

PERMIT NO. MI0022802

**STATE OF MICHIGAN**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**



**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.*) (the "Federal Act"), Michigan Act 451, Public Acts of 1994, as amended (the "Michigan Act"), Parts 31 and 41, and Michigan Executive Order 2011-1,

**City of Detroit Water and Sewerage Department**

735 Randolph  
Detroit, Michigan 48226

is authorized to discharge from the **Detroit Wastewater Treatment Plant** located at

9300 West Jefferson Avenue  
Detroit, Michigan 48209

designated as **Detroit WWTP**

to the receiving water named the Detroit River and the Rouge River, and from combined sewer overflow facilities to the receiving waters named the Detroit River, the Rouge River, and Conner Creek in accordance with effluent limitations, monitoring requirements, and other conditions set forth in this permit.

This permit is based on a complete application submitted on July 3, 2012.

**This permit takes effect on May 1, 2013.** The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term in accordance with applicable laws and rules. On its effective date this permit shall supersede NPDES Permit No. MI0022802, expiring October 1, 2012.

This permit and the authorization to discharge shall expire at midnight, October 1, 2017. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit an application which contains such information, forms, and fees as are required by the Department of Environmental Quality (Department) by April 1, 2017.

**Issued March 1, 2013.** Based on a request submitted on November 14, 2014, this permit was modified on June 22, 2015.

 P.E.

Philip Argiroff, Chief  
Permits Section  
Water Resources Division

## PERMIT FEE REQUIREMENTS

In accordance with Section 324.3120 of the Michigan Act, the permittee shall make payment of an annual permit fee to the Department for each October 1 the permit is in effect regardless of occurrence of discharge. The permittee shall submit the fee in response to the Department's annual notice. The fee shall be postmarked by January 15 for notices mailed by December 1. The fee is due no later than 45 days after receiving the notice for notices mailed after December 1.

### **Annual Permit Fee Classification: Municipal Major, 500 MGD or greater (Individual Permit)**

In accordance with Section 324.3132 of the Michigan Act, the permittee shall make payment of an annual biosolids land application fee to the Department if the permittee land applies biosolids. In response to the Department's annual notice, the permittee shall submit the fee, which shall be postmarked no later than January 31 of each year.

## CONTACT INFORMATION

Unless specified otherwise, all contact with the Department required by this permit shall be made to the Southeast Michigan District Supervisor of the Water Resources Division. The Southeast Michigan District Office is located at 27700 Donald Court, Warren, Michigan 48092-2793, Telephone: 586-753-3700, Fax: 586-753-3751.

## CONTESTED CASE INFORMATION

Any person who is aggrieved by this permit may file a sworn petition with the Michigan Administrative Hearing System within the Michigan Department of Licensing and Regulatory Affairs, c/o the Michigan Department of Environmental Quality, setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Department of Licensing and Regulatory Affairs may reject any petition filed more than 60 days after issuance as being untimely.

PART I

Section A. Limitations and Monitoring Requirements

1. Final Effluent Limitations, Monitoring Point 049F

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge treated municipal wastewater from Monitoring Point 049F through Outfall 049 (DRO). Outfall 049 (DRO) discharges to the Detroit River. Such discharge shall be limited and monitored by the permittee as specified below.

Until the initiation of operation of the Rouge River Outfall (RRO) Disinfection Project, this discharge shall consist of secondary treated municipal wastewater and additional primary treated municipal wastewater up to the hydraulic capacity of Outfall 049 (DRO). After initiation of operation of the RRO Disinfection Project, this discharge shall consist of secondary treated municipal wastewater typically, but primary treated municipal wastewater and additional secondary treated municipal wastewater up to the hydraulic capacity of Outfall 049 (DRO) during wet weather events. During such wet weather events, the permittee is approved to discharge primary treated municipal wastewater from 049A through Outfall 049 (DRO).

Whenever Outfall 049 (DRO) is out of service for repairs, the permittee may discharge through Outfall 050 (RRO) all effluent authorized for discharge from Outfall 049F, and the monitoring, limitations and other requirements specified below shall apply to the discharge through Outfall 050 (RRO) unless otherwise specified. At least 10 days in advance of scheduled maintenance and within 24-hours after initiation of diversion due to emergency conditions, the permittee shall notify the Department of the reason for the diversion and the expected duration of the diversion.

Parameter	Maximum Limits for Quantity or Loading				Maximum Limits for Quality or Concentration				Monitoring Frequency	Sample Type
	Monthly	7-Day	Daily	Units	Monthly	7-Day	Daily	Units		
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Fecal Coliform Bacteria	---	---	---	---	200	400	---	cts/100 ml	Daily	Grab
Total Residual Chlorine	---	---	---	---	---	---	0.11	mg/l	Daily	Grab
Oil & Grease	---	---	---	---	---	15	---	mg/l	Daily	Grab
Total Polychlorinated Biphenyls (PCBs)	$2.0 \times 10^{-4}$	---	---	lbs/day	$2.6 \times 10^{-5}$	---	---	µg/l	Weekly	24-Hr Composite
Acute Toxicity	---	---	---	---	---	---	(report)	TU <sub>A</sub>	Quarterly	24-Hr Composite
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	---	---	(report)	lbs/day	---	---	(report)	mg/l	Daily	24-Hr Composite
Ammonia Nitrogen (as N)	---	---	(report)	lbs/day	(report)	---	(report)	mg/l	Daily	24-Hr Composite
Available Cyanide	---	---	(report)	lbs/day	---	---	(report)	µg/l	Monthly	Grab
Total Copper	---	---	(report)	lbs/day	---	---	(report)	µg/l	Quarterly	24-Hr Composite
					<u>Minimum Daily</u>		<u>Maximum Daily</u>			
pH	---	---	---	---	6.5	---	9.0	S.U.	Daily	Grab
Dissolved Oxygen	---	---	---	---	(report)	---	---	mg/l	Daily	Grab

**PART I****Section A. Limitations and Monitoring Requirements**

The following design flow was used in determining the above limitations, but is not to be considered a limitation or actual capacity: a combined 930 MGD of secondary treated effluent.

- a. **Narrative Standard**  
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.
- b. **Sampling Locations**  
The sampling locations for the pollutants indicated in Part I.A.1. of this permit shall be representative of the effluent and consistent with the locations approved by the Department.
- c. **Total Residual Chlorine**  
Compliance with the Total Residual Chlorine limit shall be determined on the basis of one or more grab samples. If more than one (1) sample per day is taken, the additional samples shall be collected in near equal intervals over at least eight (8) hours. The samples shall be analyzed immediately upon collection and the average reported as the daily concentration. Samples shall be analyzed in accordance with Part II.B.2. of this permit.
- d. **Analytical Methods and Quantification Levels for Available Cyanide and Total Copper**  
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for Available Cyanide shall be in accordance with EPA Method OIA-1677. The quantification levels for Available Cyanide and Total Copper shall be 2.0 µg/l and 1.0 µg/l respectively unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination. Upon approval of the Department, the permittee may use alternate analytical methods (for parameters with methods specified in 40 CFR 136, the alternate methods are restricted to those listed in 40 CFR 136).
- e. **Limits below the Quantification Level for Total PCBs**  
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for Total PCBs shall be in accordance with EPA Method 608. The quantification level shall be 0.2 µg/l unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination.

The water quality-based effluent limitations for PCBs are less than the quantification level; therefore, control requirements are established consistent with R 323.1213. Any discharge of PCBs at or above the quantification level specified in this permit is a specific violation of this permit. If an effluent sample is less than the quantification level, the permittee will be considered to be in compliance with the Total PCB final effluent limitations set forth in Part I.A.1. for the period that the sample represents, provided that the permittee is also in full compliance with the Pollutant Minimization Program for PCBs set forth in Part I.A.10.

For the purpose of determining if an effluent sample is less than the quantification level, Total PCBs shall be defined as the sum of the individual analytical results for each of the aroclors 1016, 1221, 1232, 1242, 1248, 1254, and 1260 with any aroclor result less than the quantification level being treated as a zero. For the purpose of reporting on the Discharge Monitoring Reports, the permittee shall calculate concentration and loading levels of Total PCBs in this same manner; however, the result of any individual aroclor measurement less than the quantification level but greater than the detection level shall be reported on the Daily Discharge Monitoring Reports (see Part II.C.2.). This paragraph does not authorize the discharge of PCBs at levels which are injurious to the designated uses of the waters of the state or which constitute a threat to the public health or welfare.

## PART I

## Section A. Limitations and Monitoring Requirements

## f. Acute Toxicity Final Requirements

Test species shall include *Ceriodaphnia dubia*. Testing and reporting procedures shall follow procedures contained in EPA/600/4-90/027F, "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Edition)." When the effluent ammonia nitrogen (as N) concentration is greater than 5 mg/l, the pH of the toxicity test shall be maintained at the pH of the effluent at the time of sample collection. The acute toxic unit value (TU<sub>A</sub>) for **each species tested** shall be reported on the Discharge Monitoring Report (DMR). For **each species not tested**, the permittee shall enter **"\*W"** on the DMR. Completed toxicity test reports for each test conducted shall be retained by the permittee in accordance with the requirements of Part II.B.5. of this permit and shall be available for review by the department upon request. Toxicity test data acceptability is contingent upon the validation of the test method by the testing laboratory. Such validation shall be submitted to the Department upon request.

The Department will review the toxicity data submitted by the permittee to determine if the acute toxicity requirements of Rule 323.1219 are being satisfied.

1) If the data indicate persistent exceedance of the 3.0 acute toxic unit (TU<sub>A</sub>) limit for effluent upon written notification by the Department, the following conditions apply. Within 90 days of the above notification, the permittee shall implement a Toxicity Reduction Evaluation (TRE). The objective of the TRE shall be to reduce the toxicity of the final effluent from monitoring point 049F to  $\leq 3.0$  TU<sub>A</sub>. The following documents are available as guidance to reduce toxicity to acceptable levels: Phase I, EPA/600/6-91/003; Phase II, EPA/600/R-92/080; Phase III, EPA/600/R-92/081; and Publicly Owned Treatment Works (POTWs), EPA/833B-99/002. The tests shall be conducted and reported as specified above. Upon approval of the Department, the acute toxicity tests may be performed using the more sensitive species identified in the acute toxicity database. If a more sensitive species cannot be identified, the acute toxicity tests shall be performed with both species. Annual progress reports shall be submitted to the Department within 30 days of the completion of the last test of each annual cycle.

2) This permit may be modified in accordance with applicable laws and rules to include additional whole effluent toxicity control requirements as necessary.

## g. Quarterly Sampling

Quarterly samples shall be taken in January, April, July, and October. The Department may approve an alternate schedule upon request.

## h. Plume Study and Biological Survey

In order to assess the effect of discharges from Outfall 049 (DRO) with regard to the discharge of toxic substances (Rule 57 of the Water Quality Standards), the permittee shall submit on or before October 1, 2015, any existing reports, studies and surveys that have been previously conducted to evaluate the effect of the discharge from Outfall 049 (DRO) on the biological community in the Detroit River. Existing plume studies and/or modeling of the fate and transport of the effluent plume from Outfall 049 (DRO) shall also be submitted. The Department shall evaluate the information submitted to determine if additional studies are necessary. If additional information is required, the Department shall notify the permittee by letter.

**PART I**

**Section A. Limitations and Monitoring Requirements**

**2. Final Effluent Limitations, Monitoring Point 049A**

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is approved to discharge treated municipal wastewater and treated storm water runoff from Monitoring Point 049A through Outfall 049 (DRO). Outfall 049 (DRO) discharges to the Detroit River. Such discharge shall be limited and monitored by the permittee as specified below.

Monitoring Point 049A is a primary treated effluent conduit. There shall be no discharge from Monitoring Point 049A directly to the Detroit River through Outfall 049 (DRO) unless the discharge from Monitoring Point 049B exceeds a peak hourly flow of 930 MGD (which includes recycle) or in accordance with an approved Wastewater Treatment Plant Wet Weather Operational Plan (see Part I.A.11.). Discharges from Monitoring Point 049A shall be limited and monitored by the permittee as specified below.

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>		
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	---	---	---	---	40	---	(report)	mg/l	Daily	24-Hr Composite
Total Suspended Solids Through Dec. 2016	---	---	---	---	94	---	(report)	mg/l	Daily	24-Hr Composite
Beginning Jan. 2017	---	---	---	---	70	---	(report)	mg/l	Daily	24-Hr Composite
Total Phosphorus (as P)	---	---	---	---	1.5	---	(report)	mg/l	Daily	24-Hr Composite
Ammonia Nitrogen (as N)	---	---	---	---	(report)	---	(report)	mg/l	Daily	24-Hr Composite
Total Mercury	(report)	---	---	lbs/day	(report)	---	(report)	ng/l	2x Monthly	Grab
	<u>12-Month Rolling Average</u>				<u>12-Month Rolling Average</u>					
Total Mercury	0.25	---	---	lbs/day	36	---	---	ng/l	Monthly	Calculation

**PART I****Section A. Limitations and Monitoring Requirements****a. Sampling Locations**

The sampling locations for the pollutants in Part 1.A.2. of this permit shall be representative of the effluent and consistent with the locations approved by the Department. Samples for CBOD5, Total Suspended Solids, Ammonia Nitrogen, Total Mercury, and Total Phosphorus shall be taken prior to mixing with other waste streams.

**b. Final Effluent Limitation for Total Mercury**

The final limit for total mercury is the Discharge Specific Level Currently Achievable (LCA) based on a multiple discharger variance from the water quality-based effluent limit of 1.3 ng/l, pursuant to Rule 323.1103(9) of the Water Quality Standards. Compliance with the LCA shall be determined as a 12-month rolling average. The 12-month rolling average shall be determined by adding the present monthly average result to the preceding 11 monthly average results then dividing the sum by 12. For facilities with quarterly monitoring requirements for total mercury, quarterly monitoring shall be equivalent to 3 months of monitoring in calculating the 12-month rolling average. Facilities that monitor more frequently than monthly for total mercury must determine the monthly average result, which is the sum of the results of all data obtained in a given month divided by the total number of samples taken, in order to calculate the 12-month rolling average. If the 12-month rolling average for any month is less than or equal to the LCA, the permittee will be considered to be in compliance for total mercury for that month, provided the permittee is also in full compliance with the Pollutant Minimization Program for Total Mercury, set forth in Part I.A.10.

The permittee may choose to demonstrate that an alternate site-specific LCA is appropriate and request a permit modification. Such request and supporting documentation shall be submitted in writing to the Department. Supporting documentation shall include a minimum of 12 samples taken over a 12-month period in accordance with EPA Method 1631. Upon approval, this permit may be modified in accordance with applicable laws and rules to incorporate the alternate site-specific LCA as the effluent limitation for Total Mercury.

After a minimum of 12 monthly data points have been collected, the permittee may request a reduction in the monitoring frequency for total mercury. This request shall contain an explanation as to why the reduced monitoring is appropriate and shall be submitted to the Department. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency for total mercury indicated in Part I.A.2. of this permit. The monitoring frequency indicated in Part I.A.2. for mercury shall not be reduced to less than monthly. The Department may revoke the approval for reduced monitoring at any time upon notification to the permittee.

**c. Total Mercury Testing Requirements**

The analytical protocol for total mercury shall be in accordance with EPA Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry." The quantification level for total mercury shall be 0.5 ng/l, unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination.

The use of clean technique sampling procedures is required unless the permittee can demonstrate to the Department that an alternative sampling procedure is representative of the discharge. Guidance for clean technique sampling is contained in: EPA Method 1669, *Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels (Sampling Guidance)*, EPA-821-R96-001, July 1996. Information and data documenting the permittee's sampling and analytical protocols and data acceptability shall be submitted to the Department upon request.

**PART I**

**Section A. Limitations and Monitoring Requirements**

**3. Final Effluent Limitations, Monitoring Point 049B**

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge treated municipal wastewater from Monitoring Point 049B through Outfall 049 (DRO), or through Outfall 050 (RRO) upon completion of the RRO Disinfection Project. Outfall 049 (DRO) discharges to the Detroit River. Outfall 050 (RRO) discharges to the Rouge River. In addition, the permittee is authorized to discharge treated municipal wastewater from Monitoring Point 049B through Outfall 050 to the Rouge River as provided in Part I.A.4.

Outfall 049B is the combined secondary treated effluent conduit for all dry weather flows and all wet weather flows up to and including a peak hourly flow of 930 MGD (which includes recycle).

Discharges from Monitoring Point 049B shall be limited and monitored by the permittee as specified below.

