



BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO
406 Justice Drive, Lebanon, Ohio 45036
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Telephone (513) 695-1250
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SHANNON JONES
DAVID G. YOUNG
TOM GROSSMANN

24-0518

April 16, 2024

ENTERING INTO AN AGREEMENT WITH OHIO VALLEY ENVIRONMENTAL ENGINEERING, INC DBA ENVIROMENTAL ENGINEERING SERVICE FOR THE DALE ACRES WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT

WHEREAS, pursuant to Resolution #23-1428, adopted October 24, 2023, this Board authorized the Water and Sewer Department to initiate contract negotiations for the design of improvements to the Dale Acres Wastewater Treatment Plant; and

WHEREAS, said negotiations are complete and it is the recommendation of the Sanitary Engineer to enter into agreement with Ohio Valley Environmental Engineering, Inc., dba Environmental Engineering Service, relative to the Dale Acres Wastewater Treatment Plant Improvements Project.

NOW THEREFORE BE IT RESOLVED, to enter into an agreement with Ohio Valley Environmental Engineering, Inc., dba Environmental Engineering Services, 3575 Columbia Road, Lebanon, Ohio 45036, for engineering services for the above referenced project, subject to the following conditions:

1. The scope of services shall be as stipulated in the "Engineering Agreement" attached hereto and made part hereof.
2. Compensation shall be in accordance with the provisions of the "Engineering Agreement" and the attachment thereto.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 16th day of April 2024.

BOARD OF COUNTY COMMISSIONERS

Krystal Powell, Clerk

cc: c/a – Ohio Valley Environmental Engineering, Inc.
Water/Sewer (file)
Bid File



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**SHANNON JONES
DAVID G. YOUNG
TOM GROSSMANN**

AUTHORIZE THE WATER AND SEWER DEPARTMENT TO ENTER INTO NEGOTIATIONS WITH ENVIRONMENTAL ENGINEERING SERVICES, INC FOR THE DESIGN OF IMPROVEMENTS TO THE DALE ACRES WASTEWATER TREATMENT PLANT

WHEREAS, this Board of County Commissioners (the “Board”) of the County of Warren, Ohio (the “County”) recognizing the need to for improvements to the Dale Acres Wastewater Treatment Plant, directed the Warren County Water and Sewer Department to issue a Request for Qualifications, pursuant to Resolution 23-0886 dated July 18, 2023; and

WHEREAS, Section 153.65-71 of the Ohio Revised Code identifies the requirements and procedures for procuring the services of a consulting engineering firm for the development of detailed plans, specifications, and bid documents; and

WHEREAS, five qualification submittals from engineering consulting companies were received on September 29, 2003; and

WHEREAS, pursuant to Resolution 23-0887, adopted on July 18, 2023 this Board appointed a committee to review qualification submittals from engineering consulting companies and upon adoption, the submittals were reviewed and evaluated by said committee with a summary of the evaluations included below; and

WHEREAS, the Water and Sewer Department requests authorization to begin contract negotiations with the top ranked engineering firm; and

NOW THEREFORE BE IT RESOLVED, authorize the Water and Sewer Department to initiate negotiations with Environmental Engineering Services for the proposed improvements.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – absent
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 24th day of October 2023.

BOARD OF COUNTY COMMISSIONERS

Tina Osborne, Clerk

PUBLIC ANNOUNCEMENT

WARREN COUNTY WATER & SEWER Request for Qualifications - Consultant Engineering Services

DALE ACRES WASTEWATER TREATMENT PLANT IMPROVEMENTS

July 2023

The Warren County Board of Commissioners will procure the services of a consulting engineering firm to prepare and develop detailed construction drawings and specifications for improvements to the Dale Acres Wastewater Treatment Plant (WWTP).

Consulting engineering firms are invited to submit their qualifications for consideration during our review and selection process. The budgeted construction cost of the improvements is \$1,000,000. Project background, description of required services, and project schedule are as follows.

BACKGROUND

The Dale Acres Subdivision consisting of 33 single family residential homes located along Elizabeth Street in eastern Hamilton Township was initially platted in May 1960 with the subdivision expanded to the final lot count in January 1974. A location map showing the development is included in **Exhibit A**. The subdivision included a small wastewater treatment facility that was operated and maintained by a private utility company under a license issued by the Public Utilities Commission of Ohio. Shortly after start-up the treatment plant was found to be ineffective and extensive rehabilitation and upgrading was required to eliminate the discharge of untreated or inadequately treated wastewater.

