPDES permit; or
 - (d) A statement indicating that termination of coverage is being requested for another reason (state the reason).

c. The following certification: "I certify under penalty of law that all wastewater discharges from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual or a VPDES general permit, or that I am no longer the owner of the facility, or permit coverage should be terminated for another reason listed above. I understand that by submitting this notice of termination, that I am no longer authorized to discharge wastewater in accordance with the general permit, and that discharging pollutants to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."

d. The notice of termination shall be submitted to the department and signed in accordance with Part II K.

13. Approval for coverage under this general permit does not relieve any owner of the responsibility to comply with any other federal, state, or local statute, ordinance, or regulation.

PART II CONDITIONS APPLICABLE TO ALL VPDES PERMITS.

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records.

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

C. Reporting monitoring results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported on a discharge monitoring report (DMR) or on forms provided, approved or specified by the department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.
4. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information that the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department upon request, copies of records required to be kept by this permit.

E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges. Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of unauthorized discharges. Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F, or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;

5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of noncompliance. The permittee shall report any noncompliance that may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information that shall be reported within 24 hours under this paragraph:

- a. Any unanticipated bypass; and
- b. Any upset that causes a discharge to surface waters.

2. A written report shall be submitted within five days and shall contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the department's regional office. Reports may be made by telephone, FAX, or online at

<http://www.deq.virginia.gov/Programs/PollutionResponsePreparedness/MakingaReport>.

aspx. For reports outside normal working hours, a message may be left and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.

J. Notice of planned changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under § 306 of the Clean Water Act that are applicable to such source; or

(2) After proposal of standards of performance in accordance with § 306 of the Clean Water Act that are applicable to such source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit registration requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes (i) the chief executive officer of the

agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part II K 1;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

c. The written authorization is submitted to the department.

3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

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

L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit coverage renewal application.

The permittee shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under § 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 60 days before the expiration date of the existing permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a permit. 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 invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by § 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. 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) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice.

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least 10 days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.

3. Prohibition of bypass.

a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up

equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II U 2.

b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An upset occurred and that the permittee can identify the cause(s) of the upset;
- b. The permitted facility was at the time being properly operated;
- c. The permittee submitted notice of the upset as required in Part II I; and
- d. The permittee complied with any remedial measures required under Part II S.

3. In any enforcement preceding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry. The permittee shall allow the director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit actions. Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

Coverage under this permit may be automatically transferred to a new permittee if:

1. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property unless permission for a later date has been granted by the board;

2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

3. The board does not notify the existing permittee and the proposed new permittee of its intent to deny the new permittee coverage under the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2.

Z. Severability. The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. GENERAL PERMIT FACT SHEET

FACT SHEET
REISSUANCE OF A GENERAL VPDES PERMIT
TO DISCHARGE TO STATE WATERS AND STATE
CERTIFICATION UNDER THE STATE WATER CONTROL LAW
Potable Water Treatment Plant General Permit
2013 Reissuance

The Virginia State Water Control Board has under consideration the reissuance of a VPDES general permit for point source discharges from facilities discharging potable water treatment plant wastewater (SIC Code 4941-Water Supply, or other discharges of potable water treatment plant wastewater as approved by the Board) to the surface waters of the Commonwealth of Virginia. This permit is a VPDES general permit covered under the National Pollutant Discharge Elimination System. Owners who wish to discharge under a general permit must register for coverage under the reissued general permit.

Permit Number: VAG64

Name of Permittee: Any owner of a qualifying potable water treatment plant with point source discharges to the surface waters of the Commonwealth of Virginia.

Facility Location: Commonwealth of Virginia

Receiving Waters: Surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in Board regulations which prohibit such discharges.

On the basis of preliminary review and application of lawful standards and regulations, the State Water Control Board proposes to reissue the general VPDES permit subject to certain conditions. The Board has determined that this category of discharges is appropriately controlled under a general permit. The category of discharges to be included involves facilities with the same or similar types of operations and the facilities discharge the same or similar types of wastes. The draft general permit requires that all covered facilities meet standardized effluent limitations and monitoring requirements.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Eleanore Daub at:

Virginia Department of Environmental Quality
P.O. Box 1105
Richmond, Virginia 23218
(804) 698-4111

elleanore.daub@deq.virginia.gov

Activities Covered By This General Permit:

This general permit will cover point source discharges of potable water treatment plant wastewater (SIC Code 4941 – Water Supply, or other discharges of potable water treatment plant wastewater as approved by the Board) to surface waters of the Commonwealth of Virginia. The types of water treatment plants to be covered include treatment processes such as pretreatment (coagulation/flocculation/sedimentation); conventional filtration; softening with lime/soda ash, ion exchange, or membrane; and membrane filtration and desalting. Wastewater may be generated from clarifier underflow, sludge blowdown and particulate filter backwash from plain purification and lime-soda softening process, iron filter backwash wastewater from iron and manganese removal processes, reverse osmosis and micro filtration processes.

Ground water is most frequently treated to remove dissolved iron and manganese and typically includes oxidation (i.e., ozonation, chlorination, or addition of potassium permanganate) to precipitate the iron and manganese followed by filtration to remove the iron and manganese oxides.

Surface water is most frequently treated by filtration to remove suspended solids and may incorporate presedimentation and sedimentation basins before filtration. Precipitation, coagulation, and flocculation are frequently used to increase the effectiveness of sedimentation and filtration. Aluminum sulfate (alum) is the most common additive and is used for coagulation. Polymers are another common additive that may be used to enhance coagulation, flocculation, or filtration. Chlorination may be used before filtration as an oxidizing agent for precipitation and to remove taste and odor. Chlorine is often added after filtration for disinfection purposes, producing finished water for distribution to customers.

These wastewater treatment systems produce an acceptable quality effluent and operate well when maintained properly.

Authorization to Discharge

This general permit will have a term of four years, six months and six days. The maximum term for permits are normally five years. The expiration date of this permit is changed from December 23, 2018 to June 30, 2018 to move it away from the end of the year to address DEQ staff resource issues and to have the permit effective date begin on a calendar quarter which is consistent with other general permits. Every authorization under this general permit will expire at the same time and all authorizations will be renewed on the same date, provided a complete registration statement has been filed prior to the general permit's expiration date.

Any person conducting an activity covered by an individual permit, which could be covered by this general permit, may request that the individual permit be revoked and register for coverage under this general permit. An alternative to this is to wait until the individual permit expires and then ask for coverage at a later date. There are reasons why authorization to discharge cannot be granted. These are described below and should be considered by owners before submitting a registration statement.

A facility is ineligible for coverage under this general permit if DEQ becomes aware of any data indicating the potential for adverse water quality impacts.

Antibacksliding will be considered prior to granting coverage under this general permit. Generally, this means that any effluent limitations or requirements in your individual permit that are more restrictive than those in the general permit cannot be relaxed or removed. If granting coverage under the general permit would result in possible backsliding of effluent limitations or permit requirements, then coverage will not be allowed and you must retain your individual permit.

Antidegradation will be considered prior to granting coverage under this general permit. This means that a determination will be made in accordance with the State Water Control Board's Antidegradation Policy contained in the Virginia Water Quality Standards, 9VAC25-260-30. Generally, the standards require that high quality waters must be maintained and new or increased discharges to exceptional waters (specifically listed in 9VAC25-260-30) are not allowed.

The discharge must also be consistent with the assumptions and requirements of an approved total maximum daily load (TMDL), if applicable. As of this date, most potable water treatment plants are considered insignificant loads in TMDLs, or the limits set forth in the general permit meet the requirements of the TMDL.

Facilities that are subject to the requirements of 9 VAC 25-820-70, Part I.G.1 (*General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia - Requirement to Register*), will usually also have an individual permit to address tracking of waste load offsets or technology-based annual concentration limits. These facilities are excluded from coverage under this general permit, since the discharge of potable water treatment plant wastewater will be included as part of the individual permit.