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>	
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>			
Flow (This flow measurement is all secondary flow including recycle and buffer flows)	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow	
Recycled Flow (Screened Final Effluent)	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily SFE Flow	
Buffer Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	194,000	310,000	---	lbs/day	25	40	(report)	mg/l	Daily	24-Hr Composite	
Total Suspended Solids	233,000	349,000	---	lbs/day	30	45	---	mg/l	Daily	24-Hr Composite	
Ammonia Nitrogen (as N)	---	---	---	---	(report)	---	(report)	mg/l	Daily	24-Hr Composite	
Total Mercury	(report)	---	---	lbs/day	(report)	---	(report)	ng/l	2x Monthly	Grab	
	<u>12 Month Rolling Average</u>				<u>12 Month Rolling Average</u>						
Total Mercury	0.078	---	---	lbs/day	10	---	---	ng/l	Monthly	Calculation	
					<u>Minimum Daily</u>		<u>Maximum Daily</u>				
pH	---	---	---	---	6.0		9.0		S.U.	Daily	Grab
Total Phosphorus (as P)											
Through Dec. 2014	7800	---	---	lbs/day	1.0	---	(report)	mg/l	Daily	24-Hr Composite	
Starting Jan. 2015	5400	---	---	lbs/day	0.7	---	(report)	mg/l	Daily	24-Hr Composite	
	<u>Six Month Average (April - Sept.)</u>				<u>Six Month Average (April - Sept.)</u>						
Total Phosphorus											
Starting Oct. 2015	4600	---	---	lbs/day	0.6	---	---	mg/l	(see I.A.3.c)	Calculation	

**PART I**

**Section A. Limitations and Monitoring Requirements**

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>			<u>Units</u>	<u>Maximum Limits for Quality or Concentration</u>			<u>Monitoring Frequency</u>	<u>Sample Type</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>		<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>		
					<u>Minimum Monthly</u>				
CBOD <sub>5</sub> Minimum % Removal	---	---	---	---	85	---	---	%	Monthly Calculation
Total Suspended Solids Minimum % Removal				---	85	---	---	%	Monthly Calculation

The following design flow was used in determining the above limitations, but is not to be considered a limitation or actual capacity: 930 MGD

- a. **Sampling Locations**  
 Samples for CBOD<sub>5</sub>, Total Suspended Solids, Ammonia Nitrogen, Total Phosphorus, Total Mercury and pH shall be taken prior to mixing with other waste streams. Samples for pH shall be collected only during periods of discharge from Monitoring Point 049A through Outfall 049 (DRO).
- b. **Percent Removal Requirements**  
 These requirements shall be calculated based on the monthly (30-day) effluent CBOD<sub>5</sub> and Total Suspended Solids concentrations and the monthly influent concentrations for approximately the same period.
- c. **Total Phosphorus Six Month Average Limit (April – September)**  
 The six month average shall be determined by adding the six monthly average results from April through September and dividing the sum by six. For the purpose of reporting on the Discharge Monitoring Reports, the permittee shall calculate and report the Six Month Average on the October Discharge Monitoring Report.
- d. **Final Effluent Limitation for Total Mercury**  
 The final limit for total mercury is the Discharge Specific Level Currently Achievable (LCA) based on a multiple discharger variance from the water quality-based effluent limit of 1.3 ng/l, pursuant to Rule 323.1103(9) of the Water Quality Standards. Compliance with the LCA shall be determined as a 12-month rolling average. The 12-month rolling average shall be determined by adding the present monthly average result to the preceding 11 monthly average results then dividing the sum by 12. For facilities with quarterly monitoring requirements for total mercury, quarterly monitoring shall be equivalent to 3 months of monitoring in calculating the 12-month rolling average. Facilities that monitor more frequently than monthly for total mercury must determine the monthly average result, which is the sum of the results of all data obtained in a given month divided by the total number of samples taken, in order to calculate the 12-month rolling average. If the 12-month rolling average for any month is less than or equal to the LCA, the permittee will be considered to be in compliance for total mercury for that month, provided the permittee is also in full compliance with the Pollutant Minimization Program for Total Mercury, set forth in Part I.A.10.

The permittee may choose to demonstrate that an alternate site-specific LCA is appropriate and request a permit modification. Such request and supporting documentation shall be submitted in writing to the Department. Supporting documentation shall include a minimum of 12 samples taken over a 12-month period in accordance with EPA Method 1631. Upon approval, this permit may be modified in accordance with applicable laws and rules to incorporate the alternate site-specific LCA as the effluent limitation for Total Mercury.

**PART I**

**Section A. Limitations and Monitoring Requirements**

After a minimum of 12 monthly data points have been collected, the permittee may request a reduction in the monitoring frequency for total mercury. This request shall contain an explanation as to why the reduced monitoring is appropriate and shall be submitted to the Department. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency for total mercury indicated in Part I.A.3 of this permit. The monitoring frequency indicated in Part I.A.3. for mercury shall not be reduced to less than monthly. The Department may revoke the approval for reduced monitoring at any time upon notification to the permittee

e. Total Mercury Testing Requirements

The analytical protocol for total mercury shall be in accordance with EPA Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry." The quantification level for total mercury shall be 0.5 ng/l, unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination.

The use of clean technique sampling procedures is required unless the permittee can demonstrate to the Department that an alternative sampling procedure is representative of the discharge. Guidance for clean technique sampling is contained in: EPA Method 1669, *Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels (Sampling Guidance)*, EPA-821-R96-001, July 1996. Information and data documenting the permittee's sampling and analytical protocols and data acceptability shall be submitted to the Department upon request.

**4. Interim Effluent Limitations, Monitoring Point 050A**

During the period beginning on the effective date of this permit and lasting until initiation of operation of the RRO Disinfection Project, the permittee is approved to discharge treated municipal wastewater and treated storm water runoff from Monitoring Point 050A through Outfall 050 (RRO). Outfall 050 (RRO) discharges to the Rouge River. When Outfall 049 (DRO) is out-of-service, the discharge may consist of secondary or secondary and primary treated effluent. Normally, the discharge may consist of only primary treated effluent when the discharge is necessary due to hydraulic constraints resulting from wet weather events. There shall be no discharge from Monitoring Point 050A unless the discharge from Monitoring Point 049B exceeds a peak hourly flow of 930 MGD (which includes recycle) or in accordance with an approved Wastewater Treatment Plant Wet Weather Operational Plan (see Part I.A.11.). Discharge from Outfall 050 (RRO) is not allowed unless hydraulically or structurally necessary. Discharges from Monitoring Point 050A shall be limited and monitored by the permittee as specified below.

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>		

Limitations and monitoring requirements in effect when Outfall 049 is out-of-service and prior to initiation of operation of the RRO Disinfection Project:

All limitations and monitoring specified in Part I.A.1. apply except for the Available Cyanide monitoring requirement, Total Residual Chlorine requirement, and the Fecal Coliform Bacteria limitations, which are replaced with the limitations and monitoring requirements specified below with the Total Residual Chlorine monitoring and limitation removed:

Available Cyanide	---	---	---	---	---	---	89	µg/l	Daily	Grab
Fecal Coliform Bacteria	---	---	---	---	(report)	(report)	---	cts/100 ml	Daily	Grab

PART I

Section A. Limitations and Monitoring Requirements

4. Interim Effluent Limitations, Monitoring Point 050A (continued)

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>		
<u>Limitations and monitoring requirements in effect during other periods of discharge from Monitoring Point 050A and prior to initiation of operation of the RRO Disinfection Project:</u>										
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	---	---	---	---	40	---	(report)	mg/l	Daily	24-Hr Composite
Total Suspended Solids Through Dec. 2016	---	---	---	---	94	---	(report)	mg/l	Daily	24-Hr Composite
Beginning Jan. 2017	---	---	---	---	70	---	(report)	mg/l	Daily	24-Hr Composite
Total Phosphorus (as P)	---	---	---	---	1.5	---	(report)	mg/l	Daily	24-Hr Composite
Available Cyanide	---	---	---	---	---	---	89	µg/l	Daily	Grab
Fecal Coliform Bacteria	---	---	---	---	(report)	---	(report)	cts/100 ml	Daily	Grab
Ammonia Nitrogen (as N)	---	---	---	---	(report)	---	(report)	mg/l	Daily	24-Hr Composite
Total Copper	---	---	---	---	---	---	(report)	µg/l	Daily	24-Hr Composite
Total Polychlorinated Biphenyls (PCBs)	(report)	---	---	lbs/day	(report)	---	---	µg/l	Weekly	24-Hr Composite
					<u>Minimum Daily</u>		<u>Maximum Daily</u>			
pH	---	---	---	---	6.5		9.0	S.U.	Daily	Grab
Dissolved Oxygen	---	---	---	---	(report)		---	mg/l	Daily	Grab

**PART I****Section A. Limitations and Monitoring Requirements**

- a. **Narrative Standard**  
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.
- b. **Sampling Locations**  
The sampling locations for the pollutants in Part 1.A.4 of this permit shall be representative of the effluent and consistent with the locations approved by the Department.
- c. **Analytical Methods and Quantification Levels for Available Cyanide and Total Copper**  
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for Available Cyanide shall be in accordance with EPA Method OIA-1677. The quantification levels for Available Cyanide and Total Copper shall be 2.0 µg/l and 1.0 µg/l respectively unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination. Upon approval of the Department, the permittee may use alternate analytical methods (for parameters with methods specified in 40 CFR 136, the alternate methods are restricted to those listed in 40 CFR 136).
- d. **Evaluation of Copper Effluent Concentrations**  
The goal of the evaluation is to attempt to determine the cause of increased copper concentrations from outfall 050. Within 180 days of the effective date of this permit, the permittee shall submit an evaluation that contains the following:
- 1) a review of potential sources of copper entering the wastewater collection system;
  - 2) an evaluation of influent copper concentrations as appropriate; and
  - 3) implementation of reasonable cost-effective control measures, as appropriate, when sources of copper are discovered. Factors to be considered include significance of sources, economic considerations, and technical and treatability considerations.
- e. **Monitoring for Total PCBs**  
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for Total PCBs shall be in accordance with EPA Method 608. The quantification level shall be 0.2 µg/l unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination.
- Total PCBs shall be defined as the sum of the individual analytical results for each of the aroclors 1016, 1221, 1232, 1242, 1248, 1254, and 1260 with any aroclor result less than the quantification level being treated as a zero. For the purpose of reporting on the Discharge Monitoring Reports, the permittee shall calculate concentration and loading levels of Total PCBs in this same manner; however, the result of any individual aroclor measurement less than the quantification level but greater than the detection level shall be reported on the Daily Discharge Monitoring Reports (see Part II.C.2.).

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**Section A. Limitations and Monitoring Requirements**

**5. Final Effluent Limitations, Monitoring Point 050A**

Upon initiation of operation of the RRO Disinfection Project, the permittee is approved to discharge secondary treated municipal wastewater from Monitoring Point 050A through Outfall 050 (RRO). Outfall 050 (RRO) discharges to the Rouge River. Discharge from Outfall 050 (RRO) is approved when the hydraulic capacity of Outfall 049 (DRO) is not sufficient to meet the approved WWTP wet weather operational plan. Such discharge shall be limited and monitored by the permittee as specified below.

<u>Parameter</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>		
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Available Cyanide	---	---	---	---	---	---	44	µg/l	Daily	Grab
Total Copper	---	---	---	---	---	---	(report)	µg/l	Monthly	24-Hr Composite
Fecal Coliform Bacteria	---	---	---	---	200	400	---	cts/100 ml	Daily	Grab
Total Residual Chlorine	---	---	---	---	---	---	0.038	mg/l	Daily	Grab
Oil & Grease	---	---	---	---	---	15	---	mg/l	Daily	Grab
Total Polychlorinated Biphenyls (PCBs)	$2.0 \times 10^{-4}$	---	---	lbs/day	$2.6 \times 10^{-5}$	---	---	µg/l	Weekly	24-Hr Composite
					<u>Minimum Daily</u>		<u>Maximum Daily</u>			
pH	---	---	---	---	6.5	---	9.0	S.U.	Daily	Grab
Dissolved Oxygen	---	---	---	---	3.0	---	---	mg/l	Daily	Grab

**PART I****Section A. Limitations and Monitoring Requirements**

- a. **Narrative Standard**  
The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.
- b. **Sampling Locations**  
The sampling locations for the pollutants in Part I.A.5. of this permit shall be representative of the effluent and consistent with the locations approved by the Department.
- c. **Total Residual Chlorine**  
Compliance with the Total Residual Chlorine limit shall be determined on the basis of one or more grab samples. If more than one (1) sample per day is taken, the additional samples shall be collected in near equal intervals over at least eight (8) hours. The samples shall be analyzed immediately upon collection and the average reported as the daily concentration. Samples shall be analyzed in accordance with Part II.B.2. of this permit.
- d. **Analytical Methods and Quantification Levels for Available Cyanide and Total Copper**  
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for Available Cyanide shall be in accordance with EPA Method OIA-1677. The quantification levels for Available Cyanide and Total Copper shall be 2.0 µg/l and 1.0 µg/l, respectively, unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination. Upon approval of the Department, the permittee may use alternate analytical methods (for parameters with methods specified in 40 CFR 136, the alternate methods are restricted to those listed in 40 CFR 136).
- e. **Monitoring for Total PCBs**  
The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring for Total PCBs shall be in accordance with EPA Method 608. The quantification level shall be 0.2 µg/l unless a higher level is appropriate because of sample matrix interference. Justification for higher quantification levels shall be submitted to the Department within 30 days of such determination.

The water quality-based effluent limitations for PCBs are less than the quantification level; therefore, control requirements are established consistent with R 323.1213. Any discharge of PCBs at or above the quantification level specified in this permit is a specific violation of this permit. If an effluent sample is less than the quantification level, the permittee will be considered to be in compliance with the Total PCB final effluent limitations set forth in Part I.A.1. for the period that the sample represents, provided that the permittee is also in full compliance with the Pollutant Minimization Program for PCBs set forth in Part I.A.10.

For the purpose of determining if an effluent sample is less than the quantification level, Total PCBs shall be defined as the sum of the individual analytical results for each of the aroclors 1016, 1221, 1232, 1242, 1248, 1254, and 1260 with any aroclor result less than the quantification level being treated as a zero. For the purpose of reporting on the Discharge Monitoring Reports, the permittee shall calculate concentration and loading levels of Total PCBs in this same manner; however, the result of any individual aroclor measurement less than the quantification level but greater than the detection level shall be reported on the Daily Discharge Monitoring Reports (see Part II.C.2.). This paragraph does not authorize the discharge of PCBs at levels which are injurious to the designated uses of the waters of the state or which constitute a threat to the public health or welfare.

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## f. Schedule of Implementation

The permittee shall implement the following for Outfall 050 (RRO) Disinfection Program:

- 1) On or before February 1, 2010 (submitted), the permittee shall submit for review and approval a basis of design report for the previously proposed Outfall 084 (RRO2).
- 2) On or before March 1, 2011 (submitted), the permittee shall submit for review and approval complete plans and specifications for Segment 1 of the previously proposed Outfall 084 (RRO2) project. Segment 1 consists of improvements undertaken at the Wastewater Treatment Plant consistent with the approved Basis of Design report.
- 3) On or before July 1, 2012 (submitted), the permittee shall commence construction of Segment 1, consistent with the approved plans and specifications.
- 4) On or before July 1, 2013 (submitted), the permittee shall submit a construction progress report for Segment 1 of the previously proposed Outfall 084 (RRO2).
- 5) On or before March 1, 2015, the permittee shall complete construction of Segment 1 of the previously proposed Outfall 084 (RRO2) project.
- 6) On or before June 1, 2016, the permittee shall submit for review and approval a complete basis of design report, and complete plans and specifications, for the Outfall 050 (RRO) Disinfection Project (if design, bid, build). Alternatively, if DWSD chooses to pursue design-build for the Outfall 050 (RRO) Disinfection Project, DWSD shall submit on or before June 1, 2016, a detailed engineering report for the overall project, a permitting plan (that includes a description of the construction segments), a timetable for Part 41 permit application submittal, and sufficient project schematics for the overall project.
- 7) On or before November 1, 2016, the permittee shall submit complete plans and specifications for at a minimum the first segment to be construction under a design-build contract.
- 8) On or before April 1, 2017, the permittee shall commence construction of the RRO Disinfection Project, consistent with the approved plans and specifications.
- 9) On or before April 1, 2018, the permittee shall submit a construction progress report for RRO Disinfection Project.
- 10) On or before April 1, 2019, the permittee shall complete construction of RRO Disinfection Project and place into full operation the facilities to achieve final effluent limits specified in Part I.A.5.