The real property and the sewage treatment plant works were conveyed from the private utility company to the Board of County Commissioners on July 6, 1981. By order of the Public Utilities Commission of Ohio (Case No. 81-287-ST-ABN), dated October 28, 1981, the Sewage Disposal System Certificate of Public Convenience and Necessity No. 27, issued to the private utility company was cancelled.

In January 1982, Henderson & Bodwell Consulting Engineers completed the design of the new treatment plant and Don Thompson Excavating Inc was hired for the construction of the improvements. The County financed the improvement using an Imminent Threat Community Development Block Grant (B-81-DS-39-0066) in the amount of \$150,000 by the Department of Housing and Urban Development.

In an effort to reduce wet weather inflow and infiltration, the County performed cured-in-place lining of the 8-inch sanitary sewers. This work was completed in 1994 but resulted in minimal reductions in wet weather flow. Further reductions of wet weather flows will require the lining or replacement of the 4-inch clay pipe residential laterals.

The existing treatment plant operates under National Pollution Discharge Elimination System (NPDES) permit No 1PG00096*FD issued by the Ohio Environmental Protection agency. The facility is an activated sludge process with sand filtration and chlorine disinfection and has an average design flow of 15,000 gallons per day. A treatment process diagram is shown in **Exhibit B** and a copy of the permit is included under **Exhibit C**.

The majority of the equipment at the treatment plant is from the initial construction and after forty years of continuous operation is approaching the end of its useful life. Upgrades are necessary to extend the life of the treatment plant. Record Drawings of the treatment plant are included in **Exhibit D**.

REQUIRED SERVICES

The scope of work shall be limited to the preparation of design drawings, specifications, and construction cost estimate with no bidding and limited construction services. The following services to be provided may include, but are not limited to, the below items.

Comminutor/Influent Bar Screen - Demolish the existing static bar screen that is mounted to the wall of the aeration tank and install a new static bar screen located in a new concrete structure outside of the tank.

Flow Equalization –

- New concrete diversion structure that directs normal dry weather flows to the treatment plant and conveys wet weather flows to a flow equalization structure.
- Size and design a flow equalization tank sufficient in size to avoid the loss of solids from the final clarifier during wet weather flows. Improvements shall include pumps that convey stored flow back to the treatment plant, tank cleaning equipment, and instrumentation and control monitoring.

Activated Sludge Aeration Tank

- Demolish the existing concrete divider wall and associated appurtenances that form the waste activated sludge holding tank.
- Drain, dewater, and remove all debris, accumulated solids and grit from all concrete tanks.
- Perform concrete repairs to deteriorated tank walls. Extend tank wall height as necessary.
- Demolish all existing grating and supports and replace with new.
- Replace existing aeration system including blowers, valves, electrical wiring, panels, diffusers, and piping. Design tank modifications and aeration system to obtain complete mixing.

Clarifiers

- Install new return pump and stainless steel piping.
- Replace adjustable weir trough including scum baffle, weir, and discharge piping.
- Design new clarifier skimmer mechanism.

Chlorination/Dechlorination

- Design and install new calcium chloride feed system.

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- Install new concrete dichlorination structure with access steps and closable cover.

Dosing Pumps and Sand Filters

- Replace dosing pumps, electrical wiring and panel, controls, and piping
- Remove sand filter media and replace or clean PVC underdrain piping.

Post Aeration

- Replace all post aeration equipment including baffles, piping and diffusers.

Electrical/Instrumentation and Controls

- Install electrical upgrades including electrical panel box, electrical transfer switch, and backup power generator.
- Install site lighting upgrades
- Provide equipment monitoring panel with cellular unit for alarm notification.

Site Upgrades

- Improvements include security fence upgrades or replacement.
- Asphalt pavement replacement
- Sidewalks

REQUIRED QUALIFICATIONS

Professional engineering firms interested submitting qualification must exhibit relevant experience or qualifications in the following water/wastewater treatment plant/facility construction:

- Design of wastewater treatment facilities with average flows less than 100,000 gallons per day.
- Renovation, modifications, and expansion of existing wastewater treatment plants that required the improvements to be completed while maintaining the operation of the existing facilities.