Any discharge that has the reasonable potential to cause toxicity instream will not be granted coverage under the general permit. Note that Whole Effluent Toxicity (WET) testing is no longer a pre-requisite

for coverage under the general permit, but data (from current or previous permit terms) must be submitted with the registration statement if it is available, and must be representative of the current facility discharge. Note that WET testing will now be a special condition required during the permit term if WET testing has never been conducted or is no longer representative of the discharge. See special conditions below.

Registration

All facilities that the Department believes are eligible for coverage under this general permit will be authorized to discharge under the terms and conditions of the permit after a complete registration statement is submitted, the applicable permit fee is paid and the Department sends a copy of the general permit to the applicant. If this general permit is inappropriate, the applicant will be so notified and the requirement that an individual permit or alternate general permit is needed will remain in effect.

The registration statement contains instructions for filling out the form and the type of data needed.

Owners of new potable water treatment plants must submit the registration statement at least 60 days prior to commencing discharge. Owners of existing facilities covered under the previous general permit must submit a registration statement by October 24, 2013 to reregister for coverage under this permit. Existing owners covered by individual VPDES permits must submit a complete registration statement 270 days prior to the expiration of the individual VPDES permit. The 270 day deadline allows DEQ time to review the registration and respond to the owner in time for the owner to submit an individual permit application if their general permit registration is not accepted. Late registrations will be accepted but permit coverage will not be retroactive for the period between when the application was due and when it was submitted.

General Permit

There are two permit limits pages. The first limits page covers 'conventional' water treatment plants (anything that is not a reverse osmosis or nanofiltration plant). The second limits page covers reverse osmosis and nanofiltration plants.

Proposed Limitations and Monitoring Requirements:

A. Effluent limitations for potable water treatment plant wastewater that are not reverse osmosis or nanofiltration plants are as follows:

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u> ⁽¹⁾
Flow	Monitoring	Estimate
pH ⁽²⁾	9.0 max., 6.0 min.	Grab
Total Suspended Solids	30 mg/l avg., 60 mg/l max.	Composite ⁽³⁾
Total Residual Chlorine ⁽⁴⁾	0.011 mg/L avg. and 0.011 mg/l max.	Grab

⁽¹⁾ Monitoring frequency shall be once per quarter. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the 10th day of April, July, October, and January.

⁽²⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent limitations.

⁽³⁾ Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases, or until a minimum of five grab samples have been collected. For continuous or batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

⁽⁴⁾ Total residual chlorine limit shall only be applicable to facilities that use chlorine in the treatment process.

B. Effluent limitations for reverse osmosis and nanofiltration potable water treatment plant wastewater facilities are as follows:

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u> ⁽¹⁾
Flow	Monitoring	Estimate
pH ⁽²⁾	9.0 max., 6.0 min.	Grab
Total Dissolved Solids	NL mg/l max	Composite ⁽³⁾
Dissolved Oxygen ⁽⁴⁾	4.0 mg/l min.	Grab

NL is defined as no limitation, monitoring and reporting are required.

⁽¹⁾ Monitoring frequency shall be once per month. Monitoring frequency for reverse osmosis and nanofiltration plants can be reduced to once per quarter upon written notification from the DEQ Regional Office.

⁽²⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations (minimum only for dissolved oxygen).

⁽³⁾ Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases, or until a minimum of five grab samples have been collected. For continuous or batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

⁽⁴⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for dissolved oxygen in waters receiving the discharge, those standards shall be the minimum effluent limitations.

Basis for Proposed Effluent Limitations and Monitoring Requirements

In developing the proposed effluent limitations and special conditions the following information was reviewed. DEQ's permit manual currently contains standard effluent limits and special permit conditions to be used for water treatment plant individual permits, and several other states issue general permits for discharges from potable water treatment plant wastewater facilities. As no federal effluent limitation guidelines currently exist for discharges from water treatments plants, the monitoring requirements and limitations in this permit are based on best professional judgment and the water quality standards in 9VAC25-260.

As determined by the nature of the business, the parameters to be limited or monitored in this general VPDES permit for potable water treatment plant discharges are pH, total residual chlorine and total suspended solids. The parameters for reverse osmosis discharges are pH, dissolved oxygen, and total dissolved solids. The pH limitation is based upon Virginia's stream water quality standards (9 VAC 25-260-50 and 9 VAC 25-260-380). The total suspended solids, and total dissolved solids parameters are based on best professional judgment (9 VAC 25-31-210) and are established at levels which, based on the Department's experience with individual VPDES permits, are achievable with conventional treatment technology and which will prevent the build-up of solids on the bottom of receiving waters. The dissolved oxygen and total residual chlorine parameter are based on water quality standards for the type of treatment employed by these systems. Complying with these limitations is an indication that the treatment system is being operated and maintained properly and is producing an acceptable quality effluent.

Water treatment plants applying for coverage under this permit may use either ground water or surface water as their source water, and processes can vary depending on the treatment the source water requires.

Proposed Special Conditions and Rationale

1. Inspection of the effluent, and maintenance of the wastewater treatment facility shall be performed daily when discharging. Documentation of the inspection and maintenance shall be

recorded in an Operational Log. This operational log shall be made available for review by the Department personnel upon request.

9VAC25-31-10, and 40 CFR 122.41(e) require proper operation and maintenance of the permitted facility.

2. No domestic sewage discharges are permitted under this general permit.

The effluent limitations do not address pollutants typical of treated sewage, therefore no sewage discharges to surface or ground waters are permitted under the general permit.

3. No chemicals other than those listed on the owner's accepted registration statement are allowed. Prior approval shall be obtained from the Board before any changes are made to the chemical(s), in order to assure protection of water quality and beneficial uses of the waters receiving the discharge.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts.

This condition is required to implement the Water Quality Standards (9VAC25-260-20). Restriction of solids deposition in surface water in the vicinity of the outfall as a result of the industrial activity is also a standard special condition found in all VPDES permits. It serves as a measure of protection that the treatment works are operating correctly.

5. Owners of facilities that are a source of the specified pollutant of concern to waters where an approved TMDL has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.

EPA does not want DEQ to authorize general permits that are not in conformance with any applicable TMDL. This was a requirement also added to the regulation in section 50 'Authorization to Discharge.' Staff thought it important to repeat this as a special condition in the permit itself.. It reinforces the way general permits are currently handled in TMDLs. The assumption of the TMDL is that general permits are insignificant to the total load until such time that the TMDL program determines that the load is significant and the TMDL needs to be modified to include the load.

6. The permittee shall notify the Department as soon as they know or have reason to believe:
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) 100 micrograms per liter $\mu\text{g/l}$;
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
 - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
 - (4) The level established by the Board.
 - b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) Five hundred micrograms per liter;
 - (2) One milligram per liter for antimony;

- (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
- (4) The level established by the Board.

Required by VPDES Permit Regulation, 9VAC25-31-200 A for all manufacturing, commercial, mining and silvicultural dischargers.

- 7. If a Board approved groundwater monitoring plan was submitted with the registration statement, the permittee shall continue to sample and report in accordance with the plan. The approved plan shall be an enforceable part of this permit. The Board or the owner, with Board approval, may evaluate the groundwater monitoring data and demonstrate that revisions to, or the cessation of the groundwater monitoring are appropriate.

The purpose of the ground water monitoring plan is to determine if the system integrity is being maintained and to indicate if activities at the site are resulting in violations of the Board's Ground Water Standards (9 VAC 25-280).

8. Compliance reporting under Part I A

- a. The quantification levels (QL) shall be as follows:

<u>Effluent Characteristic</u>	<u>Quantification Level</u>
Chlorine	0.10 mg/l
TSS	1.0 mg/l

- b. Reporting

Monthly Average -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in a. above shall be determined as follows: All concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed in a. above shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as "calculated". If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

Daily Maximum -- Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in a., above shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

- c. Any single datum required shall be reported as "<QL" if it is less than the QL in a. above. Otherwise the numerical value shall be reported.
- d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention

consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

Authorized by VPDES Permit Regulation, 9VAC25-31-190 J 4 and 220 I. This condition is necessary when toxic pollutants are monitored by the permittee and a maximum level of quantification and /or a specific analytical method is required in order to assess compliance with a permit limit or to compare effluent quality with a numeric criterion. The condition also establishes protocols for calculation of reported values.