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**6. Combined Sewer Overflow Retention Treatment Basin Discharge Authorization, Monitoring Points 101A, 102A, 103A, 104A, 108A and 109A**

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge treated combined sewage from the Hubbell/Southfield Combined Sewer Overflow (CSO) Retention Treatment Basin (RTB), Monitoring Point 101A, through Outfall 101; from the Puritan/Fenkell CSO RTB, Monitoring Point 102A, through Outfall 102; from the Seven Mile CSO RTB, Monitoring Point 103A, through Outfall 103; from the Belle Isle RTB, Monitoring Point 108A, through Outfall 108; from the Oakwood RTB, Monitoring Point 109A, through Outfall 109; and from the Conner Creek CSO RTB Monitoring Point 104A, through Outfall 104 when the basins are full and wastewater flows exceed downstream interceptor capacity. Outfall 101, Outfall 102, Outfall 103, and Outfall 109 discharge to the Rouge River. Outfall 108 discharges to the Detroit River. Outfall 104 discharges to Conner Creek. Such discharges shall be limited and monitored by the permittee as specified below:

<u>Influent Characteristics</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Sample</u>	
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Event</u>	<u>Units</u>	<u>Frequency</u>	<u>Type</u>
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
<b>Effluent Characteristics</b>										
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	---	---	---	---	(report)	---	(report)	mg/l	Event	Composite
Total Suspended Solids	---	---	---	---	(report)	---	(report)	mg/l	Event	Composite
Ammonia Nitrogen (as N)	---	---	---	---	(report)	---	(report)	mg/l	Event	Composite
Total Phosphorus (as P)	---	---	---	---	(report)	---	(report)	mg/l	Event	Composite
Fecal Coliform Bacteria										
May 1 – October 31	---	---	---	---	---	---	400	cts/100 ml	See I.A.6.a	Grab
November 1 – April 30	---	---	---	---	---	---	1000	cts/100 ml	See I.A.6.a	Grab
					<u>Event Average</u>		<u>Event Maximum</u>			
Total Residual Chlorine										
Any Event	---	---	---	---	(report)	---	(report)	mg/l	See I.A.6.a	Grab

(See additional controls specified in Part I.A.8.)

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**Section A. Limitations and Monitoring Requirements**

<u>Effluent Characteristics</u>	<u>Maximum Limits for Quantity or Loading</u>				<u>Maximum Limits for Quality or Concentration</u>				<u>Monitoring Frequency</u>	<u>Sample Type</u>
	<u>Monthly</u>	<u>7-Day</u>	<u>Daily</u>	<u>Units</u>	<u>Monthly</u>	<u>7-Day</u>	<u>Event</u>	<u>Units</u>		
Oil & Grease (Monitoring Point 109A only)	---	---	---	---	(report)	---	(report)	mg/l	Daily During Discharge	Grab
					<u>Event Minimum</u>		<u>Event Maximum</u>			
pH	---	---	---	---	(report)	---	(report)	S.U.	Daily During Discharge	Grab
Dissolved Oxygen	---	---	---	---	(report)	---	---	mg/l	Daily During Discharge	Grab

- a. Retention Basin Monitoring and Reporting  
The permittee shall conduct retention basin monitoring and report consistent with the requirements of Part II.C.2. of this permit. The permittee shall supply the results of each sample analyzed during each discharge period.

An **Event** starts when combined sewage is discharged into a facility, and ends when effluent flow (if any) ceases and does not resume within 24 hours.

**Influent flow** shall be reported for all wet weather events where combined sewage is discharged into the facility. Influent flow reporting shall also indicate the component of the total influent flow that is dewatered to the interceptor from the facility during an event and shall be reported in the comment section of the monthly Discharge Monitoring Reports (DMR). Alternate procedures may be approved by the Department.

**Effluent flow** shall be reported for all events that cause discharge from the facility to the receiving waters.

**Effluent sampling for CBOD<sub>5</sub>, TSS, Ammonia Nitrogen (as N), and Total Phosphorus (as P)** shall be by effluent flow-weighted composite sampling over the entire event. Alternate procedures for determining an event composite may be approved by the Department if existing equipment cannot reliably determine a flow-weighted composite. For purposes of reporting for a discharge event that occurs on multiple calendar days, the composite pollutant concentrations for the event shall be reported on the day the discharge event ended. Individual events shall be determined by a lack of effluent discharge for 24 hours.

For **effluent pH**, report the maximum value of any individual sample taken during the month in the "Maximum" column under "Quality or Concentration" on the monthly DMRs and the minimum value of any individual sample taken during the month in the "Minimum" column under "Quality or Concentration" on the monthly DMRs. The individual values taken during the month shall be reported on the daily DMRs.

For **effluent dissolved oxygen**, report the lowest concentration of any individual sample in the "Minimum" column under the "Quantity or Concentration" on the monthly DMRs. The individual values taken during the month shall be reported on the daily DMRs.

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For **effluent Fecal Coliform Bacteria and Total Residual Chlorine**, grab samples shall be collected every two (2) hours for the first six (6) hours of the discharge and every four (4) hours thereafter for the duration of the discharge; the first sample shall be collected as soon as practical after the discharge begins. For fecal coliform, the "event maximum" shall be reported on the daily DMRs as the geometric mean of all samples taken during an event, provided that three (3) or more samples are collected. For TRC, report the average of all samples in an event as the "Event Average" and the maximum individual sample in an event as the "Event Maximum" on the daily DMRs. The goal of the effluent sampling program is to collect at least three samples during each discharge event, and samples shall be collected at shorter intervals at the onset of the event, if the permittee estimates that the event duration may be less than six hours. For purposes of reporting for a discharge event that occurs on multiple calendar days, the pollutant concentrations for the event shall be reported on the day the discharge event ended. The highest event averages for Fecal Coliform and TRC shall also be reported in the "Maximum" columns under "Quality and Concentration" on the monthly DMRs.

b. **Retention Treatment Basin Dewatering**

The retention treatment basin shall be promptly dewatered as soon as possible following the need to divert flow to the basin and shall be maintained in readiness for use. The discharge of sludge or residual accumulations from the basin to the surface waters is prohibited. These sludges shall be promptly removed and disposed in accordance with procedures approved by the Department.

c. **Narrative Standard**

The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.

d. **Operation and Maintenance Plan**

The permittee shall assure that discharges only occur in response to rainfall (or snowmelt) events and cease soon thereafter. Any rehabilitation and maintenance needs shall be addressed to ensure adequate sewer capacity and functionality. This may be accomplished through continued implementation of the approved Operation and Maintenance Plan.

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7. Combined Sewer Overflow Screening and Disinfection Facilities  
Discharge Authorization, Monitoring Points 105A, 106A and 107A

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge treated combined sewage from the Leib Combined Sewer Overflow (CSO) Screening and Disinfection Facility Monitoring Point 105A through Outfall 105, from the St. Aubin CSO Screening and Disinfection Facility Monitoring Point 106A through Outfall 106, and from the Baby Creek CSO Screening and Disinfection Facility Monitoring Point 107A through Outfall 107 when the wastewater flows exceed downstream interceptor capacities. Outfall 105 and Outfall 106 discharge to the Detroit River. Outfall 107 discharges to the Rouge River. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Maximum Limits for Quantity or Loading				Maximum Limits for Quality or Concentration				Monitoring Frequency	Sample Type
	Monthly	7-Day	Daily	Units	Monthly	7-Day	Daily	Units		
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Carbonaceous Biochemical Oxygen Demand (CBOD5)	---	---	---	---	(report)	---	(report)	mg/l	Quarterly	Grab
Total Suspended Solids	---	---	---	---	(report)	---	(report)	mg/l	Quarterly	Grab
Ammonia Nitrogen (as N)	---	---	---	---	(report)	---	(report)	mg/l	Quarterly	Grab
Total Phosphorus (as P)	---	---	---	---	(report)	---	(report)	mg/l	Quarterly	Grab
Oil & Grease (Baby Creek CSO Screening & Disinfection Facility, only)	---	---	---	---	(report)	---	(report)	mg/l	Daily During Discharge	Grab
							<b>Event Maximum</b>			
Fecal Coliform Bacteria										
May 1 – October 31	---	---	---	---	---	---	400	cts/100 ml	See I.A.7.a	Grab
November 1 – April 30	---	---	---	---	---	---	1000	cts/100 ml	See I.A.7.a	Grab
							<b>Event Average</b>			
Total Residual Chlorine	---	---	---	---	(report)	---	(report)	mg/l	See I.A.7.a	Grab
Any Event (see additional controls specified in Part 1.A.8)							<b>Event Maximum</b>			
							<b>Event Minimum</b>			
pH	---	---	---	---	(report)	---	(report)	S.U.	Daily During Discharge	Grab
Dissolved Oxygen	---	---	---	---	(report)	---	---	mg/l	Daily During Discharge	Grab

## PART I

## Section A. Limitations and Monitoring Requirements

## a. Screening and Disinfection Facilities Monitoring and Reporting

The permittee shall monitor screening and disinfection facilities performance and report the monitoring consistent with the requirements of Part II.C.2. of this permit. The permittee shall supply the results of each sample taken during each discharge period.

**Effluent flow** shall be reported for all events that cause discharge from the facility to the receiving waters.

For **effluent pH**, report the maximum value of any individual sample taken during the month in the "Maximum" column under "Quality or Concentration" on the monthly DMRs and the minimum value of any individual sample taken during the month in the "Minimum" column under "Quality or Concentration" on the monthly DMRs. The individual values taken during the month shall be reported on the daily DMRs.

For **effluent dissolved oxygen**, report the lowest concentration of any individual sample in the "Minimum" column under the "Quantity or Concentration" on the monthly DMRs. The individual values taken during the month shall be reported on the daily DMRs.

For **effluent Fecal Coliform Bacteria and Total Residual Chlorine**, grab samples shall be collected every two (2) hours for the first six (6) hours of the discharge and every four (4) hours thereafter for the duration of the discharge; the first sample shall be collected as soon as practical after the discharge begins. For fecal coliform, the "event maximum" shall be reported on the daily DMRs as the geometric mean of all samples taken during an event, provided that three (3) or more samples are collected. For TRC, report the average of all samples in an event as the "Event Average" and the maximum individual sample in an event as the "Event Maximum" on the daily DMRs. The goal of the effluent sampling program is to collect at least three samples during each discharge event, and samples shall be collected at shorter intervals at the onset of the event, if the permittee estimates that the event duration may be less than six hours. For purposes of reporting for a discharge event that occurs on multiple calendar days, the pollutant concentrations for the event shall be reported on the day the discharge event ended. The highest event averages for Fecal Coliform and TRC shall also be reported in the "Maximum" columns under "Quality and Concentration" on the monthly DMRs.

## b. Narrative Standard

The receiving water shall contain no turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge in unnatural quantities which are or may become injurious to any designated use.

## c. Sampling Locations

The sampling locations for the pollutants indicated in Part I.A.7 of this permit shall be representative of the effluent and consistent with the locations approved by the Department.

## d. Operation and Maintenance Plan

The permittee shall assure that discharges only occur in response to rainfall (or snowmelt) events and cease soon thereafter. Any rehabilitation and maintenance needs shall be addressed to ensure adequate sewer capacity and functionality. This may be accomplished through continued implementation of the approved Operation and Maintenance Plan.

## e. Treatment Facility Dewatering

The treatment facility shall be promptly dewatered (if applicable) as soon as possible following the need to divert flow to the facility and shall be maintained in readiness for use. The discharge of sludge or residual accumulations from the facility to the surface waters is prohibited.

**PART I****Section A. Limitations and Monitoring Requirements****8. Total Residual Chlorine Minimization Program**

The goal of the Total Residual Chlorine (TRC) Minimization Program is operate the CSO RTBs and the CSO screening and disinfection facilities in a manner that will provide consistent, effective disinfection while minimizing the discharge of TRC, recognizing the overall goal is compliance with the TRC Final Acute Value of 0.038 mg/l at any point in the receiving stream, unless it is determined by the Department by a permit action that a higher level is acceptable.

In addition, the Operational Goals for this facility are 1.5 mg/l TRC as an event average value and 2.0 mg/l (November – April) or 3.0 mg/l (May – October) TRC as an event instantaneous maximum value.

a. TRC Minimization Assessment (Assessment)

The permittee shall prepare and conduct a program to assess the capability of each of the 5 CSO RTBs and screening and disinfection facilities as agreed to (a subset of those listed in Part I.A.6. and Part I.A.7.), to minimize the discharge of TRC. Each Assessment shall be conducted according to a schedule acceptable to the Department. Compliance with the Fecal Coliform Bacteria effluent limits set forth in Part I.A.6. and Part I.A.7. of this permit shall be maintained during each Assessment. Each Assessment shall include an evaluation of various operational practices under a variety of wet weather events to identify measures which can be taken to reduce TRC discharge concentrations. Upon notification by the Department, the permittee shall begin conducting each Assessment over an 18-month period and shall submit a report summarizing the results to the Department within 60 days of completion. An extension of an Assessment period beyond 18 months may be requested by the permittee for approval by the Department in the event that a sufficient number of CSO discharge events have not occurred to allow for an adequate assessment of operational procedures.

Each Assessment report shall include the expected achievable TRC discharge concentrations, recommendations as to specific protocols to be used to manage sodium hypochlorite (NaOCl) dosage rates under various conditions to achieve the Operational Goals, and recommended facility modifications to enhance the ability to control TRC levels while maintaining compliance with the Fecal Coliform Bacteria limits. Specific procedures for adjustment of NaOCl feed rates to minimize the discharge of TRC shall be submitted as part of the Operational Plan (and revised as appropriate in annual updates), as required by Part I.A.15.e. of this permit. The TRC minimization procedures, developed as part of each Assessment, shall be implemented upon approval by the Department.

b. Operational Goals

Upon completion of each Assessment, the permittee shall operate the facility with a goal of 1.5 mg/l TRC as an event average value and a goal of 2.0 mg/l (November – April) or 3.0 mg/l (May – October) TRC as an event instantaneous maximum value. If upon completion of an Assessment, the permittee determines the facility can achieve lower TRC goals than those specified above, then the permittee shall operate the facility to achieve the lower TRC levels. If either TRC goal is exceeded for a CSO discharge event, the permittee shall submit a written report to the Department within seven (7) days explaining the cause of the exceedance and describing the corrective measures that will be undertaken to prevent a future recurrence.

c. In-Stream TRC Effluent Plume Evaluation

The permittee shall conduct an evaluation of the in-stream TRC effluent plume attributable to each of the agreed-to 5 CSO RTBs screening and disinfection facility discharges. The evaluation shall identify the location and size of the TRC effluent plume during and after CSO discharge events and identify the maximum TRC concentrations in-stream at various downstream locations. Upon notification by the Department to begin conducting each Assessment (Part I.A.8.a.), the permittee shall have 60 days to submit a TRC effluent plume work plan describing the proposed evaluation including sampling locations and a proposed implementation schedule such that the In-Stream TRC Effluent Plume Evaluation shall occur after completion of each Assessment and when the operational goals begin. The permittee shall implement the In-Stream TRC Effluent Plume Evaluation following the schedule upon Department approval of the TRC effluent plume work plan. The permittee shall submit a report documenting the results of the TRC Effluent Plume Evaluation within 90 days after completion of the field work.

**PART I****Section A. Limitations and Monitoring Requirements**

- d. **Permit Re-Opener Clause**  
Upon completion of each TRC Minimization Assessment and each In-Stream TRC Effluent Plume Evaluation, the Department may reevaluate the need for TRC effluent limitations. This permit may be modified in accordance with applicable laws and rules to incorporate such revisions as may be necessary to comply with Water Quality Standards at the time of discharge.
- e. **Best Management Practices/Operator Coordination Work Group (Work Group)**  
The permittee shall attend and participate in at least quarterly Work Group meetings with representatives from other CSO facilities in Southeast Michigan to exchange information and share experiences relating to the operation and maintenance of CSO control facilities. Such Work Group meetings shall be used to develop Best Management Practices (BMPs) relating to CSO RTB operation, with an initial focus on actions to minimize the TRC discharge levels. At a minimum, the Work Group shall include representatives of the following CSO facilities: Birmingham CSO RTB, Bloomfield Village CSO RTB, Dearborn CSO, Detroit Water and Sewerage Department (DWSD) CSO Facilities, Inkster-Dearborn Heights CSO, Oakland County-Acacia Park (Acacia Park CSO Drainage District, Village of Beverly Hills, City of Birmingham), Redford Township CSO, River Rouge CSO, Wayne County – Dearborn Heights CSO, Wayne County – Inkster CSO, Wayne County – Inkster – Dearborn Heights CSO, and Wayne County – Redford – Livonia CSO. The Work Group shall submit an annual report summarizing the meetings and BMPs developed to the Department by March 1<sup>st</sup> of each year.