Submittals should emphasize both the experience and capabilities of personnel who will manage and perform the Work. Submittals should indicate any subconsultants proposed to be utilized on the Project.

Professional engineering firms entering into contracts with Warren County must be fully licensed for the type of work to be performed in the State of Ohio at the time of qualification submittal. Firms that are not fully licensed and certified shall not be found qualified.

Prior to the commencement of any work, Consultant shall obtain and maintain in force at its sole cost and expense, Comprehensive General or professional liability and Automobile Liability Insurance (covering use of owned, non-owned, or hired vehicles) providing single limit coverage of One Million Dollars (\$1,000,000) per occurrence Two Million Dollars (\$2,000,000) aggregate, with no interruption of coverage during the entire term of the Agreement.

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Consultant shall carry statutory worker's compensation insurance and statutory employer's liability insurance as required by law and shall provide County with certificates of insurance evidencing such coverage simultaneous with the execution of the Agreement.

SUBMITTAL INSTRUCTIONS

1. **Receipt of Submittals:** Sealed submittals shall be received by the Warren County Water and Sewer Department, Warren County, Ohio, 406 Justice Drive, Lebanon, Ohio, 45036, until 4:30 p.m., Friday, September 29, 2023. Envelopes containing the submittals must be sealed, addressed to Warren County Water and Sewer Department at 406 Justice Drive, Lebanon, Ohio 45036, and shall be clearly marked:

DALE ACRES WASTEWATER TREATMENT PLANT IMPROVEMENTS September 29, 2023 @ 4:30 PM.

Any submittal may be withdrawn prior to the above scheduled submittal time or authorized postponement thereof. Any submittal received after the time and date specified shall not be considered.

2. **Addenda and Interpretations:** Questions regarding the information contained in this Request for Qualifications shall be submitted in writing and emailed to:

Warren County Water & Sewer Department
ATTN: Chris Brausch, P.E.
(513) 695-1193
chris.brausch@co.warren.oh.us

and to be given consideration must be received at least five days prior to the qualification submittal date. All such interpretations and any supplemental instructions will be in the form of written addenda to the Request for Qualifications, which if issued, will be posted on the Warren County Commissioner's website, no later than three days prior to the submittal date.

3. **Requests for Additional Information:** The County may make such investigations as they deem necessary to determine the ability of the submitting firm to perform the work, and all submitting firms shall furnish to the County all necessary information and data for the purpose as the County may request.
4. **Requests for Site Visit/Pre-Submittal Site Visit:** Warren County will hold one optional site visit for all interested consultants on Thursday, September 8 at 9:00 PM at the Dale Acres Wastewater Treatment Plant.
5. **Discussions for Clarification Purposes:** Warren County may conduct discussions with firms who submit for the purpose of clarifications or corrections regarding a submittal to ensure full understanding of, and responsiveness to, the requirements specified in the request for qualifications.

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6. **Project Schedule:** The following is the anticipated schedule for the evaluation of qualifications and contract execution. The schedule is based on best available data and failure to meet any of the dates contained herein shall not affect the selection process.

County Issues Request for Qualifications	July 18, 2023
Qualifications Due to County	September 29, 2023
Select & Award Engineering Consultant	November 2023
Notice to Proceed	January 2024
Design Documents Completion	December 2024

7. **Selection Process:**

- a) The submittals will be evaluated by a Committee appointed by the County Commissioners which will:
- 1) determine whether each submittal is responsive to the requirements of this request for qualifications and the criteria described below.
 - 2) evaluate and select no fewer than the top three submittals based on criteria which shall include the firm and individual qualifications, proximity to Warren County, capacity to perform work, project approach, past performance with Warren County, and familiarity with project. The evaluation form used by the Committee during the review process "Review Sheet" is included at the end of this request. In the event three qualified firms or less deliver a submittal, then the Committee shall still evaluate such firms based on the selection criteria stated herein.
- b) The Committee may hold interviews or discussions with any or all of the selected firms to further explore the firms' statement of qualifications, the scope and nature of the services the firms would provide, and the various technical approaches the firms may take toward the project. Within a reasonable period of time after any and all discussions are complete, the Committee shall rank the firms by one collective Review Sheet in the order they determine to be the most qualified to perform the professional design services for the Project. The Committee shall present a resolution to the County Commissioners requesting authorization for the Water & Sewer Department to enter into negotiations with the most qualified firm as determined by the Committee and confirmed by the Commissioners.
- c) The Water and Sewer Department shall thereafter begin negotiations of a professional design services contract with the top ranked firm to perform the services at a compensation determined to be fair and reasonable to the County Commissioners. If a satisfactory contract cannot be entered into in a reasonable time, the County Commissioners, in its sole discretion, may terminate negotiations with the highest ranked firm and direct the Water and Sewer Department to begin contract negotiations with the next highest ranked firm.
- c) Warren County reserves the right to reject any and all submittals.