9. Operation and Maintenance Manual Requirement. Within 90 days after the date of coverage under this general permit, the permittee shall develop an Operations and Maintenance (O&M) Manual for the treatment works. The manual shall be reviewed within 90 days of changes to the treatment system. The manual shall be certified in accordance with Part II K of this permit. The manual shall be made available for review by Department personnel upon request. This manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of this permit. Within 30 days of a request by DEQ, the current O&M Manual shall be submitted to the DEQ Regional Office for review and Board approval. The permittee shall operate the treatment works in accordance with the approved O&M Manual. Noncompliance with the O&M Manual shall be deemed a violation of the permit. This manual shall include, but not necessarily be limited to, the following items, as appropriate:
 - a. Techniques to be employed in the collection, preservation, and analysis of effluent samples;
 - b. Discussion of Best Management Practices, if applicable;
 - c. Treatment system design, treatment system operation, routine preventive maintenance of units within the treatment system, critical spare parts inventory and record keeping;
 - d. A plan for the management and/or disposal of waste solids and residues which includes a requirement to clean settling basins and lagoons (if present at the facility) in order to achieve effective treatment, and a requirement that all solids shall be handled, stored and disposed of so as to prevent a discharge to state waters; and
 - e. Procedures for measuring and recording the duration and volume of treated wastewater discharged.

Required by Code of Virginia § 62.1-44.16; VPDES Permit Regulation, 9VAC25-31-190 E, and 40 CFR 122.41(e). These require proper operation and maintenance of the permitted facility. Compliance with an approval O&M manual ensures this.

10. Owners with a daily maximum flow rate greater than or equal to 50,000 gallons per day (GPD) that have not conducted whole effluent toxicity (WET) testing to demonstrate there is no reasonable potential for toxicity from their discharge shall conduct WET testing as described below. Daily maximum flow will be determined from the maximum flow submitted on the DMRs over the last permit coverage term. Owners with changes in treatment technology or chemical usage that change the characteristics of the discharge and with a daily maximum flow rate greater than or equal to 50,000 GPD shall conduct WET testing as described below. An example of a significant change is changing polymers in the flocculation process, adding chlorine, and upgrading the plant. An insignificant change would be switching fluoride suppliers. Any questions about significant changes will be dealt with at the time of registration. This is also when the owner will be told whether or not WET testing is required during the next permit term.
 - a. The WET testing shall consist of a minimum of four sets (set = vertebrate and invertebrate) of acute or chronic tests that reflect the current characteristics of the treatment plant effluent using the following tests and organisms:

For an intermittent or batch dischargers, these are hourly grab samples for the duration of the discharge. The first grab should be within 15 minutes of commencement of the discharge.	48 hour static acute toxicity tests
Freshwater organisms	<i>Pimephales promelas</i> or <i>Oncorhynchus mykiss</i> (for cold water) (vertebrates) <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater organisms	<i>Cyprinodon variegates</i> (vertebrate) <i>Americamysis bahia</i> (invertebrate)
For continuous dischargers, generally, this is a minimum of 5 consecutive day discharges. Samples should be 24 hour flow proportional composites.	
Freshwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Pimephales promelas</i> (vertebrate) 3-Brood Chronic Static Renewal Survival and Reproduction Test with <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Cyprinodon variegatus</i> (vertebrate) 7-Day Chronic Static Renewal Survival, Growth and Fecundity Test with <i>Americamysis bahia</i> (invertebrate)

Freshwater organisms are used where the salinity of the receiving water is less than 1.0‰ (parts per thousand). Where the salinity of the receiving water is greater than or equal to 1.0‰ but less than 5.0‰ either freshwater or saltwater organisms may be used. Saltwater organisms are used where the salinity is greater than or equal to 5.0‰. There shall be a minimum of 30 days between sets of tests, and test procedures shall follow Title 40 of the Code of Federal Regulations (CFR) Part 136, which references the EPA guidance manuals for WET testing.

- b. This testing shall be completed, at a minimum, during the first year of coverage under the general permit or within one year of commencing discharge. If discharge commences late in the five year coverage term, the owner should ensure the next registration statement is submitted on time and, with that submittal, consider asking for an administrative continuance of the 2013 permit coverage in order to complete the WET testing.
- c. The Department will evaluate all representative data statistically to see if there is reasonable potential for toxicity in the facility discharge. If such reasonable potential exists and cannot be eliminated, the owner will be notified that they must apply for an individual VPDES permit at next reissuance and a WET limit will be included in that individual permit. If the potential cause of the toxicity is eliminated during the five year term of this general permit, the owner may conduct additional WET testing to demonstrate that there is no longer reasonable potential for toxicity and an individual permit will not be required at the next reissuance. It

will benefit the owner to find and eliminate the cause of toxicity so that you may retain coverage under the general permit.

- d. If the Department determines that no reasonable potential for toxicity exists in the facility discharge, no further WET testing is required unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. If there have been changes to the effluent characteristics, then four sets of WET testing, either acute or chronic tests as applicable, must be performed to re-characterize the discharge.
- e. The completed series of WET testing data must be submitted with the next required discharge monitoring report.

Required by VPDES Permit Regulation, 9VAC25-31-210 and 220 I. Requires monitoring in the permit to provide for and assure compliance with all applicable requirements of the State Water Control Law and the Clean Water Act.

- 11. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards.

This matches similar language going into other general permits and have been a general narrative condition requested by EPA.

- 12. Notice of termination.

- a. The owner may terminate coverage under this general permit by filing a complete notice of termination with the department. The notice of termination may be filed after one or more of the following conditions have been met:

- (1) Operations have ceased at the facility and there are no longer discharges of process wastewater from the potable water treatment plant;
- (2) A new owner has assumed responsibility for the facility. A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement form has been submitted;
- (3) All discharges associated with this facility have been covered by an individual VPDES permit or a VPDES general permit; or
- (4) Termination of coverage is being requested for another reason, provided the board agrees that coverage under this general permit is no longer needed.

- b. The notice of termination shall contain the following information:

- (1) Owner's name, mailing address, telephone number, and email address (if available);
- (2) Facility name and location;
- (3) VPDES general permit registration number for the facility; and
- (4) The basis for submitting the notice of termination, including:
 - (a) A statement indicating that a new owner has assumed responsibility for the facility;
 - (b) A statement indicating that operations have ceased at the facility and there are no longer discharges from the facility;
 - (c) A statement indicating that all discharges have been covered by an individual VPDES permit; or
 - (d) A statement indicating that termination of coverage is being requested for another reason (state the reason).

- c. The following certification: "I certify under penalty of law that all wastewater discharges from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual or a VPDES general permit, or that I am no longer the owner of the facility, or permit coverage should be terminated for another reason listed above. I understand that by submitting this notice of termination, that I am no longer authorized to discharge wastewater in accordance with the general permit, and that discharging pollutants to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."
 - d. The notice of termination shall be submitted to the department and signed in accordance with Part II K.
13. Approval for coverage under this general permit does not relieve any owner of the responsibility to comply with any other federal, state, or local statute, ordinance, or regulation.

This requirement is part of the regulation at section 50 C and is repeated in the permit to remind the permittee of the responsibility.

Part III Conditions Applicable to All Permits

This section contains language from the permit regulation at 9VAC25-31-190 for conditions applicable to all permits. In 2013 a new condition was added to recognize the new Virginia Accredited Laboratory Program requirements in Part III A.

Also in 2013, the duty to reapply in Part III M is changed to 60 days before expiration to match the registration statement requirements in 9VAC25-860-60.