**PART I****Section A. Limitations and Monitoring Requirements****9. Additional Monitoring Requirements**

As a condition of this permit, the permittee shall monitor the discharges from Monitoring Points 049F and 050A for the constituents listed below. This monitoring is an application requirement of 40 CFR 122.21(j), effective December 2, 1999. Testing shall be conducted in August 2014, May 2015, March 2016, and October 2016. Grab samples shall be taken for total phenols, and parameters listed under Volatile Organic Compounds. For all other parameters, 24-hour composite samples shall be taken.

Test species for whole effluent toxicity monitoring shall include fathead minnow **and** *Ceriodaphnia dubia*. If the permittee has received Department approval to conduct chronic toxicity testing using the more sensitive species identified in the toxicity database, the first three (3) tests required above may be performed using the more sensitive species. The last (4<sup>th</sup>) test shall be conducted using both species. Testing and reporting procedures shall follow procedures contained in EPA600/4-91/002, "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (Fourth Edition)." When the effluent ammonia nitrogen (as N) concentration is greater than 3 mg/l, the pH of the toxicity test shall be maintained at a pH of 8 Standard Units. Acute and chronic toxicity data shall be included in the reporting for the toxicity test results. Toxicity test data acceptability is contingent upon the validation of the test method by the testing laboratory. Such validation shall be submitted to the Department upon request.

The results of such monitoring shall be submitted with the application for reissuance (see the cover page of this permit for the application due date). The permittee shall notify the Department within 14 days of completing the monitoring for each month specified above in accordance with Part II.C.5. Additional reporting requirements are specified in Part II.C.11. The permittee shall report to the Department any whole effluent toxicity test results for Monitoring Point 050A greater than 1.0 TU<sub>A</sub> or 1.0 TU<sub>C</sub> within five (5) days of becoming aware of the result. If, upon review of the analysis, it is determined that additional requirements are needed to protect the receiving waters in accordance with applicable water quality standards, the permit may then be modified by the Department in accordance with applicable laws and rules.

The results of such monitoring shall be submitted with the application for reissuance (see the cover page of this permit for the application due date). The permittee shall notify the Department within 14 days of completing the monitoring for each month specified above in accordance with Part II.C.5. Additional reporting requirements are specified in Part II.C.11.

Whole Effluent Toxicity

acute toxicity (Monitoring Point 050A only)  
chronic toxicity (Monitoring Point 050A only)

Hardness

calcium carbonate

**PART I**

**Section A. Limitations and Monitoring Requirements**

Metals (Total Recoverable), and Total Phenols (Quantification levels in parentheses)

antimony (1 µg/l)	arsenic (1 µg/l)	barium (5 µg/l)
beryllium (1 µg/l)	boron (20 µg/l)	cadmium (0.2 µg/l)
chromium (5 µg/l)	lead (1 µg/l)	nickel (5 µg/l)
selenium (1 µg/l)	silver (0.5 µg/l)	thallium (1 µg/l)
zinc (5 µg/l)		
total phenolic compounds		

Volatile Organic Compounds

acrolein	acrylonitrile	benzene	bromoform
carbon tetrachloride	chlorobenzene	chlorodibromomethane	chloroethane
2-chloroethylvinyl ether	chloroform	dichlorobromomethane	1,1-dichloroethane
1,2-dichloroethane	trans-1,2-dichloroethylene	1,1-dichloroethylene	1,2-dichloropropane
1,3-dichloropropylene	ethylbenzene	methyl bromide	methyl chloride
methylene chloride	1,1,2,2-tetrachloroethane	tetrachloroethylene	toluene
1,1,1-trichloroethane	1,1,2-trichloroethane	trichloroethylene	vinyl chloride

Acid-Extractable Compounds

p-chloro-m-cresol	2-chlorophenol	2,4-dichlorophenol	2,4-dimethylphenol
4,6-dinitro-o-cresol	2,4-dinitrophenol	2-nitrophenol	4-nitrophenol
Pentachlorophenol	phenol	2,4,6-trichlorophenol	

Base/Neutral Compounds

acenaphthene	acenaphthylene	anthracene	benzidine
benzo(a)anthracene	benzo(a)pyrene	3,4-benzofluoranthene	benzo(ghi)perylene
benzo(k)fluoranthene	bis(2-chloroethoxy)methane	bis(2-chloroethyl)ether	bis(2-chloroisopropyl)ether
bis(2-ethylhexyl)phthalate	4-bromophenyl phenyl ether	butyl benzyl phthalate	2-chloronaphthalene
4-chlorophenyl phenyl ether	chrysene	di-n-butyl phthalate	di-n-octyl phthalate
dibenzo(a,h)anthracene	1,2-dichlorobenzene	1,3-dichlorobenzene	1,4-dichlorobenzene
3,3'-dichlorobenzidine	diethyl phthalate	dimethyl phthalate	2,4-dinitrotoluene
2,6-dinitrotoluene	1,2-diphenylhydrazine	fluoranthene	fluorene
Hexachlorobenzene	hexachlorobutadiene	hexachlorocyclo-pentadiene	hexachloroethane
indeno(1,2,3-cd)pyrene	isophorone	naphthalene	nitrobenzene
n-nitrosodi-n-propylamine	n-nitrosodimethylamine	n-nitrosodiphenylamine	phenanthrene
pyrene	1,2,4-trichlorobenzene		

**10. Pollutant Minimization Program for Total Mercury and Total PCBs**

The goal of the Pollutant Minimization Program is to maintain the effluent concentration of total mercury at or below 1.3 ng/l and the final effluent limitations for Total Polychlorinated Biphenyls (PCBs). The permittee shall continue to implement the Pollutant Minimization Program approved on November 9, 1995, and updated on October, 1996, and modifications thereto, to proceed toward the goal. The Pollutant Minimization Program shall include the following:

- a. an annual review and semi-annual monitoring of potential sources of mercury and PCBs entering the wastewater collection system, including wet weather sources such as runoff/contributions from contaminated sites in the collection area;
- b. a program for quarterly monitoring of influent and periodic monitoring of sludge for mercury and PCBs; and
- c. implementation of reasonable cost-effective control measures when sources of mercury and/or PCBs are discovered. Factors to be considered include significance of sources, economic considerations, and technical and treatability considerations.

**PART I****Section A. Limitations and Monitoring Requirements**

On or before October 1<sup>st</sup> of each year following approval of the Pollutant Minimization Program, the permittee shall submit a status report for the previous annual time period beginning July 1 through June 30 to the Department that includes 1) the monitoring results for the previous year, 2) an updated list of potential mercury and/or PCB sources, and 3) a summary of all actions taken to reduce or eliminate identified sources of mercury and/or PCBs.

Any information generated as a result of the Pollutant Minimization Program set forth in this permit may be used to support a request to modify the approved program or to demonstrate that the Pollutant Minimization Program requirement has been completed satisfactorily.

A request for modification of the approved program and supporting documentation shall be submitted in writing to the Department for review and approval. The Department may approve modifications to the approved program (approval of a program modification does not require a permit modification), including a reduction in the frequency of the requirements under items a. & b.

This permit may be modified in accordance with applicable laws and rules to include additional mercury and/or PCB conditions and/or limitations as necessary.

**11. Wastewater Treatment Plant Wet Weather Operational Plan**

The approved Wastewater Treatment Plant Wet Weather Operational Plan provides the protocol for wastewater treatment plant operations during the interim period before full completion of the Long-term CSO Control Plan. This plan details the necessary requirements to maximize wet weather treatment at the wastewater treatment plant, while complying with effluent limits and all other conditions of this permit, and minimizing untreated combined sewage discharges in the tributary collection system.

The Wastewater Treatment Plant Wet Weather Operational Plan shall be coordinated with the Collection System and CSO Treatment Facilities Operational Plan that is required in accordance with Part I.A.15.e. of this permit. Annually, on or before January 1<sup>st</sup>, the permittee shall submit an update of the Wastewater Treatment Plant Wet Weather Operational Plan to the Department for review and approval.

**PART I****Section A. Limitations and Monitoring Requirements****12. Facilities Improvement Program**

The permittee shall continue to meet the sludge dewatering, conveyance, and final disposal requirements; submit and implement the solids disposal plans; correct the alum sludge issue; submit the WWTP shutdown schedules; and develop and implement the asset management program as detailed below.

**a. WWTP Solids Processing Requirements and Corrections**

- 1) Capacity for sludge dewatering, conveyance, and final disposal; Required maximum solids inventory loads.

The permittee shall ensure that sludge dewatering equipment, sludge conveyance equipment, and final sludge disposal capability is available at the Detroit WWTP as follows:

- a) The permittee shall ensure that the WWTP sludge dewatering equipment, sludge conveyance equipment, and final sludge disposal capability are maintained for use; and in good operational working order to meet the following requirements over the time periods specified:
  - (1) Average capacity of 500 dry tons per day (dtpd), calculated as a calendar monthly average;
  - (2) Upon completion of replacement of C-I and C-II belt filter presses (BFPs) as required by Part I.A.12.a.2). of this permit, peak capacity of 850 dtpd, calculated as a 10-day average;
  - (3) The permittee shall maintain the average monthly capacity and the peak 10-day average (once applicable). The peak 10-day average shall be available during any wet weather event when the Detroit WWTP is operated in the "Storm Period" of the currently approved WWTP Wet Weather Operational Plan as required by Part I.A.11.

The permittee shall also:

- (4) Notify the Department within one business day if solids are recycled from the gravity thickeners to the head of the WWTP for more than 72 hours and provide an explanation for the recycled solids. Recycled solids are defined as a TSS overflow concentration of 1000 mg/l or greater;
- (5) Maintain a monthly average solids inventory of less than 750 dtpd, when there are less than 5 days of discharge from Outfall 049A during the month, and maintain a calendar quarterly average solids inventory not to exceed 1000 dtpd. Solids inventory is defined as the total solids in gravity thickener complexes A and B, determined daily in dtpd; and
- (6) The permittee is allowed to submit to the Department for review and approval a request to modify the numerical levels specified in Part I.A.12.a. of this permit. This modification request shall include supporting rationale for the revised numerical levels.

**PART I****Section A. Limitations and Monitoring Requirements**

## 2) Solids Management Plan

- a) The permittee submitted to the Department for review and approval a short-term Solids Management Plan. This Solids Management Plan is designed to ensure the availability of sufficient sludge dewatering equipment and sludge disposal capability to meet the capacity requirements specified in Parts I.A.12.a.1).a).(1)&(2) of this permit. The permittee shall implement the short-term and near long-term actions of the Solids Management Plan improvements to C-I and C-II dewatering and incineration in accordance with the following schedule:

The detailed Basis of Design Report for the replacement of C-I and C-II BFPs and the Facilities Management Plans and Specifications were approved by the Department on December 22, 2010. Construction has commenced

- (1) On or before November 30, 2014, the permittee shall complete repairs to C-I and C-II incinerators under PC-774;
- (2) On or before January 1, 2016, the permittee shall complete construction and place into full operation and service the C-I and C-II BFPs;
- b) On or before March 1, 2013, the permittee shall submit to the Department for review and approval a schedule for development of a Long-Term Solids Disposal Plan (LTSDP). The LTSDP shall include provisions to ensure long-term compliance with all requirements of this permit, including but not limited to, necessary redundancy and contingencies for effective solid disposal or reuse. Upon Department approval, the LTSDP development schedule shall be incorporated by reference into this permit. The permittee is advised that implementation of individual elements of the LTSDP may require Part 41 wastewater construction permits or may require other Department approvals.

## 3) Alum Sludge Correction

The permittee shall develop and implement a plan to correct the solids dewatering concerns at the WWTP due to alum sludge discharges from DWSD water treatment plants (WTPs) into the collection system. The plan can use a combination of structural and/or operational controls at the WWTP and the WTPs to accomplish this requirement, and shall be based on ensuring that all solids dewatering, disposal, and solids inventory requirements in the permit are met. The permittee shall develop and implement this plan in accordance with the following schedule:

- a) On or before October 1, 2013, the permittee shall submit to the Department an approvable WTP alum sludge discharge correction plan (plan) to meet the conditions described above.
- b) Upon approval by the Department, the permittee shall begin implementation of the plan.
- c) On or before March 1, 2015, the permittee shall complete implementation of the approved plan.
- d) On or before September 1, 2015, the permittee shall submit a report to the Department describing if the implemented plan met the conditions specified above between March 1 and August 1, 2015.
- e) Annually, on or before September 1<sup>st</sup> (starting September 1, 2016), the permittee shall submit a report to the Department describing if the implemented plan continued to meet the conditions specified above for the preceding DWSD fiscal year (July 1 – June 30).

Part 41 construction permits at the WWTP and/or Act 399 construction permits at the specific WTPs may be needed depending on the components of the approved plan.

**PART I****Section A. Limitations and Monitoring Requirements****b. WWTP Quarterly Shutdown Schedules**

Quarterly, on or before December 1, March 1, June 1, and September 1, the permittee shall submit quarterly Wastewater Treatment Plant Shutdown Schedules, until notified in writing by the Department. Consistent with the quarterly dates indicated above, these schedules shall be submitted to the Department in a mutually agreeable format one month prior to the start of each calendar quarter for review and approval. Each quarterly schedule shall detail the primary treatment capacity, secondary treatment capacity, and sludge processing capacity that is planned to be available during the upcoming quarter, considering coordinated shutdowns necessary to complete all rehabilitation and other projects. The shutdown schedules shall be proposed to minimize environmental impact and maximize available treatment during construction of all projects, consistent with the requirements of the rules associated with Act 451, Part 41, being 299.2943 and 299.2955(1) and (3).

**c. Operation, Maintenance & Replacement/Asset Management**

The permittee shall at all times properly operate and maintain all facilities (i.e., sewer system, treatment works, as defined in Part 41 of Act 451, 1994 as amended, and control systems) that are installed or used by the permittee to operate the treatment works and sewer system and achieve and maintain compliance with the conditions of this permit (also see Part II.D.3 of this permit). The requirements of an asset management program listed below contain goals of effective performance, adequate funding, and adequate operator staffing and training. Asset management is a planning process focused on gaining optimum value for each asset and providing the financial resources to rehabilitate and replace them when necessary; and typically includes five core elements which identify: the current state of the asset, the desired level of service (e.g., per the permit, or for the customer), the most critical asset(s) to sustain performance, the best life cycle cost, and the long-term funding strategy to sustain service and performance.

1) The permittee shall prepare and implement an approvable Asset Management Program that addresses the following items:

- A comprehensive fixed asset inventory that is maintained, managed, and updated within a computerized maintenance management system (CMMS),
- A comprehensive inventory of the collection system fixed assets and collection system map,
- A Preventive Maintenance Program that may include predictive and reliability centered maintenance,
- A Needs Assessment updated at least every three years, including condition assessment and evaluation of service level,
- An assessment of asset criticality and risk management,
- A capital planning process,
- A Scheduled Replacement Program (SRP) for assets,
- Monitoring and periodic performance evaluation through Key Performance Indicators (KPIs),
- Management oversight of system performance.

The permittee shall prepare its Asset Management Program and provide a copy of the Program to the Department for review and approval by January 1, 2014. The program shall be implemented upon approval.

A Staffing Plan, as required by ACO-00131, has been approved by the Department. The permittee shall provide an adequate staffing level, in accordance with the approved Staffing Plan, to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit. During the term of ACO-00131, a change in the minimum staffing level may be requested by the Permittee by submittal of a revised Staffing Plan, including training requirements, and may be revised only by mutual agreement in writing between the permittee and the Department.

The permittee shall also prepare and submit a description of its purchasing procedures by June 30, 2013, in conjunction with the submittal of the Asset Management Program.

**PART I****Section A. Limitations and Monitoring Requirements**

2) An Annual Report covering implementation of the Asset Management Program during the prior Fiscal Year (July 1 – June 30) shall be prepared by the permittee and submitted to the Department by October 1 each year. The Annual Report shall include:

- a) A description of the staffing levels maintained during the year,
- b) A summary of inspections and maintenance activities conducted and corrective actions taken during the previous year,
- c) Expenditures for collection system maintenance activities, treatment works maintenance activities, corrective actions, and capital investment during the previous year,
- d) A summary of asset/areas identified for inspection/action (including capital improvement) in the upcoming year,
- e) A maintenance budget and capital improvement budget for the upcoming year, taking into account implementation of an effective asset management program meeting the core elements, and
- f) An updated estimate of the revenue necessary to complete anticipated OM&R activities, the associated rate schedule impact, and an assessment of the adequacy of the revenue to perform necessary OM&R work.

d. **Public Participation**

The permittee will participate in Department initiated public outreach meetings during the term of this permit as resources allow and provided there is adequate notification by the Department.