8. **Public Records Request of Qualifications:** In order to ensure fair and impartial evaluation, qualification submittals and any related documents of other records that would

otherwise be available for public inspection and copying under section 149.43 of the Revised Code shall not be available until after the award of contract.

9. **Withdrawal of Submittal:** Any company may withdraw their submittal at any time prior to the selection of an engineering firm. The County may terminate negotiations with a firm at any time during the negotiation process if the company fails to provide the necessary information for negotiations in a timely manner or fails to negotiate in good faith. If the County terminates negotiations with a firm, the County shall negotiate with the company whose submittal is ranked the next most qualified to the County according to the selection criteria and direction from County Commissioners.

Please demonstrate your qualifications to perform the work and your experience with similar projects. Provide a list of five (5) similar projects in last ten (10) years. Submittals shall be limited to twenty five (25) pages in length, excluding appendices, resumes, company brochures, and the like.

To be considered, three sets of Qualifications along with an electronic copy on a thumb drive in .pdf format to:

Warren County Water and Sewer Department
P.O. Box 530
406 Justice Drive
Lebanon, Ohio 45036
513-695-1377

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E-MAIL waterdept@co.warren.oh.us

SUBMISSION

The firm's submission shall be in sufficient detail to provide Warren County with the following information:

1. Firm and Individual Qualifications.
 - A. Firms Background – Provide description of firm and years of operation.
 - B. Project Team – Provide a description of the project team organization including an organization chart.
 - C. Project Team Qualifications - Provide qualifications and experience of key project team personnel.
 - D. Firm Qualifications - provide descriptions of a minimum of five similar projects completed within the last ten years. Projects should involve wastewater treatment plants with average design flows of less than 100,000 gallons per day. Indicate status of the projects (completed or ongoing), client references, and involvement of proposed project team staff.
 - E. Warren County Experience – provide description of past and current projects performed for the County.
2. Geographic Information.
 - A. Number and location of offices in or near Ohio.
 - B. Location of office where this project will be performed.
3. Capacity to perform the work.
 - A. Size and availability of staff.
 - B. Projects in progress.
4. Project Approach
 - A. Familiarity and Understanding of Project
 - B. Project Approach
 - C. Proposed Scope
 - D. Proposed Schedule
5. Insurance
 - A. Documentation of firm's Professional Liability Insurance Policy.

**DALE ACRES WWTP IMPROVEMENT PROJECT
SUBMITTAL REVIEW**

Name of Design Firm _____

Name of Reviewer _____

CRITERIA	RATING*	WEIGHT	RATING
1. Firm & Individual Qualifications			
Firm's background & experience on similar projects	X	4	= 0.0
2. Proximity to Project Site	X	1	= 0.0
3. Capacity to Perform Work			
Firm's equipment & facilities	X	2	= 0.0
4. Approach to Project			
Organization of approach	X	4	= 0.0
Schedules & deadlines	X	2	= 0.0
5. Past Performance with Warren County	X	2	= 0.0
6. Familiarity with Project	X	4	= 0.0
7. Errors & Omissions Insurance Experience	X	1	= 0.0
TOTAL RATING=			0.0

* Rating for all but #5 are as follows:
 1 = Poor 2 = Fair 3 = Average 4 = Good 5 = Excellent
 Rating for #5:
 1 = Poor 4 = None/Improving 5 = Good

EXHIBIT C
NATIONAL POLLUTION DISCHARGE ELIMINATION
SYSTEM PERMIT

Application No. OH0105481

Issue Date: September 23, 2020

Effective Date: November 1, 2020

Expiration Date: September 30, 2025

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

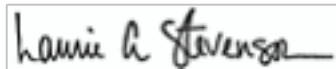
In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Warren County Board of Commissioners