Also in 2013, the transfer of permits Part III Y has eliminated the allowance for transfer of permit requirements through modifications or revocation and reissuances because general permits are not modified or revoked and reissued. General permits may only be automatically transferred; however, the 30 days in advance notice of the transfer of ownership was often not feasible. Language was added so that the board can change the deadline depending on the situation

**3. GENERAL PERMIT PAGES
FOR CONVENTIONAL PLANTS**

REGIONAL LETTERHEAD

General Permit No: VAG64
Effective Date: December 24, 2013
Expiration Date: June 30, 2018

GENERAL PERMIT FOR POTABLE WATER TREATMENT PLANTS AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of potable water treatment plants are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in board regulations that prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II - Conditions Applicable to All VPDES Permits, as set forth herein.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

Facilities other than reverse osmosis or nanofiltration plants.

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater from outfall(s): _____

Such discharges shall be limited and monitored as specified below:

EFFLUENT CHARACTERISTICS	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Minimum	Maximum	Frequency ⁽¹⁾	Sample Type
Flow (MGD)	NL	NA	NL	1/3 Months	Estimate
pH (SU) ⁽²⁾	NA	6.0	9.0	1/3 Months	Grab
Total Suspended Solids (mg/l)	30	NA	60	1/3 Months	Composite ⁽³⁾
Total Residual Chlorine ⁽⁴⁾ (mg/l)	0.011	NA	0.011	1/3 Months	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

⁽¹⁾ Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the 10th day of April, July, October, and January.

⁽²⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent limitations.

⁽³⁾ Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases, or until a minimum of five grab samples have been collected. For continuous or batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

⁽⁴⁾ Total residual chlorine limit shall only be applicable to facilities that use chlorine in the treatment process.

B. Special conditions.

1. Inspection of the effluent, and maintenance of the wastewater treatment facility, shall be performed daily when discharging. Documentation of the inspection and maintenance shall be recorded in an operational log. This operational log shall be made available for review by the department personnel upon request.
2. No domestic sewage discharges are permitted under this general permit.
3. No chemicals, other than those listed on the owner's accepted registration statement, are allowed. Prior approval shall be obtained from the board before any changes are made to the chemical(s), in order to assure protection of water quality and beneficial uses of the waters receiving the discharge.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts.
5. Owners of facilities that are a source of the specified pollutant of concern to waters where an approved total maximum daily load (TMDL) has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.
6. The permittee shall notify the department as soon as he knows or has reason to believe:
 - a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter;
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
 - (3) Five times the maximum concentration value reported for that pollutant in the general permit registration statement; or
 - (4) The level established by the board.
 - b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) Five hundred micrograms per liter;
 - (2) One milligram per liter for antimony;
 - (3) Ten times the maximum concentration value reported for that pollutant in the general permit registration statement; or
 - (4) The level established by the board.
7. If a board-approved groundwater monitoring plan was submitted with the registration statement, the permittee shall continue to sample and report in accordance with the plan. The approved plan shall be an enforceable part of this permit. The board or the owner, with board approval, may evaluate the groundwater monitoring data and demonstrate that revisions to or the cessation of the groundwater monitoring are appropriate.

8. Compliance reporting under Part I A.

a. The quantification levels (QL) shall be as follows:

Effluent Characteristic	Quantification Level
Chlorine	0.10 mg/l
TSS	1.0 mg/l

b. Reporting.

(1) Monthly average. Compliance with the monthly average limitations and reporting requirements for the parameters listed in subdivision 8 a shall be determined as follows: all concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed in subdivision 8 a shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

(2) Daily maximum. Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in subdivision 8 a above shall be determined as follows: all concentration data below the QL listed in subdivision 8 a above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

c. Any single datum required shall be reported as "<QL" if it is less than the QL in subdivision 8 a. Otherwise, the numerical value shall be reported.

d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

9. Operation and Maintenance Manual Requirement.

a. Within 90 days after the date of coverage under this general permit, the permittee shall develop an Operation and Maintenance (O & M) Manual for the treatment works. The O & M manual shall be reviewed within 90 days of changes to the treatment system. The O & M manual shall be certified in accordance with Part II K of this permit. The O & M manual shall be made available for review by department personnel upon request.

b. This manual shall detail the practices and procedures that will be followed to ensure compliance with the requirements of this permit. Within 30 days of a request by the department, the current O & M Manual shall be submitted to the board for review and approval. The permittee shall operate the treatment works in accordance with the O & M Manual. Noncompliance with the O & M Manual shall be deemed a violation of the permit.

c. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- (1) Techniques to be employed in the collection, preservation, and analysis of effluent samples;
- (2) Discussion of best management practices, if applicable;
- (3) Treatment system design, treatment system operation, routine preventive maintenance of units within the treatment system, critical spare parts inventory and record keeping;
- (4) A plan for the management and/or disposal of waste solids and residues, which includes a requirement to clean settling basins and lagoons (if present at the facility) in order to achieve effective treatment and a requirement that all solids shall be handled, stored, and disposed of so as to prevent a discharge to state waters; and
- (5) Procedures for measuring and recording the duration and volume of treated wastewater discharged.

10. Owners with a daily maximum flow rate greater than or equal to 50,000 gallons per day that have not conducted whole effluent toxicity (WET) testing to demonstrate there is no reasonable potential for toxicity from their discharge shall conduct WET testing as described in subdivisions a through e of this subsection. Owners with changes in treatment technology or chemical usage that change the characteristics of the discharge and with a daily maximum flow rate greater than or equal to 50,000 gallons per day shall conduct WET testing as described in subdivisions a through e of this subsection.

a. The WET testing shall consist of a minimum of four sets (set = vertebrate and invertebrate) of acute or chronic tests that reflect the current characteristics of the treatment plant effluent using the following tests and organisms:

For an intermittent or batch discharger	48 hour static acute toxicity tests
Freshwater organisms	<i>Pimephales promelas</i> or <i>Oncorhynchus mykiss</i> (for cold water) (vertebrates) <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater organisms	<i>Cyprinodon variegates</i> (vertebrate) <i>Americamysis bahia</i> (invertebrate)
For continuous discharger	
Freshwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Pimephales promelas</i> (vertebrate) 3-Brood Chronic Static Renewal Survival and Reproduction Test with <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Cyprinodon variegatus</i> (vertebrate) 7-Day Chronic Static Renewal Survival, Growth and Fecundity Test with <i>Americamysis bahia</i> (invertebrate)

Freshwater organisms are used where the salinity of the receiving water is less than 1.0‰ (parts per thousand). Where the salinity of the receiving water is greater than or equal to 1.0‰

but less than 5.0‰ either freshwater or saltwater organisms may be used. Saltwater organisms are used where the salinity is greater than or equal to 5.0‰. There shall be a minimum of 30 days between sets of tests, and test procedures shall follow Title 40 of the Code of Federal Regulations, Part 136 (40 CFR Part 136), which references the EPA guidance manuals for WET testing.

b. This testing shall be completed, at a minimum, during the first year of coverage under the general permit or within one year of commencing discharge.

c. The department will evaluate all representative data statistically to see if there is reasonable potential for toxicity in the facility discharge. If such reasonable potential exists and cannot be eliminated, the owner will be notified that he must apply for an individual VPDES permit at next reissuance and a WET limit will be included in that individual permit. If the potential cause of the toxicity is eliminated during the five year term of this general permit, the owner may conduct additional WET testing to demonstrate that there is no longer reasonable potential for toxicity and an individual permit will not be required at the next reissuance.

d. If the department determines that no reasonable potential for toxicity exists in the facility discharge, no further WET testing is required unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. If there have been changes to the effluent characteristics, then four sets of WET testing, either acute or chronic tests as applicable, must be performed to recharacterize the discharge.

e. Any WET testing data will be submitted with the next required discharge monitoring report.

11. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards.