**13. Reopener for Primary and Secondary Treatment Capacity**

The permittee is required to maintain a wet weather primary treatment capacity of 1700 MGD (raw) and wet weather secondary treatment capacity of 930 MGD (which includes recycle).

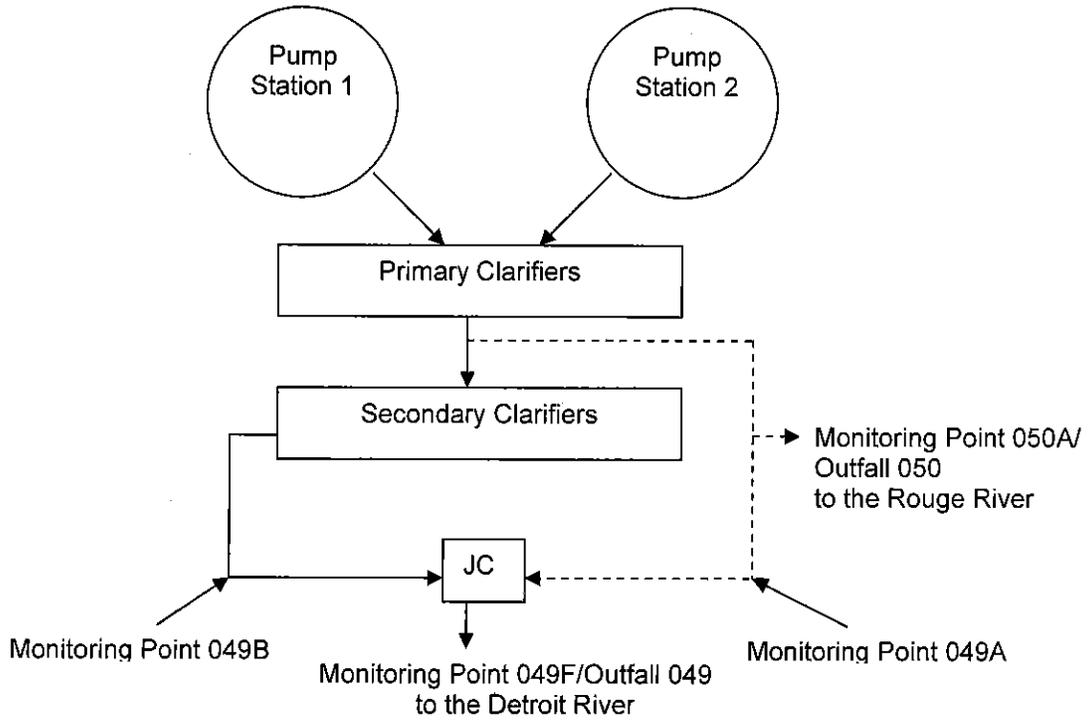
These required wet weather treatment capacities may be revised if new/alterd wet weather conditions (such as initiation of operation of upstream CSO facilities, etc.) indicate that either less or more flow can be effectively processed. The criteria used to determine whether the required wet weather primary treatment capacities should be revised must include additional plant evaluation under the updated conditions, using testing procedures approved by the Department.

For reference, outfall/monitoring point designations are shown on the following diagrams:

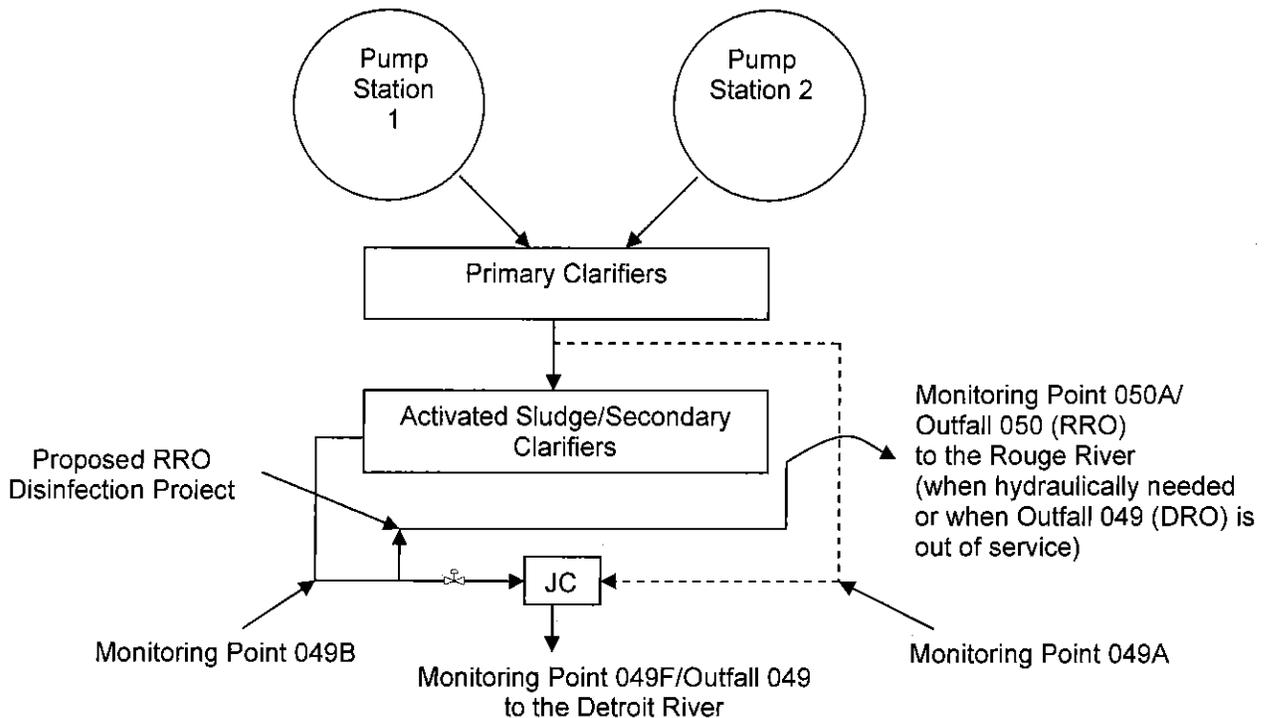
PART I

Section A. Limitations and Monitoring Requirements

Prior to Initiation of Operation of RRO Disinfection Project



After Initiation of Operation of RRO Disinfection Project



**PART I**

**Section A. Limitations and Monitoring Requirements**

**14. Outfalls Prohibited from Discharge to Combined Sewer System**

The following Outfalls are prohibited from discharge except as provided for in Part II.C.9.:

<u>OUTFALL</u>	<u>LOCATION</u>	<u>LAT/LONG</u>	<u>RECEIVING STREAM</u>
004	Fairview (DWF) Pump Station (P28 through P31) Parkview & Detroit River - <b>Emergency only</b>	42°21'20" 082°58'01"	Discharge to Detroit River Stop-logged
014	Dubois (B12) Dubois & Detroit River	42°20'01" 083°01'19"	Detroit River
054	Fort St. (DWSD Northwest Interceptor) (B50) South Fort St. & Rouge River (West Shore)	42°17'25" 083°08'35"	Rouge River
056	Fort St. (Oakwood District) (B49) South Fort St. & Rouge River (West Shore)	42°17'27" 083°08'33"	Rouge River
080	Fox Creek Backwater Gates (B01) East Jefferson & Fox Creek.	42°22'28" 082°56'27"	Fox Creek to Detroit River

The permittee shall provide for ongoing monitoring (Flow, Duration) for these outfalls should they discharge. This monitoring shall be used to comply with the requirements of Section 324.3112(a) of The Michigan Act (See Part I.A.16.).

**15. Discharges from Combined Sewer System**

a. Limited Discharge Authorization

The permittee is required to utilize, to the maximum extent practicable, available sewerage system transportation capabilities for the delivery of combined sewage to treatment facilities. For an interim period during which the amended Long-Term CSO Control Plan is to be implemented, the permittee is authorized to discharge during wet weather events (see Part II.A.) combined sewage from the outfalls and locations listed below in accordance with the following conditions:

- 1) a flow rate equivalent to the peak dry weather flow rate has been conveyed to the secondary treatment facilities for treatment without bypass,
- 2) the total sewerage system storage and transportation capacity for conveyance of wet weather flows to the treatment facilities for treatment has been utilized within the hydraulic design constraints of the system,
- 3) all primary treatment plant capacity and secondary treatment plant capacity has been utilized, unless a storm event is localized to the extent that the hydraulic capacity of a portion of the collection system (considering storage) is exceeded prior to reaching plant capacities, and
- 4) the permittee is in full compliance with all requirements as set forth in Part I.A.16. Combined Sewer Overflow discharges to the Rouge River, the Detroit River, and the Old Channel of the Rouge River are authorized until eliminated or adequately treated to meet water quality standards at times of discharge in accordance with the requirements below, and as specified in Part 1.A.15.d.9), "Future CSO Control Projects."

## PART I

## Section A. Limitations and Monitoring Requirements

<u>OUTFALL</u>	<u>LOCATION</u>	<u>LAT/LONG</u>	<u>RECEIVING STREAM</u>
005	McClellan (B03) McClellan (extended) & Detroit River	42°21'20" 082°58'02"	Detroit River
006	Fischer (B04) Fischer & Detroit River	42°21'16" 082°59'15"	Detroit River
007	Iroquois (B05) Iroquois & Detroit River	42°21'14" 082°59'21"	Detroit River
008	Helen (B06) Helen & Detroit River	42°20'40" 083°00'06"	Detroit River
009	Mt. Elliott (B07) Mt. Elliott & Detroit River	42°20'24" 083°00'28"	Detroit River
011	Adair (B09) Adair & Detroit River	42°20'16" 083°00'41"	Detroit River
012	Joseph Campau (B10) Joseph Campau & Detroit River	42°10'08" 083°01'02"	Detroit River
016	Orleans Relief (B15) Orleans (Eastside of) & Detroit River	42°19'54" 083°01'36"	Detroit River
017	Orleans (B14) Orleans (Westside of) & Detroit River	42°19'53" 083°01'37"	Detroit River
018	Riopelle (B16) Riopelle & Detroit River	42°19'52" 083°01'42"	Detroit River
019	Rivard (B17) Rivard & Detroit River	42°19'48" 083°01'55"	Detroit River
020	Hastings (B18) Schweizer Place & Detroit River	42°19'46" 083°02'03"	Detroit River
021	Randolph (B19) Randolph & Detroit River	42°19'29" 083°02'26"	Detroit River
022	Bates (B20) Bates & Detroit River	42°19'38" 083°02'32"	Detroit River
023	Woodward (B21) Woodward & Detroit River	42°19'37" 083°02'35"	Detroit River
024	Griswold (B22) Griswold & Detroit River	42°19'35" 083°02'28"	Detroit River
025	First-Hamilton (B23) First (extended) & Detroit River	42°19'30" 083°02'57"	Detroit River

## PART I

## Section A. Limitations and Monitoring Requirements

<u>OUTFALL</u>	<u>LOCATION</u>	<u>LAT/LONG</u>	<u>RECEIVING STREAM</u>
026	Third St. (B24) Third St. & Detroit River	42°19'28" 083°03'07"	Detroit River
027	Cabacier (B25) Brooklyn (extended) & Detroit River	42°19'24" 083°03'26"	Detroit River
028	Eleventh St. (B26) Eleventh St. & Detroit River	42°19'17" 083°03'46"	Detroit River
029	Rosa Parks (B27) Rosa Parks & Detroit River	42°19'13" 083°03'56"	Detroit River
030	Vermont (B28) Vermont (extended) & Detroit River	42°19'06" 083°04'09"	Detroit River
031	Eighteenth St. (B29) Eighteenth St. & Detroit River	42°18'57" 083°04'31"	Detroit River
032	Twenty-First St. (B30) Twenty-First St. & Detroit River	42°18'53" 083°04'31"	Detroit River
033	Twenty-Fourth St. (B31) Twenty-Fourth St. & Detroit River	42°18'47" 083°04'42"	Detroit River
034	West Grand Blvd. (B32) West Grand Blvd. & Detroit River	42°18'41" 083°04'50"	Detroit River
035	Swain (B33) Swain & Detroit River	42°18'35" 083°04'56"	Detroit River
036	Scotten (B34) Scotten & Detroit River	42°18'31" 083°05'02"	Detroit River
037	McKinstry (B35) McKinstry & Detroit River	42°18'19" 083°05'13"	Detroit River
038	Summit-Clark (B36) Summit & Detroit River	42°18'14" 083°05'18"	Detroit River
039	Ferdinand (B37) Ferdinand & Detroit River	42°18'13" 083°05'19"	Detroit River
040	Morrell (B38) Morrell & Detroit River	42°18'10" 083°05'22"	Detroit River
041	Junction (B39) Junction & Detroit River	42°18'07" 083°05'25"	Detroit River
042	Campbell (B40) Campbell & Detroit River	42°18'01" 083°05'30"	Detroit River
043	Dragoon (Livernois Relief) (B41) Dragoon (extended) & Detroit River	42°17'49" 083°05'41"	Detroit River

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## Section A. Limitations and Monitoring Requirements

<u>OUTFALL</u>	<u>LOCATION</u>	<u>LAT/LONG</u>	<u>RECEIVING STREAM</u>
044	Schroeder (B42) Schroeder & West Jefferson	42°17'32" 083°06'00"	Detroit River
046	Cary (B44) Cary & Rouge River	42°17'29" 083°06'47"	Old Channel Rouge River
047	Dearborn St. (B45) Dearborn St. & Rouge River	42°17'26" 083°06'59"	Old Channel Rouge River
048	Pulaski (No monitor) Pulaski & Rouge River	42°17'21" 083°07'11"	Old Channel Rouge River
059	Warren (B54) West Warren & Rouge River	42°20'34" 083°14'57"	Rouge River
060	Tireman (B56, 57 & 58) Tireman & Rouge River	42°20'59" 083°14'51"	Rouge River
061	West Chicago (B60, 61 & 62) West Chicago & Rouge River (East Shore)	42°21'46" 083°14'56"	Rouge River
062	West Chicago (B63) West Chicago & Rouge River (West Shore)	42°21'52" 083°15'18"	Rouge River
063	Plymouth (B64) Plymouth & Rouge River	42°22'18" 083°15'21"	Rouge River
064	Glendale Relief (B65) Rouge Park Golf Course	42°22'33" 083°14'52"	Rouge River
065	Lahser (Dolson) (B67 & 68) Lahser & Rouge River	42°22'52" 083°15'23"	Rouge River
066	Schoolcraft (B70) Jeffries Freeway, I-96 & Rouge River	42°23'07" 083°16'02"	Rouge River
067	West Parkway (B69) Jeffries Freeway, I-96 & Rouge River	42°23'07" 083°16'02"	Rouge River
068	Brammel (B71) Ray & Rouge River	42°23'30" 083°15'56"	Rouge River
069	Lyndon (B72) Lyndon & Rouge River	42°23'35" 083°15'57"	Rouge River
072	Puritan (B77) Puritan & Rouge River (East Shore)	42°24'28" 083°16'14"	Rouge River
073	Riverdale (B79) Florence & Rouge River	42°24'36" 083°16'13"	Rouge River
074	McNichols (B80 & 81) West McNichols & Rouge River	42°24'52" 083°15'59"	Rouge River

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**Section A. Limitations and Monitoring Requirements**

<u>OUTFALL</u>	<u>LOCATION</u>	<u>LAT/LONG</u>	<u>RECEIVING STREAM</u>
075	Glenhurst (B82) Glenhurst & Rouge River	42°25'32" 083°16'19"	Rouge River
077	Seven Mile (B85) West Seven Mile & Rouge River (East Shore)	42°25'44" 083°16'09"	Rouge River
079	Pembroke (B87) Frisbee & East Shore Rouge River	42°26'02" 083°16'24"	Rouge River

Nothing in Part I.A.15.a. of this permit shall be construed to limit the State of Michigan's ability to pursue remedies under the Michigan Act.