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Dale Acres Wastewater Treatment Plant wastewater treatment works located at end of White Street, Goshen, Ohio, Warren County and discharging to O'Bannon Creek via an unnamed tributary in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Laurie A. Stevenson
Director

Total Pages:

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of the permit and lasting until the expiration date of the permit, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1PG00096001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Week	Grab	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Week	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	18	12	-	1.0	0.68	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	3.75	2.5	-	0.21	0.14	1/Month	Grab	Winter
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	1.35	0.9	-	0.077	0.051	1/Month	Grab	Summer
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
01350 - Turbidity, Severity - Units	-	-	-	-	-	-	-	1/Day	Estimate	All
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	1/Month	Grab	Summer
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Estimate	All
50060 - Chlorine, Total Residual - mg/l	0.019	-	-	-	-	-	-	1 / 2 Weeks	Grab	Summer
80082 - CBOD 5 day - mg/l	-	-	15	10	-	0.85	0.57	1/Month	Grab	All

Notes for station 1PG00096001:

* Effluent loadings based on average design flow of 0.015 MGD.

- a. Total residual chlorine - See Part II, Item I.
- b. Turbidity - See Part II, Item E.
- c. Outfall Sign - See Part II, Item O.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of the permit and lasting until the expiration date of the permit, the permittee shall monitor the treatment works' final sludge at Station Number 1PG00096588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 1PG00096588:

- a. Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- b. If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.
- d. See Part II, Items L, M and N.

Part II, Other Requirements

A. Operator Certification Requirements

1. Classification - In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility at this facility shall be classified as a Class A facility. The permittee shall designate one or more professional operator of record to oversee the technical operation of the treatment works with a valid certification of a class equal to or greater than the classification of the treatment works.

2. Professional Operator of Record

a. Within three days of a change in a professional operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

[http://epa.ohio.gov/Portals/28/documents/opcert/Operator%20of%20Record%20Notificati](http://epa.ohio.gov/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf)

b. All applications for renewal of this NPDES permit shall include an updated Operator of Record Notification form along with other necessary forms and fees to be considered a complete application.

c. If the designated professional operator of record is unable to meet the minimum staffing requirements at a class A or class I treatment works, then a professional operator with a certificate equal to or higher than that of the treatment works may serve as the professional operator of record until such time as the designated professional operator of record is available. The use of this provision does not require notification to the agency unless the use of the backup professional operator exceeds thirty consecutive days. In the event the use of a backup professional operator under this provision exceeds thirty consecutive days, the owner or professional operator shall provide notice in accordance with paragraph (A)(2) of rule 3745-7-02 of the Administrative Code.

3. Minimum Staffing Requirements - The permittee shall ensure that the treatment works professional operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.

4. Additional Staffing Requirements - Visits to all treatment works shall be performed by the permittee, the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Visits shall not be necessary when the treatment works is not in operation.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
1PG00096001	WWTP discharge to an unnamed tributary of O'Bannon Creek (Lat: 39 N 16 ' 31 "; Long: 84 W 9 ' 53 ")
1PG00096588	Sludge hauled to another POTW.

C. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

D. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

E. If Severity Units are required for Turbidity, use the following table to determine the value between 0 and 4 that is reported.

REPORTED VALUE*	SEVERITY DESCRIPTION	TURBIDITY
0	None	Clear
1	Mild	
2	Moderate	Light Solids
3	Serious	
4	Extreme	Heavy Solids

* Interpolate between the descriptive phrases.

F. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

G. Effluent disinfection is not directly required, however, the entity is required to meet all applicable discharge permit limits. If disinfection facilities exist, they shall be maintained in an operable condition. Any design of wastewater treatment facilities should provide for the capability to install disinfection if required at a future time. Disinfection may be required if future bacteriological studies or emergency conditions indicate the need.

H. The treatment works must obtain at least 85 percent removal of carbonaceous biochemical oxygen demand (five-day) and suspended solids (see Part III, Item 1).

I. The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the approved analytical procedure promulgated at 40 CFR 136. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

Compliance with an effluent limit that is below the OEPA QL is determined in accordance with ORC Section 6111.13 and OAC Rule 3745-33-07(C). For maximum effluent limits, any value reported below the OEPA QL shall be considered in compliance with the effluent limit. For average effluent limits, compliance shall be determined by taking the arithmetic mean of values reported for a specified averaging period, using zero (0) for any value reported at a concentration less than the OEPA QL, and comparing that mean to the appropriate average effluent limit. An arithmetic mean that is less than or equal to the average effluent limit shall be considered in compliance with that limit.