12. Notice of termination.

a. The owner may terminate coverage under this general permit by filing a complete notice of termination with the department. The notice of termination may be filed after one or more of the following conditions have been met:

(1) Operations have ceased at the facility and there are no longer discharges of process wastewater from the potable water treatment plant;

(2) A new owner has assumed responsibility for the facility. A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement form has been submitted;

(3) All discharges associated with this facility have been covered by an individual VPDES permit or a VPDES general permit; or

(4) Termination of coverage is being requested for another reason, provided the board agrees that coverage under this general permit is no longer needed.

b. The notice of termination shall contain the following information:

(1) Owner's name, mailing address, telephone number, and email address (if available);

(2) Facility name and location;

(3) VPDES general permit registration number for the facility; and

(4) The basis for submitting the notice of termination, including:

(a) A statement indicating that a new owner has assumed responsibility for the facility;

(b) A statement indicating that operations have ceased at the facility and there are no longer discharges from the facility;

- (c) A statement indicating that all discharges have been covered by an individual VPDES permit; or
 - (d) A statement indicating that termination of coverage is being requested for another reason (state the reason).
 - c. The following certification: "I certify under penalty of law that all wastewater discharges from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual or a VPDES general permit, or that I am no longer the owner of the facility, or permit coverage should be terminated for another reason listed above. I understand that by submitting this notice of termination, that I am no longer authorized to discharge wastewater in accordance with the general permit, and that discharging pollutants to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."
 - d. The notice of termination shall be submitted to the department and signed in accordance with Part II K.
13. Approval for coverage under this general permit does not relieve any owner of the responsibility to comply with any other federal, state, or local statute, ordinance, or regulation.

PART II
CONDITIONS APPLICABLE TO ALL VPDES PERMITS.

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records.

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

C. Reporting monitoring results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported on a discharge monitoring report (DMR) or on forms provided, approved or specified by the department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection

Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.

4. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information that the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department upon request, copies of records required to be kept by this permit.

E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges. Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of unauthorized discharges. Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F, or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of noncompliance. The permittee shall report any noncompliance that may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information that shall be reported within 24 hours under this paragraph:

- a. Any unanticipated bypass; and
 - b. Any upset that causes a discharge to surface waters.
2. A written report shall be submitted within five days and shall contain:
- a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the department's regional office. Reports may be made by telephone, FAX, or online at

<http://www.deq.virginia.gov/Programs/PollutionResponsePreparedness/MakingaReport.aspx>. For reports outside normal working hours, a message may be left and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.

J. Notice of planned changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under § 306 of the Clean Water Act that are applicable to such source; or

(2) After proposal of standards of performance in accordance with § 306 of the Clean Water Act that are applicable to such source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit registration requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

- c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II K 1;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
 - c. The written authorization is submitted to the department.
 3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the department prior to or together with any reports, or information to be signed by an authorized representative.
 4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

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

L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit coverage renewal application.

The permittee shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under § 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at

least 60 days before the expiration date of the existing permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a permit. 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 invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by § 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. 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) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice.

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least 10 days before the date of the bypass.

- b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.
 - a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part II U 2.
 - b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required in Part II I; and
 - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement preceding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry. The permittee shall allow the director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit actions. Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

Coverage under this permit may be automatically transferred to a new permittee if:

1. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property unless permission for a later date has been granted by the board;
2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
3. The board does not notify the existing permittee and the proposed new permittee of its intent to deny the new permittee coverage under the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2.

Z. 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.

**4. GENERAL PERMIT PAGES
REVERSE OSMOSIS OR NANOFILTRATION**

REGIONAL LETTERHEAD

General Permit No: VAG64
Effective Date: December 24, 2013
Expiration Date: June 30, 2018

GENERAL PERMIT FOR POTABLE WATER TREATMENT PLANTS AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of potable water treatment plants are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in board regulations that prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II - Conditions Applicable to All VPDES Permits, as set forth herein.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

Reverse osmosis and nanofiltration plants.

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater originating from outfall(s): _____

Such discharges shall be limited and monitored as specified below:

EFFLUENT CHARACTERISTICS	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
	Monthly Average	Minimum	Maximum	Frequency ⁽¹⁾	Sample Type
Flow (MGD)	NL	NA	NL	1/ Month	Estimate
pH (SU) ⁽²⁾	NA	6.0	9.0	1/ Month	Grab
Total Dissolved Solids (mg/l)	NA	NA	NL	1/ Month	Composite ⁽³⁾
Dissolved Oxygen (mg/l) ⁽⁴⁾	NA	4.0	NA	1/ Month	Grab

NL - No limitation, monitoring requirement only

NA - Not applicable

⁽¹⁾ Monitoring frequencies shall be reduced to 1/quarter upon written notification from the DEQ regional office. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the 10th day of April, July, October, and January.

⁽²⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for pH in waters receiving the discharge, those standards shall be the minimum and maximum effluent limitations.

⁽³⁾ Composite - For continuous discharges, five grab samples collected at hourly intervals. For batch discharges, five grab samples taken at evenly placed intervals until the discharge ceases or until a minimum of five grab samples have been collected. For continuous or batch discharges, the first grab shall occur within 15 minutes of commencement of the discharge.

⁽⁴⁾ Where the Water Quality Standards (9VAC25-260) establish alternate standards for dissolved oxygen in waters receiving the discharge, those standards shall be the minimum effluent limitations.

B. Special conditions.

1. Inspection of the effluent, and maintenance of the wastewater treatment facility, shall be performed daily when discharging. Documentation of the inspection and maintenance shall be recorded in an operational log. This operational log shall be made available for review by the department personnel upon request.
2. No domestic sewage discharges are permitted under this general permit.
3. No chemicals, other than those listed on the owner's accepted registration statement, are allowed. Prior approval shall be obtained from the board before any changes are made to the chemical(s), in order to assure protection of water quality and beneficial uses of the waters receiving the discharge.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts.
5. Owners of facilities that are a source of the specified pollutant of concern to waters where an approved total maximum daily load (TMDL) has been established shall implement measures and controls that are consistent with the assumptions and requirements of the TMDL.
6. The permittee shall notify the department as soon as he knows or has reason to believe:
 - a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter;
 - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
 - (3) Five times the maximum concentration value reported for that pollutant in the general permit registration statement; or
 - (4) The level established by the board.
 - b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) Five hundred micrograms per liter;
 - (2) One milligram per liter for antimony;
 - (3) Ten times the maximum concentration value reported for that pollutant in the general permit registration statement; or
 - (4) The level established by the board.
7. If a board-approved groundwater monitoring plan was submitted with the registration statement, the permittee shall continue to sample and report in accordance with the plan. The approved plan shall be an enforceable part of this permit. The board or the owner, with board approval, may evaluate the groundwater monitoring data and demonstrate that revisions to or the cessation of the groundwater monitoring are appropriate.

8. Compliance reporting under Part I A.

a. The quantification levels (QL) shall be as follows:

Effluent Characteristic	Quantification Level
Chlorine	0.10 mg/l
TSS	1.0 mg/l

b. Reporting.

(1) Monthly average. Compliance with the monthly average limitations and reporting requirements for the parameters listed in subdivision 8 a shall be determined as follows: all concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed in subdivision 8 a shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

(2) Daily maximum. Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in subdivision 8 a above shall be determined as follows: all concentration data below the QL listed in subdivision 8 a above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as "<QL." If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

c. Any single datum required shall be reported as "<QL" if it is less than the QL in subdivision 8 a. Otherwise, the numerical value shall be reported.

d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

9. Operation and Maintenance Manual Requirement.

a. Within 90 days after the date of coverage under this general permit, the permittee shall develop an Operation and Maintenance (O & M) Manual for the treatment works. The O & M manual shall be reviewed within 90 days of changes to the treatment system. The O & M manual shall be certified in accordance with Part II K of this permit. The O & M manual shall be made available for review by department personnel upon request.

b. This manual shall detail the practices and procedures that will be followed to ensure compliance with the requirements of this permit. Within 30 days of a request by the department, the current O & M Manual shall be submitted to the board for review and approval. The permittee shall operate the treatment works in accordance with the O & M Manual. Noncompliance with the O & M Manual shall be deemed a violation of the permit.

c. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- (1) Techniques to be employed in the collection, preservation, and analysis of effluent samples;
- (2) Discussion of best management practices, if applicable;
- (3) Treatment system design, treatment system operation, routine preventive maintenance of units within the treatment system, critical spare parts inventory and record keeping;
- (4) A plan for the management and/or disposal of waste solids and residues, which includes a requirement to clean settling basins and lagoons (if present at the facility) in order to achieve effective treatment and a requirement that all solids shall be handled, stored, and disposed of so as to prevent a discharge to state waters; and
- (5) Procedures for measuring and recording the duration and volume of treated wastewater discharged.