- b. **Qualified Operations and Maintenance Manager for CSO Discharges**  
The permittee shall place the wastewater collection system under the supervision of a qualified Operations and Maintenance Manager who shall serve as the contact person for the Department regarding combined sewer discharges. The permittee may replace the manager at any time and shall notify the Department within ten days after the replacement.
- c. **Disconnection of Eaves Troughs and Roof Downspouts**  
The permittee shall eliminate direct connections of eaves troughs and roof downspouts to the sewer system throughout the service area tributary to the Upper Rouge CSO outfalls (Outfalls 059-069, 072-075, 077, and 079). This requirement shall be completed by June 28, 2012, for residential property and by June 28, 2016, for commercial and industrial properties, or as may otherwise be approved by the Department consistent with the permittee's implementation of the Green Infrastructure program. In addition, the permittee shall eliminate direct connections of eave troughs and roof downspouts in the service areas tributary to the DWDS's CSO RTBs (see Part I.A.6. of this permit), to the DWSD's CSO Screening & Disinfection Facilities (see Part I.A.7. of this permit), and to the remaining untreated CSOs, upon completion of the Upper Rouge Outfall area. This requirement does not apply if the permittee demonstrates that the disconnection of eaves troughs and roof downspouts is not a cost-effective means of reducing the frequency or duration of combined sewer overflows or of maintaining compliance with this permit. Such a demonstration and supporting documentation shall be submitted to the Department for approval.
- d. **Final Combined Sewer Overflow Control Program**  
The permittee is currently continuing to implement CSO Control Programs for the City of Detroit's various CSO outfalls that discharge to the Rouge River and the Detroit River. Depending upon the particular CSO Control Program and outfall, the permittee is required to provide for the elimination or adequate treatment of combined sewage discharges containing raw sewage, to comply with the Water Quality Standards at times of discharge.

For the CSO outfalls discharging to the Rouge River, the development and implementation of the CSO Control Programs for the various outfalls was initially established based upon the goals of the Rouge River Remedial Action Plan (RAP), which called for a phased approach to solving the water quality problems of the river. Phase I of the Rouge River RAP extended to 1993 and included 1) monitoring and optimization of the existing combined sewer system, 2) detailed local planning for CSO controls and 3) resolution of financing and institutional problems. Phase II of the Rouge River RAP extended to 2005 (2012 for a few limited outfalls) and called for facility construction based on the goal of protection of public health through the elimination of raw sewage discharges and the control of toxic pollutants. Phase III of the Rouge River RAP follows completion of Phase II facilities and includes further improvements, if necessary, to comply with water quality standards at the time of discharge. Due to the demonstrated financial capability of the permittee for City of Detroit residents in 2009 and 2012, the CSO Control Program for the CSOs discharging to the Rouge River has been revised as reflected below.

**PART I****Section A. Limitations and Monitoring Requirements**

For the CSO outfalls discharging to the Detroit River and the Old Channel of the Rouge River, Department approval of the CSO Control Programs is determined on a case-by-case basis with considerations for environmental impacts, public health impacts, technical feasibility, and economic affordability. Due to the demonstrated financial capability of the permittee for City of Detroit residents in 2009 and 2012, the CSO Control Program for the CSOs discharging to the Detroit River and the Old Channel of the Rouge River has also been revised as reflected below.

In addition, the CSO Control Program now includes significant Green Infrastructure requirements that are an important component of the approved Long-Term CSO Control Program.

The implementation and completion of the CSO Control Program indicated in Part I.A.15.d. is a necessary and essential requirement of this permit.

1) Rouge River Outfalls 059-069, Outfalls 072-075, Outfall 077, and Outfall 079

For untreated combined sewer overflows from Outfalls 059-069, Outfalls 072-075, Outfall 077, and Outfall 079, the permittee shall determine the accurate frequency and volume of untreated CSO discharges and amend the "Supplemental Report on Alternative CSO Controls for the Upper Rouge River," dated April 30, 2010, as follows:

- a) On or before July 1, 2013, the permittee shall submit an approvable work plan to the Department for review and approval that (1) sets forth the monitoring of the 17 CSOs that will be accomplished to accurately determine the frequency and volume of these untreated CSO discharges, (2) uses this monitoring along with the current Ovation monitoring as appropriate in a calibrated and verified model to accurately detail the volume and frequency of the 17 CSOs during a representative and typical 10-year period of rainfall record, and (3) to determine the peak hour flow at the 10 yr – 1 hr event of each of the 17 CSOs. The permittee shall implement the work plan upon approval.
- b) On or before April 1, 2015, the permittee shall submit a report to the Department for review and approval that summarizes the determination and provides the volume and frequency of these 17 CSOs over a representative and typical 10-year period of rainfall record and provides the peak hour flow at the 10 yr – 1 hr event for each of these 17 CSOs;
- c) On or before January 1, 2017, the permittee shall submit an amendment for Department review and approval to the "Supplemental Report on Alternative CSO Controls for the Upper Rouge River" (dated April 30, 2010) that describes any changes to the recommended long-term CSO control projects for the 17 CSOs;

Based on the recommendations of this amendment, once approved, future CSO Control requirements and GI elements for these outfalls will be established in subsequent NPDES permits.

This permit may be modified in accordance with applicable laws and rules, to incorporate the Final Long-Term Combined Sewer Overflow Control Program for Outfalls 059-069, Outfalls 073-074, and Outfall 079.

2) CSO Control Program for Rouge River Task 1 In-System Storage Gate Renovations (Outfalls 060, 061, 065, 069, 072, and 074)

The permittee shall design and construct renovations to the Task I In-System Storage Gates at Outfalls 060, 061, 065, 069, 072 and 074 to ensure that the facilities can be reliably operated to retain wet weather flows in accordance with the approved Basis of Design in accordance with the following schedule:

- a) On or before June 1, 2013, and in accordance with the approved plans and specifications, the permittee shall commence construction of the In-System Storage Gate Renovations.

**PART I****Section A. Limitations and Monitoring Requirements**

- b) On or before June 1, 2015, the permittee shall complete construction and place into full operation/service the In-System Storage Gate Renovations.

3) Long-term CSO Control Program for Rouge River Outfall 082/Oakwood Pump Station  
For untreated CSOs from Outfall 082 via the Oakwood Pump Station, the permittee shall provide facilities to either eliminate or provide adequate treatment of combined sewage discharges to protect public health. In response, the RTB and new pump station have been constructed. In addition, two relief sewer projects, Segment 1 and Segment 2, have also been constructed to help reduce the risk of basement flooding. The permittee shall continue to implement the Final Long-Term Combined Sewer Overflow Control Program for Outfall 082, the Oakwood Pump Station, in accordance with the following schedule.

The permittee shall conduct a Project Performance Certification (PPC) Program to certify that the CSO control facilities (Pump Station and RTB) for discharges from Outfall 082 were constructed in accordance with the approved Basis of Design criteria and the approved plans and specifications. After June 1, 2012, discharges of raw, untreated sewage from Outfall 082 are prohibited. The permittee shall conduct the PPC Program in accordance with the following schedule:

- a) On or before April 1, 2012 (submitted), the permittee shall submit to the Department an approvable PPC Work Plan for conducting the PPC Program.
- b) On or before June 1, 2013, and in accordance with the approved Work Plan, the permittee shall commence the PPC Program for the CSO control facilities for discharges from Outfall 082.
- c) On or before January 1, 2014, the permittee shall complete the PPC Program's period of facilities evaluation.
- d) On or before February 1, 2014, the permittee shall submit a PPC Evaluation Report. The PPC Evaluation Report shall demonstrate whether the CSO control facilities for discharges from Outfall 082 were constructed in accordance with the approved Basis of Design criteria and the approved plans and specifications.

4) CSO Control Program for Hubbell Southfield Retention Basin Structural Improvements  
The permittee shall design and construct structural improvements to the Hubbell Southfield Retention Basin consistent with "Evaluation of CSO Control Alternatives" report dated December 15, 2009, in accordance with the following schedule.

- a) On or before June 1, 2013, and in accordance with the approved final plans and specifications, the permittee shall commence construction of the Hubbell Southfield Retention Basin structural improvements.
- b) On or before June 1, 2015, the permittee shall complete construction of the Hubbell Southfield Retention Basin structural improvements.

**PART I****Section A. Limitations and Monitoring Requirements**5) Green Infrastructure (GI) Programa) Tributary Area for Rouge River Outfalls 059-069, 072-075, 077, and 079

The permittee shall develop and implement a Green Infrastructure ("GI") Plan for this area consistent with the "Evaluation of CSO Control Alternatives" report dated December 15, 2009. The Plan shall be submitted to the Department for approval by August 1, 2013. The Plan shall describe a process for locating, designing, constructing, operating, and evaluating GI in these sewersheds. GI implementation shall be planned to capture wet weather flows that would otherwise flow into the sewer system and contribute to CSOs. The Plan shall include the following elements:

- (1) Provisions for disconnection of residential downspouts and disconnection of commercial and industrial downspouts where feasible (see Part I.A.15.c.).
- (2) Provisions for demolition and removal of vacant structures and replacement with pervious land cover. Where demolition is planned and implemented at sites that will be re-purposed for GI, the demolition specifications shall ensure that basements and other impervious surfaces at the sites are removed, that the site is raked to remove large rocks and construction debris, and that engineered soils consisting of an appropriate mix of topsoil, compost, and sand is applied following the demolition to support plant growth and promote infiltration.
- (3) Provisions for installation of bioswales along roadways and parking lots to intercept runoff and reduce storm water inputs to the combined sewer system from impervious surfaces.
- (4) Provisions for installation of rain barrels and rain gardens at commercial and residential properties to capture and retard storm water runoff.
- (5) Provisions for tree planting for uptake and evapotranspiration along roadways and open spaces.
- (6) Provisions for other Green Infrastructure implementation projects as determined to be appropriate.
- (7) Prioritization criteria for sites where green infrastructure practices will be implemented. Prioritization criteria should focus on locations and designs that will provide the greatest benefits in terms keeping flows out of the sewer system and helping to reduce CSOs. Additional prioritization criteria could include locations that could help reduce localized flooding or basement back-ups.
- (8) Processes for public outreach and public participation in selecting sites and implementing GI practices.
- (9) Procedures/methods for tracking green infrastructure implementation and measuring effects.
- (10) Provisions for ensuring appropriate maintenance of sites where green infrastructure has been implemented, including roles and schedules for maintenance.
- (11) Provisions for ensuring storm water management (runoff reduction) benefits associated with GI implementation continue over time, even as redevelopment may occur in the sewersheds.

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The permittee shall continue to implement GI in these sewersheds. The investment in GI in these sewersheds will be an average of 3 million dollars per fiscal year for the ten-year period ending 2019 (for a total of \$30 million), and an average of 2 million dollars per year for the following 10 years (for a total of \$20 million). GI implementation will be in accordance with the GI Plan after the Plan has been approved.

The permittee shall prepare and submit a Progress Report by August 1<sup>st</sup> of each year for review and approval that 1) summarizes the GI implementation work during the preceding DWSD fiscal year that has been undertaken and completed as part of the Green Infrastructure program, 2) contains a work plan for GI implementation projects for the next DWSD fiscal year, 3) documents the annual expenditure for the preceding DWSD fiscal year, 4) documents a cumulative total-spent-to-date on the GI program, and 5) includes an updated estimate of the volume of wet weather flow that has been removed from the combined sewer system as a result of the Green Infrastructure program, using agreed upon calculation techniques. As part of this reporting process, it will be necessary to document that an average of \$3 million dollars per fiscal year was spent per fiscal year for the five years ending June 30, 2017.

In addition, the performance goal is that by June 30, 2017, the permittee have in place in these sewersheds GI practices that cumulatively have the capacity to reduce flows into the sewer system in a 2-year – 24-hour storm event by at least 2,800,000 gallons, as determined by using modeling and quantification methods and data sources mutually agreed to in writing between the permittee and the Department.

b). Tributary Area for Detroit River Outfalls 005 - 009, 011, and 012.

This near east-side area of Detroit is currently the focus of another GI initiative. Because of the potential for some larger-scale green projects due to a relatively large amount of vacant land in the area, it may prove to be possible to eliminate or reduce the size of some previously envisioned CSO treatment facilities for this area using the combination of GI implementation along with possible sewer separation and other engineering solutions. The permittee shall develop a CSO Control Plan for this tributary area in accordance with the following schedule:

(1) On or before April 1, 2017, the permittee shall submit to the Department an approvable conceptual engineering plan for providing elimination or adequate treatment of CSO Outfalls 005-009, Outfall 011, and Outfall 012 to meet water quality standards at times of discharge. This plan shall consider the GI recommendations and potential for storm water reduction from the completed 205(j) report for this area;

(2) Based on the recommendations of this plan once approved, future CSO Control requirements and GI elements for these outfalls will be established in subsequent NPDES permits.

6) Collection System Improvements

a) Control Improvements

On or before October 1<sup>st</sup> of each year, the permittee shall submit annual reports that supply the documentation of rainfall and the frequency and duration of all discharge events during the previous 12-month period (from July 1<sup>st</sup> of the previous year through June 30<sup>th</sup> of the current year).

b) Collection System Rehabilitation

As part of the City of Detroit's overall Combined Sewer Overflow Control Program submitted on July 1, 1996, the permittee is currently implementing a program for collection system rehabilitation.

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Annually, on or before October 1<sup>st</sup>, the permittee shall submit a list and description of the collection system rehabilitation projects that are planned for the following calendar year. If comments are not provided by the Department within 60 days of receipt, the annual list is automatically approved.

- 7) Previous Long-Term CSO Control Program Documents
  - a) Original Long-Term CSO Control Plan (1996)
  - b) Long-Term CSO Control Plan Update (2002)
  - c) Amendment Rouge (2008)
  - d) Amendment Detroit (2008)
  - e) Evaluation of CSO Control Alternative (for the Upper Rouge Outfalls) (December 15, 2009)
  - f) Supplemental Report on Alternative CSO Controls for the Upper Rouge Outfalls) (April 30, 2010)

8) Evaluation of Financial Capability

The permittee shall prepare an evaluation of Financial Capability, consistent with state and federal guidance, and shall submit the evaluation with the applications for reissuance of this permit (see the cover page of this permit for the application due date). The Financial Capability Report shall be in the form of previous reports utilizing the EPA Financial Capability Guidance Document (USEPA 832-B-97-004; February, 1997), and updated with information as may be available in order to assess the permittee's ability to undertake future capital improvement projects related to the Long-Term CSO Control Program. This permit may be modified in accordance with applicable law and rules to incorporate revisions to conform to pertinent laws or rules, or as necessary to address prevailing situations.

9) Future CSO Control Projects

The permittee shall control combined sewer discharges from Outfalls 005-009, 011, 012, 016-044, 046-048, 059-069, 072-075, 077, and 079 to eliminate the discharges or provide adequate treatment of the combined sewage discharges to comply with Water Quality Standards at times of discharge. Upon completion of Segment 2 of the RRO2 project and commencing use of Outfall 084 (RRO2), the permittee will have completed core elements of its CSO control program and will have achieved a very high level of CSO control. While additional CSO control measures are needed to fully comply with state of Michigan Water Quality Standards, as the permittee moves into the final phases of the CSO control program it is appropriate to plan and schedule the remaining control measures, taking into account what has been put in place to date and lessons learned, the unique circumstances of the city of Detroit, and the nature of the remaining CSO challenges.

Based on the foregoing, the permittee shall proceed with remaining CSO corrections using an adaptive management approach. This means that as new information is gained from: (1) evaluation of existing CSO projects, (2) evaluation of new treatment technologies and real-time collection system controls, (3) more accurate and complete data on CSO discharge frequency and volume, (4) performance results as benefits from green infrastructure are realized, (5) water quality assessments, and (6) any other pertinent information, future CSO controls can be adapted to best provide cost-effective elimination or adequate treatment. Note that for purposes of designing CSO correction projects, elimination is defined as no more than 1 untreated discharge in ten years from a CSO outfall during the April through October period. This determination can be based on actual monitoring data normalized for a typical and representative 10-year period of rainfall record or predictively determined based on a calibrated and verified continuous model using a typical and representative 10-year period of rainfall record.

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The permittee shall propose the non-core CSO correction projects to be designed, constructed, and operated to provide CSO elimination or adequate treatment during the subsequent five year permit cycle, with each permit reapplication. High priority non-core outfalls should generally be addressed first. City of Detroit residents within the DWSD service area are "high burden" status based on sewer fees paid as a percentage of median annual household income. Planning of CSO control measures may reflect the permittee's financial capacity for City of Detroit residents determined in the Financial Capability Evaluation that is submitted with each permit reapplication. Based on current and projected CSO capital revenue requirements, and the current average cost per Detroit household for wastewater treatment and CSO control as a percentage of Detroit median household income, the Department does not expect the permittee to propose non-core CSO correction projects with the next permit reapplication required by April 1, 2017. The permittee shall next propose non-core CSO correction projects for review and approval with the permit reapplication required by April 1, 2022. This proposal shall be based on an updated Financial Capability Evaluation and other financial factors as appropriate. Reissued permits will then be drafted and issued with schedules for approved CSO correction projects that provide continuing progress toward meeting water quality standards.

Based on information currently available, the following is a prioritized list of remaining CSOs for control under the categories high priority and low priority. The goal will be to complete projects fully addressing all high priority outfalls before October 1, 2037. This list can be updated, reflecting adaptive management considerations, with each reissued permit.