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters.

REPORTING:

All analytical results, even those below the OEPA QL (listed below), shall be reported. Analytical results are to be reported as follows:

1. Results above the QL: Report the analytical result for the parameter of concern.
2. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
3. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

The following table of quantification levels will be used to determine compliance with NPDES permit limits:

Parameter	PQL	ML
Chlorine, tot. res.	0.050 mg/l	--

This permit may be modified, or, alternatively, revoked and reissued, to include more stringent effluent limits or conditions if information generated as a result of the conditions of this permit indicate the presence of these pollutants in the discharge at levels above the water quality based effluent limit (WQBEL).

J. POTWs that accept hazardous wastes by truck, rail, or dedicated pipeline are considered to be hazardous waste treatment, storage, and disposal facilities (TSDFs) and are subject to regulation under the Resource Conservation and Recovery Act (RCRA). Under the "permit-by-rule" regulation found at 40 CFR 270.60(c), a POTW must:

- 1) comply with all conditions of its NPDES permit,
- 2) obtain a RCRA ID number and comply with certain manifest and reporting requirements under RCRA,
- 3) satisfy corrective action requirements, and
- 4) meet all federal, state, and local pretreatment requirements.

K. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

L. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

M. No later than March 1 of each calendar year, the Permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

N. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring, and the weight calculations, shall be maintained on site for a minimum of five years. The test methodology used shall be from the latest edition, Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.

O. The permittee shall post a permanent marker on the stream bank at each outfall that is regulated under this NPDES permit and discharges to an unnamed tributary of O'Bannon Creek. This includes final outfalls, bypasses, and combined sewer overflows. The marker shall consist at a minimum of the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The marker shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall be not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "not greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - 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 the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having 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 application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<http://epa.ohio.gov/dsw/edmr/eDMR.aspx>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

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

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

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

10. RIGHT OF 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:

- A. 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.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - 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 paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

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

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. 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 which occurred during normal periods of equipment downtime or preventive maintenance; and
- c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.ohio.gov/dsw/permits/permits.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
 - b. The time(s) at which the discharge occurred, and was discovered;
 - c. The approximate amount and the characteristics of the discharge;
 - d. The stream(s) affected by the discharge;
 - e. The circumstances which created the discharge;
 - f. The name and telephone number of the person(s) who have knowledge of these circumstances;
 - g. What remedial steps are being taken; and,
 - h. The name and telephone number of the person(s) responsible for such remedial steps.
2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.
- C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
- D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
1. The compliance event which has been or will be violated;
 2. The cause of the violation;
 3. The remedial action being taken;
 4. The probable date by which compliance will occur; and,
 5. The probability of complying with subsequent and final events as scheduled.
- E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
- F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. 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 the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. 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 Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

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

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. 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.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

Telephone (513) 695-1250

Facsimile (513) 695-2054

TOM GROSSMANN

SHANNON JONES

DAVID G. YOUNG

REQUEST FOR QUALIFICATIONS

**WARREN COUNTY WATER & SEWER
CONSULTANT ENGINEERING SERVICES**

DALE ACRES WASTEWATER TREATMENT PLANT IMPROVEMENTS

Sealed statement of qualifications for professional engineering services for the design of wastewater treatment plant improvements will be received by the Warren County Water and Sewer Department, Warren County, Ohio, 406 Justice Drive, Lebanon, Ohio, 45036, until 4:30 p.m., Friday, September 29, 2023.

Details regarding the proposed project may be obtained by contacting Warren County Water and Sewer Department, 406 Justice Drive, Lebanon, Ohio 45036 at (513) 695-1377. Questions regarding the project should be directed to Chris Brausch, at (513) 695-1193 or email at chris.brausch@co.warren.oh.us.

This notice is posted on the Warren County website which can be accessed at <https://www.co.warren.oh.us/commissioners/Bids/Default.aspx> . Please contact the Warren County Commissioners Office at (513) 695-1250 if you have trouble with this procedure or if you need additional information on accessing project information on our website. Please be aware that if you are downloading documents for this project, addendums to the scope may be issued prior to the bid date.

By order of the Board of County Commissioners, Warren County, Ohio.

Tina Osborne, Clerk