10. Owners with a daily maximum flow rate greater than or equal to 50,000 gallons per day that have not conducted whole effluent toxicity (WET) testing to demonstrate there is no reasonable potential for toxicity from their discharge shall conduct WET testing as described in subdivisions a through e of this subsection. Owners with changes in treatment technology or chemical usage that change the characteristics of the discharge and with a daily maximum flow rate greater than or equal to 50,000 gallons per day shall conduct WET testing as described in subdivisions a through e of this subsection.

a. The WET testing shall consist of a minimum of four sets (set = vertebrate and invertebrate) of acute or chronic tests that reflect the current characteristics of the treatment plant effluent using the following tests and organisms:

For an intermittent or batch discharger	48 hour static acute toxicity tests
Freshwater organisms	<i>Pimephales promelas</i> or <i>Oncorhynchus mykiss</i> (for cold water) (vertebrates) <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater organisms	<i>Cyprinodon variegates</i> (vertebrate) <i>Americamysis bahia</i> (invertebrate)
For continuous discharger	
Freshwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Pimephales promelas</i> (vertebrate) 3-Brood Chronic Static Renewal Survival and Reproduction Test with <i>Ceriodaphnia dubia</i> (invertebrate)
Saltwater	7-Day Chronic Static Renewal Larval Survival and Growth Test with <i>Cyprinodon variegatus</i> (vertebrate) 7-Day Chronic Static Renewal Survival, Growth and Fecundity Test with <i>Americamysis bahia</i> (invertebrate)

Freshwater organisms are used where the salinity of the receiving water is less than 1.0‰ (parts per thousand). Where the salinity of the receiving water is greater than or equal to 1.0‰

but less than 5.0‰ either freshwater or saltwater organisms may be used. Saltwater organisms are used where the salinity is greater than or equal to 5.0‰. There shall be a minimum of 30 days between sets of tests, and test procedures shall follow Title 40 of the Code of Federal Regulations, Part 136 (40 CFR Part 136), which references the EPA guidance manuals for WET testing.

b. This testing shall be completed, at a minimum, during the first year of coverage under the general permit or within one year of commencing discharge.

c. The department will evaluate all representative data statistically to see if there is reasonable potential for toxicity in the facility discharge. If such reasonable potential exists and cannot be eliminated, the owner will be notified that he must apply for an individual VPDES permit at next reissuance and a WET limit will be included in that individual permit. If the potential cause of the toxicity is eliminated during the five year term of this general permit, the owner may conduct additional WET testing to demonstrate that there is no longer reasonable potential for toxicity and an individual permit will not be required at the next reissuance.

d. If the department determines that no reasonable potential for toxicity exists in the facility discharge, no further WET testing is required unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. If there have been changes to the effluent characteristics, then four sets of WET testing, either acute or chronic tests as applicable, must be performed to recharacterize the discharge.

e. Any WET testing data will be submitted with the next required discharge monitoring report.

11. The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards.

12. Notice of termination.

a. The owner may terminate coverage under this general permit by filing a complete notice of termination with the department. The notice of termination may be filed after one or more of the following conditions have been met:

(1) Operations have ceased at the facility and there are no longer discharges of process wastewater from the potable water treatment plant;

(2) A new owner has assumed responsibility for the facility. A notice of termination does not have to be submitted if a VPDES Change of Ownership Agreement form has been submitted;

(3) All discharges associated with this facility have been covered by an individual VPDES permit or a VPDES general permit; or

(4) Termination of coverage is being requested for another reason, provided the board agrees that coverage under this general permit is no longer needed.

b. The notice of termination shall contain the following information:

(1) Owner's name, mailing address, telephone number, and email address (if available);

(2) Facility name and location;

(3) VPDES general permit registration number for the facility; and

(4) The basis for submitting the notice of termination, including:

(a) A statement indicating that a new owner has assumed responsibility for the facility;

(b) A statement indicating that operations have ceased at the facility and there are no longer discharges from the facility;

- (c) A statement indicating that all discharges have been covered by an individual VPDES permit; or
 - (d) A statement indicating that termination of coverage is being requested for another reason (state the reason).
 - c. The following certification: "I certify under penalty of law that all wastewater discharges from the identified facility that are authorized by this VPDES general permit have been eliminated, or covered under a VPDES individual or a VPDES general permit, or that I am no longer the owner of the facility, or permit coverage should be terminated for another reason listed above. I understand that by submitting this notice of termination, that I am no longer authorized to discharge wastewater in accordance with the general permit, and that discharging pollutants to surface waters is unlawful where the discharge is not authorized by a VPDES permit. I also understand that the submittal of this notice of termination does not release an owner from liability for any violations of this permit or the Clean Water Act."
 - d. The notice of termination shall be submitted to the department and signed in accordance with Part II K.
13. Approval for coverage under this general permit does not relieve any owner of the responsibility to comply with any other federal, state, or local statute, ordinance, or regulation.

PART II
CONDITIONS APPLICABLE TO ALL VPDES PERMITS.

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. Samples taken as required by this permit shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records.

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

C. Reporting monitoring results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported on a discharge monitoring report (DMR) or on forms provided, approved or specified by the department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection

Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.

4. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information that the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department upon request, copies of records required to be kept by this permit.

E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges. Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of unauthorized discharges. Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F, or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of noncompliance. The permittee shall report any noncompliance that may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information that shall be reported within 24 hours under this paragraph:

- a. Any unanticipated bypass; and
- b. Any upset that causes a discharge to surface waters.

2. A written report shall be submitted within five days and shall contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the department's regional office. Reports may be made by telephone, FAX, or online at

<http://www.deq.virginia.gov/Programs/PollutionResponsePreparedness/MakingaReport.aspx>.

For reports outside normal working hours, a message may be left and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.

J. Notice of planned changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under § 306 of the Clean Water Act that are applicable to such source; or

(2) After proposal of standards of performance in accordance with § 306 of the Clean Water Act that are applicable to such source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit registration requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

- c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II K 1;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
 - c. The written authorization is submitted to the department.
 3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the department prior to or together with any reports, or information to be signed by an authorized representative.
 4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

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

L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit coverage renewal application.

The permittee shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under § 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at

least 60 days before the expiration date of the existing permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a permit. 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 invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by § 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. 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) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice.

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least 10 days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.

3. Prohibition of bypass.

a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II U 2.

b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;

c. The permittee submitted notice of the upset as required in Part II I; and

d. The permittee complied with any remedial measures required under Part II S.

3. In any enforcement preceding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry. The permittee shall allow the director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit actions. Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

Coverage under this permit may be automatically transferred to a new permittee if:

1. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property unless permission for a later date has been granted by the board;
2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
3. The board does not notify the existing permittee and the proposed new permittee of its intent to deny the new permittee coverage under the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2.

Z. 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.

5. REGISTRATION STATEMENT AND INSTRUCTION

SEE <http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#wtp>

6. EXAMPLE TRANSMITTAL LETTERS

**Registration Transmittal Letter Existing Permittees
Potable Water Treatment Plant Permit Registration Statement**

Regional Letterhead

Date

Facility Name

Address

ATTN: John Contact

RE: Registration for the General VPDES Permit for Potable Water Treatment Plants (WTP)

Dear Mr. Contact:

The General VPDES Permit VAG64 for Potable Water Treatment Plants was adopted by the State Water Control Board at its June 17, 2013 meeting and will be reissued effective on December 24, 2013. This general permit provides VPDES permit coverage to discharges from all qualified potable water treatment plants for owners that submit a complete registration statement and are approved for coverage.