**Rouge River CSOs**

High Priority Outfalls	Low Priority Outfalls
059, 060, 061, 062, 063, , 069, 074	064, 065, 066, 067, 068, 072, 073, 075, 077, 079

**Detroit River CSOs**

High Priority Outfalls	Low Priority Outfalls
016, 019, 021, 022, 025, 026, 031, 038, 040, 044	017, 018, 020, 024, 027, 028, 029, 030, 032, 033, 034, 035, 036, 037, 039, 041, 042, 043, 046, 047, 048

Note – Outfalls 005-009, 011, and 012 are addressed in Part I.A.15.d.5) and will be incorporated into the priority control process in the next reissued permit.

As part of this adaptive management approach, storm water runoff from new development and redevelopment that will be conveyed through storm sewers to DWSD's combined sewers will require control to help further reduce volume and frequency of untreated CSO discharges. These are projects that will require construction plan review by the permittee, and a Part 41 construction permit issued by the Department. Please note that in most cases, new combined sewers will no longer be permitted under Part 41 (except for combined sewer relocation projects). Note that this is not a requirement for storm sewers subject to Permit No. MIS040000 issued to the City of Detroit, as the storm sewers under MIS040000 discharge directly to surface waters and are not owned by the DWSD.

This storm water control requirement is primarily a focus within the Rouge Sewer District and Central Sewer District, as it is these two Districts that have untreated CSOs. Therefore, the permittee shall propose a level of storm water control for new development and redevelopment in these two sewer districts, and for the circumstances stated above, that is designed to help further reduce the volume and frequency of untreated CSO discharges, and a procedure and schedule for implementing this control requirement. The control level, implementation procedure, and implementation schedule shall be submitted by April 1, 2017, along with the reapplication for permit.

In addition, the permittee may evaluate if critical system regulators and gates can be adjusted to allow for more treated CSO, and less untreated CSO from the remaining 55 CSO outfalls. Examples of this concept might include:

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### Section A. Limitations and Monitoring Requirements

- Closing the Hubbell-Southfield regulator to the Northwest Interceptor (NWI) during Hubbell-Southfield RTB discharge events, and replacing this flow with an additional 80 cubic feet per second (cfs) through the upstream Warren-Pierson gate on the NWI for eventual treatment at the WWTP.
- Ceasing sanitary pumping from the Oakwood Pump Station to the Oakwood-NWI during Oakwood RTB discharge events and allowing more flow that would be discharged untreated to be transported in the Oakwood-NWI for treatment at the WWTP.
- Disconnecting storm flow from the Belle Isle collection system and also ceasing sanitary pumping to the Detroit River Interceptor during Belle Isle RTB discharge events in order to allow more flow that would have been discharged untreated to be transported in the Detroit River Interceptor for treatment at the WWTP.
- Other similar examples.

Prior to implementation, this evaluation shall be submitted to the Department for review and approval. Approved regulator adjustments will be acceptable until completion of all non-core CSO correction projects and shall be included in Operational Plan annual updates (see Part 1.A.15 e. immediately below). The evaluation shall include all necessary supporting documentation, including hydraulic model runs.

Following implementation of any phase of any of the approved Control Programs contained in Part I.A.15.d. of this permit, the Control Program(s) may be reevaluated by the permittee or the Department. Future permits may include requirements to conduct water quality evaluations designed to verify that the overall CSO control program is providing adequate treatment to meet water quality standards. This permit may be modified in accordance with applicable laws and rules, to incorporate revisions necessary to conform to pertinent rules or laws, or as necessary to address prevailing situations, such as technical or financial constraints.

- e. **Collection System and CSO Treatment Facilities Operational Plan**  
The permittee shall continue implementation of DWSD's approved Collection System and CSO Treatment Facilities Operational Plan (Operational Plan). The implementation of the Operational Plan shall be coordinated with the Wastewater Treatment Plant Wet Weather Operational Plan that is required for development and implementation in accordance with Part I.A.11. of this permit.

Any changes to the Operational Plan that affect the rate, volume, or characteristics of the discharge, or the system storage and transportation for conveyance of wet weather flows, shall be submitted to the Department and approved prior to implementation. Annually, on or before October 1<sup>st</sup>, the permittee shall submit a revised Operational Plan, which incorporates all changes made to the plan during the last year. The operational plan shall define the hydraulic design constraints of the system during both dry and wet weather operation.

The plan shall include:

- 1) the procedures utilized at the permittee's CSO RTBs and Screening & Disinfection Facilities for adjustment of NaOCl disinfectant feed rates to minimize the discharge of total residual chlorine,
- 2) the procedures and schedule for sampling/monitoring the stored NaOCl disinfectant at the permittee's CSO RTBs and Screening & Disinfection Facilities to determine the concentration of available chlorine and assure that the stored NaOCl is of sufficient strength to provide effective disinfection,
- 3) the procedures for sampling/monitoring the available chlorine concentration of each load of NaOCl delivered to the permittee's CSO RTBs and Screening & Disinfection Facilities,
- 4) if applicable, the procedures utilized at the permittee's CSO RTBs and Screening & Disinfection Facilities for adjustment of dehalogenating reagent feed rates to minimize the discharge of excess reagent,

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- 5) the procedures to ensure that the collection and treatment systems are operated to maximize treatment,
- 6) the procedures to ensure that all dry weather flows are conveyed to the treatment facilities for treatment without bypass,
- 7) the hydraulic profile and hydraulic operational elevations for system pump stations, regulators, diversion devices, gates, level sensors, interceptors, etc., to ensure the conveyance of all dry weather flows to the treatment facilities for treatment without bypass,
- 8) the procedures to ensure that the sewerage system hydraulic and storage capacity is identified and fully utilized during wet weather events with eventual treatment of stored flows,
- 9) the procedures to ensure that the greatest quantity of wet weather flow is conveyed to the treatment facilities for treatment to minimize untreated wastewater discharges within the region tributary to the Detroit WWTP,
- 10) the hydraulic profile and hydraulic operational elevations for system pump stations, regulators, diversion devices, gates, level sensors, interceptors, etc., to ensure that the greatest quantity of wet weather flow is conveyed to the treatment facilities for treatment to minimize combined sewage discharges,
- 11) the procedures for ongoing inspection of the sewer system within the permittee's jurisdiction for excessive inflow and infiltration and, where necessary, reduction of the excessive infiltration and inflow sources, and the elimination of unauthorized sewer system connections, and
- 12) identification of the location of the rain gauges.

The permittee shall continue to pursue the coordination of operational plans with tributary communities with the intent of maximizing flow conveyance to the DWSD system and minimizing regional CSOs.

**f. New Wastewater Flows**

Increased levels of discharge of sanitary sewage from the combined sewer overflow outfalls listed in Part I.A.15.a. of this permit, the DWSD's CSO RTBs (see Part I.A.6. of this permit), and the DWSD's CSO Screening and Disinfection Facilities (see Part I.A.7. of this permit) are prohibited unless:

- 1) these increased discharges are the result of new sanitary wastewater flows which, on the basis of sound professional judgment, are within design peak dry weather transportation capacity, or
- 2) the permittee has officially adopted and is timely implementing a definite program, satisfactory to the Department, leading to the construction and operation of necessary collection, transportation, or treatment devices.

**16. Untreated or Partially-Treated Sewage Discharge Reporting and Testing Requirements**

In accordance with Section 324.3112a of the Michigan Act, if untreated sewage, including sanitary sewer overflows (SSO) and CSOs, or partially-treated sewage, is directly or indirectly discharged from a sewer system onto land or into the waters of the state, the entity responsible for the sewer system shall immediately, but not more than 24 hours after the discharge begins, notify, by telephone, the Department, local health departments, a daily newspaper of general circulation in the county in which the permittee is located, and a daily newspaper of general circulation in the county or counties in which the municipalities whose waters may be affected by the discharge are located that the discharge is occurring.

The permittee shall also annually contact municipalities, including the superintendent of a public drinking water supply with potentially affected intakes, whose waters may be affected by the permittee's discharge of combined

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sewage, and if those municipalities wish to be notified in the same manner as specified above, the permittee shall provide such notification. Such notification shall also include a daily newspaper in the county of the affected municipality.

At the conclusion of the discharge, written notification shall be submitted in accordance with and on the "Report of Discharge Form" available via the internet at: <http://www.deg.state.mi.us/csosso/>, or, alternatively for combined sewer overflow discharges, in accordance with notification procedures approved by the Department.

In addition, in accordance with Section 324.3112a of the Michigan Act, each time a discharge of untreated sewage or partially-treated sewage occurs, the permittee shall test the affected waters for *Escherichia coli* to assess the risk to the public health as a result of the discharge and shall provide the test results to the affected local county health departments and to the Department. The testing shall be done at locations specified by each affected local county health department but shall not exceed ten tests for each separate discharge event. The affected local county health department may waive this testing requirement if it determines that such testing is not needed to assess the risk to the public health as a result of the discharge event. The results of this testing shall be submitted with the written notification required above, or, if the results are not yet available, submit them as soon as they become available. This testing is not required if the testing has been waived by the local health department or if the discharge(s) did not affect surface waters.

Permittees accepting sanitary or municipal sewage from other sewage collection systems are encouraged to notify the owners of those systems of the above reporting and testing requirements.

### 17. Facility Contact

The "Facility Contact" was specified in the application. The permittee may replace the facility contact at any time, and shall notify the Department in writing within 10 days after replacement (including the name, address and telephone number of the new facility contact).

- a. The facility contact shall be (or a duly authorized representative of this person):
  - for a corporation, a principal executive officer of at least the level of vice president, or a designated representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the permit application or other NPDES form originates,
  - for a partnership, a general partner,
  - for a sole proprietorship, the proprietor, or
  - for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other duly authorized employee.
- b. A person is a duly authorized representative only if:
  - the authorization is made in writing to the Department by a person described in paragraph a. of this section; and
  - 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 facility (a duly authorized representative may thus be either a named individual or any individual occupying a named position).

Nothing in this section obviates the permittee from properly submitting reports and forms as required by law.

### 18. Monthly Operating Reports

Part 41 of Act 451 of 1994 as amended, specifically Section 324.4106 and associated Rule 299.2953, requires that the permittee file with the Department, on forms prescribed by the Department, reports showing the effectiveness of the treatment facility operation and the quantity and quality of liquid wastes discharged into waters of the state.

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**Section A. Limitations and Monitoring Requirements**

Since this permit includes modifications to the monitoring requirements in the previously-issued permit, the previously approved treatment facility monitoring program shall be revised. Within thirty (30) days of the effective date of this permit, the permittee shall submit to the Department a revised treatment facility monitoring program to meet this requirement. Upon approval by the Department the permittee shall implement the revised treatment facility monitoring program. The reporting forms and guidance are available on the DEQ web site at [http://www.michigan.gov/deq/0,1607,7-135-3313\\_44117---,00.html](http://www.michigan.gov/deq/0,1607,7-135-3313_44117---,00.html). The permittee may use alternative operating forms if they are consistent with the approved monitoring program. These forms shall be maintained on site and shall be provided to the Department for review upon request. These treatment facility monitoring records shall be maintained for a minimum of three years.

**PART I****Section B. Industrial Waste Pretreatment Program****1. Federal Industrial Waste Pretreatment Program**

- a. The permittee shall implement the Federal Industrial Pretreatment Program approved on June 26, 1997, and any subsequent modifications approved up to the issuance of this permit. Approval of substantial program modifications after the issuance of this permit shall be incorporated into this permit by minor modification in accordance with 40 CFR 122.63.
- b. The permittee shall comply with Rules 323.2301 through 323.2317 of the Michigan Administrative Code (Part 23 Rules), the General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR Part 403), and the approved Federal Industrial Pretreatment Program.
- c. The permittee has adopted and shall maintain the legal authority and necessary interjurisdictional agreements that provide the basis for the implementation and enforcement of the approved Federal Industrial Pretreatment Program throughout the service area. The legal authority and necessary interjurisdictional agreements shall include, at a minimum, the authority to carry out the activities specified in Rule 323.2306(a). The permittee shall establish an interjurisdictional agreement (or comparable document) with all tributary governmental jurisdictions. Each interjurisdictional agreement shall contain, at a minimum, the following:
  - 1) identification of the agency responsible for the implementation and enforcement of the approved Federal Industrial Pretreatment Program within the tributary governmental jurisdiction's boundaries, and
  - 2) the provision of the legal authority which provides the basis for the implementation and enforcement of the approved Federal Industrial Pretreatment Program within the tributary governmental jurisdiction's boundaries.
- d. The permittee has developed and shall continue to maintain program commitments and procedures that enable implementation of the approved Federal Industrial Pretreatment Program, 40 CFR Part 403, and the Part 23 Rules in accordance with Rule 323.2306(c).
- e. It is recognized that the permittee has been delegated by the Department Director the enforcement authority contained in Section 3115 of Act 451. The permittee shall comply with the terms of that agreement and, commencing on April 1, 2013, and every year thereafter, submit a report in accordance with the Appointment of Enforcement Authority dated October 11, 2012. Under this delegated authority the permittee may seek or assess civil penalties in at least the amount of \$1,000 a day for each violation by the Industrial Users of Pretreatment Standards and Requirements. The agreement describes the conditions and criteria for use. (This delegated authority is independent of that available through the local Ordinance.)
- f. The permittee shall prohibit discharges that:
  - 1) cause, in whole or in part, the permittee's failure to comply with any condition of this permit or the Michigan Act,
  - 2) restrict, in whole or in part, the permittee's management of biosolids,
  - 3) cause, in whole or in part, operational problems at the treatment facility or in its collection system,
  - 4) violate any of the general or specific prohibitions identified in Rule 323.2303(1) and (2),
  - 5) violate categorical standards identified in Rule 323.2311, and
  - 6) violate local limits established in accordance with Rule 323.2303(4).

**PART I****Section B. Industrial Waste Pretreatment Program**

- g. The permittee shall maintain a list of its nondomestic users that meet the criteria of a significant industrial user as identified in Rule 323.2302(cc).
- h. The permittee has developed and shall continue to implement an enforcement response plan which describes, in sufficient detail, program commitments which will enable the enforcement of the approved Federal Industrial Pretreatment Program, 40 CFR Part 403, and the Part 23 Rules in accordance with Rule 323.2306(g).
- i. The Department may require modifications to the approved Federal Industrial Pretreatment Program which are necessary to ensure compliance with 40 CFR Part 403 and the Part 23 Rules in accordance with Rule 323.2309.
- j. The permittee shall not implement changes or modifications to the approved Federal Industrial Pretreatment Program without notification to the Department. Any substantial modification shall be subject to Department public noticing and approval in accordance with Rule 323.2309.
- k. The permittee shall maintain sufficient resources and qualified personnel to implement the approved Federal Industrial Pretreatment Program.
- l. The permittee shall develop and maintain, for a minimum of three (3) years, all records and information necessary to determine nondomestic user compliance with 40 CFR Part 403, Part 23 Rules and the approved Federal Industrial Pretreatment Program. This period of retention shall be extended during the course of any unresolved enforcement action or litigation regarding a nondomestic user or when requested by the Department or the United States Environmental Protection Agency. All of the aforementioned records and information shall be made available upon request for inspection and copying by the Department and the United States Environmental Protection Agency.
- m. The permittee shall evaluate the approved Federal Industrial Pretreatment Program for compliance with the 40 CFR Part 403, Part 23 Rules and the prohibitions stated in item f. (above). Based upon this evaluation, the permittee shall identify to the Department all necessary changes or modifications to the approved Federal Industrial Pretreatment Program no later than the next Industrial Pretreatment Program Annual Report due date (see item o. below).
- n. The permittee shall develop and enforce local limits to implement the prohibitions listed in item f above. Local limits shall be based upon data representative of actual conditions demonstrated in a maximum allowable headworks loading analysis. An evaluation of whether the existing local limits need to be revised shall be submitted to the Department by June 1, 2016. The submittal shall provide a technical evaluation of the basis upon which this determination was made which includes information regarding the maximum allowable headworks loading, collection system protection criteria, and worker health and safety, based upon data collected since the last local limits review.

The following pollutants shall be evaluated:

- 1) Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Silver, and Zinc,
- 2) Pollutants that are subject to limits or monitoring in this permit,
- 3) Pollutants that have an existing local limit, and
- 4) Other pollutants of concern which would reasonably be expected to be discharged or transported by truck or rail or otherwise introduced into the POTW.