General VPDES permit holders must complete and submit the attached registration statement if they wish to continue coverage under this general permit reissuance. The registration must be submitted on or before October 24, 2013. Note the Department has extended the due date as allowed per Part III M of the permit. If your facility discharge qualifies for the general permit, it is recommended that you maintain coverage under the General Permit in order to simplify requirements for having your wastewater discharges permitted. Facilities that do not qualify for continued coverage are required to seek an individual VPDES Permit for wastewater discharge.

Instructions for completing the registration form are included with the form. The application fee for this general permit is \$600.00, and should be submitted in accordance with the attached permit fee form instructions. You do not need to copy this office with the fee form or the check, send them to the address provided on the form.

You may submit your signed and scanned registration statement to me at [*insert permit writer email address*]; however, DEQ must receive a hard copy signed registration statement by October 24, 2013. Please contact me by email or at (xxx) xxx-xxxx if this due date cannot be met or you have any questions. To see information about this general permit regulation see the following link: <http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#WTP>.

Sincerely,

Permit Writer Name (or Water Permit Manager)
Water Permit Writer (or Water Permit Manager)

Attachments: Registration Statement and Instructions
Fee Form

**Registration Transmittal Letter Individual Permits
Potable Water Treatment Plant Permit**

Regional Letterhead

Date

Facility Name

Address

ATTN: John Contact

RE: Registration for the General VPDES Permit for Potable Water Treatment Plants (WTP)

Dear Mr. Contact:

You currently hold an individual Virginia Pollutant Discharge Elimination System (VPDES) permit *[insert permit number]*. This letter is your notification that your facility might be eligible for coverage under the General VPDES Permit for Potable Water Treatment Plants VAG64. This general permit was adopted by the State Water Control Board and will be *[or was]* effective on December 24, 2013. This general permit provides VPDES permit coverage to discharges from all qualified potable water treatment plants for owners that submit a complete registration statement and are approved for coverage.

[Use the following sentence for individual permittees greater than one-year from expiration] Individual VPDES permit holders must complete and submit the enclosed registration statement if they wish to be covered under this general permit instead of an individual permit 270 days prior to the expiration date of the existing individual permit which is *[insert date]*. *[Use this sentence for all other individual permittees whose permits have expired, are administratively continued or less than one year from expiration]* Individual VPDES permit holders must complete and submit the enclosed registration by *[insert a date at least 30 days from the date of this letter]*. If you have not already done so, note that you are still responsible for submitting your individual VPDES permit application 180 days prior to your individual permit expiration date if coverage under this general permit is denied. Facilities that do not qualify for coverage will be required to remain an individual VPDES permit holder for the wastewater discharge.

Instructions for completing the registration form are included in this package. The application fee for this general permit is \$600.00, and should be submitted in accordance with the attached permit fee form instructions. You do not need to copy this office with the fee form or the check; send them to the address provided on the form.

You may submit your original signed registration statement to me by *[insert date from paragraph #2 above]* at *[insert address]*. Please contact me at *[insert email address]* or *[insert phone number]* if this due date cannot be met or you have any questions. To see information about this general permit regulation see the following link:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#WTP>.

Sincerely,

[Insert name]

[Insert title]

Attachments: Registration Statement and Instructions
Fee Form

**Registration Transmittal Letter New Permittees
Potable Water Treatment Plant Permit**

Regional Letterhead

Date

Facility Name

Address

ATTN: John Contact

RE: Registration for the General VPDES Permit for Potable Water Treatment Plants (WTP)

Dear Mr. Contact:

The General VPDES Permit VAG64 for Potable Water Treatment Plants was reissued effective on December 24, 2013. This general permit provides VPDES permit coverage to discharges from all qualified potable water treatment plants for owners that submit a complete registration statement and are approved for coverage.

If you wish to apply for coverage under this general permit, you must complete and submit the attached registration statement. The registration must be submitted within 60 days prior to the date planned for commencement of the new discharge. If your facility discharge qualifies for the general permit, it is recommended that you obtain coverage in order to simplify requirements for having your wastewater discharges permitted. Facilities that do not qualify for coverage will be required to apply for an individual VPDES Permit for their wastewater discharge.

Instructions for completing the registration form are included in this package. The application fee for this general permit is \$600.00, and should be submitted in accordance with the attached permit fee form instructions. You do not need to copy this office with the fee form or the check; send them to the address provided on the form.

You may submit your original signed registration statement to me at *[insert street or mailing address]*. Please contact me by email at *[insert email]* or at *[insert telephone]* if this due date cannot be met or you have any questions. To see information about this general permit regulation see the following link:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx#WTP>.

Sincerely,

[Insert Name]

[Insert Title]

Attachments: Registration Statement and Instructions
Fee Form

**Deny Registration for Coverage Transmittal Letter
Potable Water Treatment Plant Permit**

Regional Letterhead

Date

Facility Name

Address

ATTN: John Contact

RE: Registration for VPDES general permit for Potable Water Treatment Plants dated _____,
facility name, location

Dear John Contact:

The Virginia Department of Environmental Quality intends to deny your request for coverage under a VPDES general permit. *[Insert appropriate statement(s)]* Coverage under the general permit requires no reasonable potential for toxicity per 9VAC25-860-50 B 6 of this general permit regulation. We have determined from your registration statement that you have conducted whole effluent toxicity and the data demonstrates that you have reasonable potential for toxicity from the discharge at your facility. Because of this, we have determined that you are not eligible for coverage under this general permit. You must retain your individual permit coverage at this time.

[AND/OR]

We have determined from your last VPDES individual permit that you have final effective limits for *[insert parameters e.g. metals, ammonia, total dissolved solids, whole effluent toxicity, etc...]* in your individual permit. These limits are not included in the general permit. Because of antibacksliding requirements in the VPDES Permit Regulation at 9VAC31-220 L, you must retain these limits in your individual permit because they are not controlled via coverage under the general permit.

[INCLUDE OTHER REASONS AUTHORIZATION TO DISCHARGE MUST BE DENIED]

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director of the Virginia Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Your \$600 registration fee will be refunded to you. Please call me at *[insert phone number]* if you have any comments or questions.

Sincerely,

[Insert Name]

[Insert Title]

**General Permit Coverage Transmittal Letter
Potable Water Treatment Plant General Permit**

Regional Letterhead

Date

Facility Name

Address

ATTN: John Contact

RE: Coverage under the General VPDES Permit for Potable Water Treatment Plant VAG64_____

Dear Permittee:

We have reviewed your Registration Statement received on _____, and determined that this potable water treatment plant activity is hereby covered under the referenced general VPDES permit. Your coverage under this general permit becomes effective on December 24, 2013 or the date of this letter, whichever is later. The enclosed copy of the general permit contains the effluent limitations, monitoring requirements and other conditions of coverage.

In accordance with the permit you are required to submit discharge monitoring reports (DMR) to:

Regional Office Address

The reporting form is included with the permit. You will be responsible for obtaining additional copies of the reporting form. A DMR is to be completed for each permitted outfall. *[For conventional plants (microfiltration and ultrafiltration) choose]*The sampling and reporting are on a quarterly basis with the DMRs due on the tenth of April, July, October and January. *[For reverse osmosis and nanofiltration plants choose]*The sampling and reporting are on a monthly basis with DMRs due on the tenth of the month following monitoring.

Part I B 10 (Special Conditions) of this general permit requires owners with a wastewater discharge maximum flow rate greater than or equal to 50,000 gallons per day to demonstrate no reasonable potential for whole effluent toxicity (WET) in their discharge if they have not already done so. *[Choose one]*We have determined from your registration statement that you exceed a daily maximum flow rate of 50,000 gallons per day and have not yet made that demonstration, so Part I B 10 WET testing must be conducted within the first year of coverage or within the first year of commencing discharge from your facility. *[OR]*You submitted WET testing with your registration statement that demonstrates you have no reasonable potential for toxicity from the discharge at your facility; therefore, you are not required to conduct the WET testing in Part I B 10 unless changes in treatment technology or chemical usage are made at the plant that change the characteristics of the discharge. *[OR]* We have determined from your registration statement that the maximum flow at your plant is not greater than or equal to 50,000 gallons per day; therefore, you are not required to conduct the WET testing in Part I B 10

The general permit will expire on June 30, 2018. You will be sent a reissuance reminder letter to submit a new registration statement if you wish continued coverage under the general permit.

If you have any questions, please do not hesitate to contact us.

Sincerely,

[Regional Water Permit Manager or Permit Writer Name]
[Title]

**Termination Transmittal Letter
Potable Water Treatment Plant General Permit**

Regional Letterhead

Date

Facility Name
Address

ATTN: John Contact

RE: Coverage under the General VPDES Permit for Potable Water Treatment Plant VAG64_____

Dear Permittee:

DEQ agrees to terminate your coverage under the General VPDES Permit for Potable Water Treatment Plants, permit registration number VAG64_____. Termination will become effective 30 days from the date of this notification unless you provide an objection in accordance with one of the two paragraphs below.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director of the Virginia Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under §§ 62.1-44.16, 62.1-44.17 and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said request must meet the requirements set forth in 9VAC25-230-130 (Procedural Rule No. 1 – Petition for Formal Hearing). In cases involving actions of the Board, such petition must be filed within 30 days after notice of such action is mailed to such owner by certified mail.

If you have any questions, please contact *[insert permit writer name]* at *[insert contact information]*.

Sincerely,

Regional WPM Name
Water Permit Manager

C: *[insert name of compliance auditor]*

DISCHARGE MONITORING REPORTS

COMMONWEALTH OF VIRGINIA - DEPARTMENT OF ENVIRONMENTAL QUALITY
GENERAL PERMIT FOR POTABLE WATER TREATMENT PLANTS
DISCHARGE MONITORING REPORT (DMR)

12/24/2013

Department of Environmental Quality
 (REGIONAL OFFICE)

NAME Permittee Name
 ADDRESS Permittee Address

VAG64
PERMIT NUMBER

001
OUTFALL NUMBER

FACILITY LOCATION (If location is different from above)

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTED			MGD	*****	*****	*****				
	PERMIT REQUIREMENT	NL	NL		*****	*****	*****				
002 PH	REPORTED	*****	*****					SU			
	PERMIT REQUIREMENT	*****	*****		6.0	*****	9.0				
007 DO	REPORTED	*****	*****			*****	*****	MG/L			
	PERMIT REQUIREMENT	*****	*****		4.0	*****	*****				
089 TOTAL DIS. SOLIDS	REPORTED	*****	*****		*****	*****		MG/L			
	PERMIT REQUIREMENT	*****	*****		*****	*****	NL				
	REPORTED										
	PERMIT REQUIREMENT										
	REPORTED										
	PERMIT REQUIREMENT										
	REPORTED										
	PERMIT REQUIREMENT										
	REPORTED										
	PERMIT REQUIREMENT										

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS:

BYPASSES AND OVERFLOWS	Total Occurrences	Total Flow (MGD)	Total BOD ₅ (kg/d)	OPERATOR IN RESPONSIBLE CHARGE			DATE			
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO	DAY	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (PENALTIES UNDER THESE STATUTES MAY INCLUDE FINES UP TO \$10,000 AND/OR MAXIMUM IMPRISONMENT OF BETWEEN 6 MONTHS AND 5 YEARS.)										
				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			DATE			
					TYPED OR PRINTED NAME	SIGNATURE	Area Code/Number			

COMMONWEALTH OF VIRGINIA - DEPARTMENT OF ENVIRONMENTAL QUALITY
GENERAL PERMIT FOR POTABLE WATER TREATMENT PLANTS
DISCHARGE MONITORING REPORT (DMR)

12/24/2013

NAME Permittee Name
 ADDRESS Permittee Address

VAG64
PERMIT NUMBER

001
OUTFALL NUMBER

Department of Environmental Quality
 (REGIONAL OFFICE)

FACILITY LOCATION (If location is different from above)

MONITORING PERIOD						
YEAR	MO	DAY		YEAR	MO	DAY
			FROM	TO		

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTED			MGD	*****	*****	*****				
	PERMIT REQUIREMENT	NL	NL		*****	*****	*****			1/3M	EST
002 PH	REPORTED	*****	*****				SU				
	PERMIT REQUIREMENT	*****	*****		6.0	*****		9.0		1/3M	GRAB
004 TSS	REPORTED	*****	*****		*****		MG/L				
	PERMIT REQUIREMENT	*****	*****		*****	30		60		1/3M	COMPOSITE
005 TOTAL RESIDUAL CHLORINE	REPORTED	*****	*****		*****		MG/L				
	PERMIT REQUIREMENT	*****	*****		*****	0.011		0.011		1/3M	GRAB
	REPORTED										
	PERMIT REQUIREMENT										
	REPORTED										
	PERMIT REQUIREMENT										
	REPORTED										
	PERMIT REQUIREMENT										
	REPORTED										
	PERMIT REQUIREMENT										

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS:

BYPASSES AND OVERFLOWS	Total Occurrences	Total Flow (MGD)	Total BOD ₅ (kg/d)	OPERATOR IN RESPONSIBLE CHARGE			DATE			
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO	DAY	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (PENALTIES UNDER THESE STATUTES MAY INCLUDE FINES UP TO \$10,000 AND/OR MAXIMUM IMPRISONMENT OF BETWEEN 6 MONTHS AND 5 YEARS.)				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			DATE			
							YEAR	MO	DAY	
					TYPED OR PRINTED NAME	SIGNATURE	Area Code/Number			
								YEAR	MO	DAY

This report is required by your VPDES permit and by law. (See, e.g., the Code of Virginia of 1950 §62.1-44.5 and 9 VAC 25-31-50.) Failure to report or failure to report truthfully can result in civil penalties of \$32,500 per violation, per day and felony prosecutions which can carry a 15 year term.

DISCHARGE MONITORING REPORT (DMR) - GENERAL INSTRUCTIONS

- 1. Complete this form in permanent ink or indelible pencil. The use of 'correction fluid/tape' is not allowed.**
- 2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".**
- 3. For those parameters where the "permit requirement" spaces have a requirement or limitation, provide data in the "reported" spaces in accordance with your permit.**
- 4. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces.**
- 5. For all parameters enter the number of samples which do not comply with the maximum and/or minimum permit requirements in the "reported" space in the column marked "No. Ex." (Number of Exceedances). If none, enter "0". Do NOT include monthly average violations in this field. Include any Maximum 7-Day Average and Maximum Weekly Average violations in this field. Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.**
- 6. Enter the actual frequency of analysis for each parameter (number of times per day, week, month, etc.) in the "reported" space in the column marked "Frequency of Analysis".**
- 7. You are required to sample (at a minimum) according to the Sample Frequencies and Sample Types specified in your permit.**
- 8. Enter the actual type of sample (Grab, 5G/H (for continuous), 5G/X Interval (for batch X = evenly spaced interval e.g. 10m, 30m, 1H, 2H, etc) collected for each parameter in the "reported" space in the column marked "Sample Type".**
- 9. Enter additional required data or comments in the space marked "additional permit requirements or comments". If additional required data or comments are appended to the DMR, reference appended correspondence in this field.**
- 10. Record the number of bypasses during the month, the total flow in million gallons (MG) and BOD5 in kilograms (KG) in the proper columns in the section marked "Bypasses and Overflows".**
- 11. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator or if the operator in responsible charge of the facility is a licensed operator, the operator's signature and certificate number must be reported in the spaces provided.**
- 12. The principal executive officer then reviews the form and must sign in the space provided and provide a telephone number where he/she can be reached. Every page of the DMR must have an original signature.**
- 13. Send the completed form(s) with original signatures to your Department of Environmental Quality Regional Office by the 10th of each month unless otherwise specified in the permit.**
- 14. You are required to retain a copy of the report for your records.**
- 15. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements describing causes and corrective actions taken. Reference each separate violation by date.**
- 16. If you have any questions, contact the Department of Environmental Quality Regional Office listed on the DMR.**