**PART I****Section B. Industrial Waste Pretreatment Program**

- o. On or before April 1st of each year, the permittee shall submit to the Department, as required by Rule 323.2310(8), an Industrial Pretreatment Program Annual Report on the status of program implementation and enforcement activities. The reporting period shall begin on January 1st and end on December 31st. At a minimum, the Industrial Pretreatment Program Annual Report shall contain the following items:
- 1) additions, deletions, and any other modifications to the permittee's previously submitted nondomestic user inventory (Rule 323.2306(c)(i)),
  - 2) additions, deletions, and any other modifications to the permittee's approved Significant Industrial User List (Rule 323.2306(h)),
  - 3) a listing of the names of Significant Industrial Users not inspected by the permittee at least once during the reporting period or at the frequency committed to in the approved Federal Industrial Pretreatment Program,
  - 4) a listing of the names of Significant Industrial Users not sampled for all required pollutants by the permittee at least once during the reporting period or at the frequency committed to in the approved Federal Industrial Pretreatment Program,
  - 5) a listing of the names of Significant Industrial Users without a permit at any time during the reporting period,
  - 6) a listing of the names of nondomestic industrial users in significant noncompliance for each of the criteria as defined in Rule 323.2302(dd)(i)-(viii),
  - 7) proof of publication of all nondomestic users in significant noncompliance in the largest daily newspaper in the permittee's area,
  - 8) a summary of the enforcement activities by the permittee during the report period. This Summary shall include:
    - a) a listing of the names of nondomestic users which were the subject of an enforcement action,
    - b) the enforcement action taken and the date the action was taken, and
    - c) whether the nondomestic user returned to compliance by the end of the reporting period (include date nondomestic user returned to compliance).
  - 9) a listing of the names of Significant Industrial Users who did not submit pretreatment reports in accordance with requirements specified in their permit during the reporting period,
  - 10) a listing of the names of Significant Industrial Users who did not self-monitor in accordance with requirements specified in their permit during the reporting period,
  - 11) a summary of results of all the sampling and analyses performed of the wastewater treatment plant's influent, effluent, and biosolids conducted in accordance with approved methods during the reporting period. The summary shall include the monthly average, daily maximum, quantification level, and number of samples analyzed for each pollutant. At a minimum, the results of analyses for all locally limited parameters for at least one monitoring event that tests influent, effluent and biosolids during the reporting period shall be submitted with each report, unless otherwise required by the Department, and
  - 12) any other relevant information as requested by the Department.

**PART I****Section B. Industrial Waste Pretreatment Program**

- p. For purposes of monitoring associated with the Federal Industrial Pretreatment Program, the permittee shall use sampling and analytical procedures in accordance with 40 CFR Part 136. The permittee may, at its discretion, use either Method 1631 or Method 245.1 for the analysis of total mercury as it deems appropriate.

**2. Schedule for Notification to Contributing Jurisdictions**

On or before May 1<sup>st</sup> and November 1<sup>st</sup> of each year, the permittee shall submit to the Department a report demonstrating the efforts and progress toward achieving the requirement of having all contributing jurisdictions adopt a legal authority that is equivalent to or more restrictive than the permittee's, including the revised local limits to be incorporated by the permittee as result of the requirements of Part I.B.2. of this permit. This legal authority includes the provisions of Ordinance 08-05 (Detroit City Code Chapter 56, Article III. Division 3) and subsequent revisions to the local limits. These progress reports shall be submitted every six months until the requirement is achieved. The biannual progress reports shall contain:

- a. a listing of all contributing jurisdictions,
- b. the status of each contributing jurisdiction's adoption of adequate legal authority, and
- c. for contributing jurisdictions who have not yet adopted adequate legal authority, a description of the steps/actions the permittee has taken to assure progress toward the contributing jurisdiction's adoption of adequate legal authority.

The permittee shall, to the best of its ability, work with those contributing jurisdictions who did not adopt adequate legal authority by January 1, 2008, to obtain such legal authority.

**PART I****Section C. Residuals Management Program****1. Residuals Management Program for Land Application of Biosolids**

The permittee is authorized to land apply bulk biosolids or prepare bulk biosolids for land application in accordance with the permittee's approved Residuals Management Program (RMP) approved on April 22, 2008, and approved modifications thereto in accordance with the requirements established in R323.2401 through R323.2418 of the Michigan Administrative Code (Part 24 Rules). The approved RMP, and any approved modifications thereto, are enforceable requirements of this permit. Incineration, landfilling and other residual disposal activities shall be conducted in accordance with Part II.D.7. of this permit. The Part 24 Rules can be obtained via the internet (<http://www.michigan.gov/deq/> and on the left side of the screen click on Water, Biosolids & Industrial Pretreatment, Biosolids then click on Biosolids laws and Rules Information which is under the Laws & Rules banner in the center of the screen).

**a. Annual Report**

On or before October 30 of each year, the permittee shall submit to the Biosolids Program, Water Resources Division, Department of Environmental Quality, P.O. Box 30458, Lansing, MI 48909-7958 for the previous fiscal year of October 1 through September 30. At a minimum, the report shall contain:

1) a certification that current residuals management practices are in accordance with the approved RMP, or a proposal for modification to the approved RMP; and

2) a completed Biosolids Annual Report Form which can be obtained via the internet (<http://www.michigan.gov/deq/> and on the left side of the screen click on Water, Biosolids & Industrial Pretreatment, Biosolids then click on Biosolids Annual Report Form which is under the Downloads banner in the center of the screen) or from the Department.

**b. Modifications to the Approved RMP**

Prior to implementation of modifications to the RMP, the permittee shall submit proposed modifications to the Department for approval. The approved modification shall become effective upon the date of approval. Upon written notification, the Department may impose additional requirements and/or limitations to the approved RMP as necessary to protect public health and the environment from any adverse effect of a pollutant in the biosolids.

**c. Record Retention**

Records required by the Part 24 Rules shall be kept for a minimum of five years. However, the records documenting cumulative loading for sites subject to cumulative pollutant loading rates shall be kept as long as the site receives biosolids.

**d. Contact Information**

RMP related submittals to the Department shall be to the Southeast Michigan District Supervisor of the Water Resources Division. The Southeast Michigan District Office is located at 27700 Donald Court, Warren Michigan, 48092-2793, Telephone: 586-753-3750, Fax: 586-753-3751.

## PART II

Part II may include terms and /or conditions not applicable to discharges covered under this permit.

### Section A. Definitions

**Acute toxic unit (TU<sub>A</sub>)** means  $100/LC_{50}$  where the  $LC_{50}$  is determined from a whole effluent toxicity (WET) test which produces a result that is statistically or graphically estimated to be lethal to 50% of the test organisms.

**Bioaccumulative chemical of concern (BCC)** means a chemical which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor of more than 1000 after considering metabolism and other physiochemical properties that might enhance or inhibit bioaccumulation. The human health bioaccumulation factor shall be derived according to R 323.1057(5). Chemicals with half-lives of less than 8 weeks in the water column, sediment, and biota are not BCCs. The minimum bioaccumulation concentration factor (BAF) information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the biota-sediment accumulation factor (BSAF) methodology. The minimum BAF information needed to define an inorganic chemical as a BCC, including an organometal, is either a field-measured BAF or a laboratory-measured bioconcentration factor (BCF). The BCCs to which these rules apply are identified in Table 5 of R 323.1057 of the Water Quality Standards.

**Biosolids** are the solid, semisolid, or liquid residues generated during the treatment of sanitary sewage or domestic sewage in a treatment works. This includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a derivative of the removed scum or solids.

**Bulk biosolids** means biosolids that are not sold or given away in a bag or other container for application to a lawn or home garden.

**Certificate of Coverage (COC)** is a document, issued by the Department, which authorizes a discharge under a general permit.

**Chronic toxic unit (TU<sub>C</sub>)** means  $100/MATC$  or  $100/IC_{25}$ , where the maximum acceptable toxicant concentration (MATC) and  $IC_{25}$  are expressed as a percent effluent in the test medium.

**Class B Biosolids** refers to material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PSRP) in accordance with the Part 24 Rules. Processes include aerobic digestion, composting, anaerobic digestion, lime stabilization and air drying.

**Daily concentration** is the sum of the concentrations of the individual samples of a parameter divided by the number of samples taken during any calendar day. If the parameter concentration in any sample is less than the quantification limit, regard that value as zero when calculating the daily concentration. The daily concentration will be used to determine compliance with any maximum and minimum daily concentration limitations (except for pH and dissolved oxygen). When required by the permit, report the maximum calculated daily concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the Discharge Monitoring Reports (DMRs).

For pH, report the maximum value of any individual sample taken during the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs and the minimum value of any individual sample taken during the month in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. For dissolved oxygen, report the minimum concentration of any individual sample in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

**Daily loading** is the total discharge by weight of a parameter discharged during any calendar day. This value is calculated by multiplying the daily concentration by the total daily flow and by the appropriate conversion factor. The daily loading will be used to determine compliance with any maximum daily loading limitations. When required by the permit, report the maximum calculated daily loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs.

**Department** means the Michigan Department of Environmental Quality.

## PART II

### Section A. Definitions

**Detection Level** means the lowest concentration or amount of the target analyte that can be determined to be different from zero by a single measurement at a stated level of probability.

**Discharge Event** is a discrete occurrence during which effluent is discharged to the surface water from a Waste Water Stabilization Lagoon up to 10 days of a consecutive 14 day period.

**EC<sub>50</sub>** means a statistically or graphically estimated concentration that is expected to cause 1 or more specified effects in 50% of a group of organisms under specified conditions.

**Fecal coliform bacteria monthly** is the geometric mean of the samples collected during a discharge event. Days with no discharge shall not be used to determine the value. The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR. If the period in which the discharge event occurred was partially in each of two months, the monthly value shall be reported on the DMR of the month in which the last day of discharge occurred.

**Fecal coliform bacteria 7-day** is the geometric mean of the samples collected in any 7-day period during a discharge event. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the maximum calculated 7-day concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. If the seven day period was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

**Flow Proportioned sample** is a composite sample with the sample volume proportional to the effluent flow.

**Grab sample** is a single sample taken at neither a set time nor flow.

**Geometric Mean** is the average of the logarithmic values of a base 10 data set, converted back to a base 10 number.

**IC<sub>25</sub>** means the toxicant concentration that would cause a 25% reduction in a nonquantal biological measurement for the test population.

**Interference** is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or, of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act. [This definition does not apply to sample matrix interference.]

**Land Application** means spraying or spreading biosolids or a biosolids derivative onto the land surface, injecting below the land surface, or incorporating into the soil so that the biosolids or biosolids derivative can either condition the soil or fertilize crops or vegetation grown in the soil.

**LC<sub>50</sub>** means a statistically or graphically estimated concentration that is expected to be lethal to 50% of a group of organisms under specified conditions.

**Maximum acceptable toxicant concentration (MATC)** means the concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic test. A lower chronic limit is the highest tested concentration that did not cause the occurrence of a specific adverse effect. An upper chronic limit is the lowest tested concentration which did cause the occurrence of a specific adverse effect and above which all tested concentrations caused such an occurrence.

**PART II****Section A. Definitions**

**MGD** means million gallons per day.

**Monthly monitoring frequency** refers to a calendar month. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

**Monthly concentration** is the sum of the daily concentrations determined during a discharge event divided by the number of daily concentrations determined. The calculated monthly concentration will be used to determine compliance with any maximum monthly concentration limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly concentration in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMR. If the seven day period was partially in each of two months, the monthly average shall be reported on the DMR of the month in which the last day of discharge occurred.

For minimum percent removal requirements, the monthly influent concentration and the monthly effluent concentration shall be determined. The calculated monthly percent removal, which is equal to 100 times the quantity [1 minus the quantity (monthly effluent concentration divided by the monthly influent concentration)], shall be reported in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

**Monthly loading** is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during a discharge event. The calculated monthly loading will be used to determine compliance with any maximum monthly loading limitations. Days with no discharge shall not be used to determine the value. When required by the permit, report the calculated monthly loading in the "AVERAGE" column under "QUANTITY OR LOADING" on the DMR. If the seven day period was partially in each of two months, the monthly average shall be reported on the DMR of the month in which the last day of discharge occurred..

**National Pretreatment Standards** are the regulations promulgated by or to be promulgated by the Federal Environmental Protection Agency pursuant to Section 307(b) and (c) of the Federal Act. The standards establish nationwide limits for specific industrial categories for discharge to a POTW.

**No observed adverse effect level (NOAEL)** means the highest tested dose or concentration of a substance which results in no observed adverse effect in exposed test organisms where higher doses or concentrations result in an adverse effect.

**Noncontact Cooling Water** is water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product or finished product.

**Nondomestic user** is any discharger to a POTW that discharges wastes other than or in addition to water-carried wastes from toilet, kitchen, laundry, bathing or other facilities used for household purposes.

**Partially treated sewage** is any sewage, sewage and storm water, or sewage and wastewater, from domestic or industrial sources that is treated to a level less than that required by the permittee's National Pollutant Discharge Elimination System permit, or that is not treated to national secondary treatment standards for wastewater, including discharges to surface waters from retention treatment facilities.

**Pretreatment** is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.

**POTW** is a publicly owned treatment works.

**Quantification level** means the measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calculated at a specified concentration above the detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant.

## PART II

### Section A. Definitions

**Quarterly monitoring frequency** refers to a three month period, defined as January through March, April through June, July through September, and October through December. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

**Regional Administrator** is the Region 5 Administrator, U.S. EPA, located at R-19J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

**Significant industrial user** is a nondomestic user that: 1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or 2) discharges an average of 25,000 gallons per day or more of process wastewater to a POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the permittee as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

**Significant Materials** Significant Materials means any material which could degrade or impair water quality, including but not limited to: raw materials; fuels; solvents, detergents, and plastic pellets; finished materials such as metallic products; hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (see 40 CFR 372.65); any chemical the facility is required to report pursuant to Section 313 of Emergency Planning and Community Right-to-Know Act (EPCRA); polluting materials as identified under the Part 5 Rules (Rules 324.2001 through 324.2009 of the Michigan Administrative Code); Hazardous Wastes as defined in Part 111 of the Michigan Act; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.

**Stoichiometric** means the quantity of a reagent calculated to be necessary and sufficient for a given chemical reaction.

**Tier I value** means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier I toxicity database.

**Tier II value** means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier II toxicity database.

**Total Maximum Daily Loads (TMDLs)** are required by the Federal Act for waterbodies that do not meet Water Quality Standards. TMDLs represent the maximum daily load of a pollutant that a waterbody can assimilate and meet Water Quality Standards and an allocation of that load among point sources, nonpoint sources, and a margin of safety.

**Toxicity Reduction Evaluation (TRE)** means a site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity.

**Water Quality Standards** means the Part 4 Water Quality Standards promulgated pursuant to Part 31 of Act No. 451 of the Public Acts of 1994, as amended, being Rules 323.1041 through 323.1117 of the Michigan Administrative Code.

**Weekly monitoring frequency** refers to a calendar week which begins on Sunday and ends on Saturday. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

**Wet Weather Flow** is the wastewater flow (domestic, industrial, commercial and institutional) including infiltration and inflow that occurs as the result of a precipitation or snowmelt event.

## PART II

### Section A. Definitions

**Wet Weather Event**, for the interim period, is defined as those days on which an average 0.10 inches or more of precipitation was recorded by six strategically located rainfall gauges (as defined in Part I.9.c.(10) of the Operational Plan) in the Detroit Wastewater Treatment Plant's service area, plus two days immediately following days of 0.10 inch to 1.00 inch days of precipitation or three days following days of 1.00 inch or more precipitation. Rainfall days are further limited to those days in which the air temperature exceeds 32° F (0° C) for at least an eight hour period. The permittee may demonstrate that certain events such as snowmelt, and other unforeseen events will be considered rainfall days.

The above definition of wet weather event is not adequate on a long term basis, or for the purposes of planning, designing, or implementing the combined sewer overflow improvements required in this permit. For purposes of planning and designing future CSO improvements, the permittee shall consider the effect of dewatering tributary storage basins on overall system recovery, both at the wastewater plant and CSO overflow points in the collection system.

Upon approval of the Department, an alternate "wet weather event" definition may be used.

**Yearly monitoring frequency** refers to a calendar year beginning on January 1 and ending on December 31. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

**24-Hour Composite sample** is a flow or time proportioned composite sample consisting of hourly or more frequent portions that are taken over a 24-hour period.

In accordance with a Department approved Wastewater Treatment Plant Wet Weather Operational Plan (see Part I.A.11.), alternate requirements for 24-Hour Composite sampling may be utilized to satisfy the monitoring requirements of this permit.

**3-Portion Composite sample** is a sample consisting of three equal volume grab samples collected at equal intervals over an 8-hour period.

**7-day concentration** is the sum of the daily concentrations determined during any 7 days of discharge during a discharge event divided by the number of daily concentrations determined. If the number of days of the discharge event is less than 7 days the number of actual days of discharge shall be used for the calculation. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations. When required by the permit, report the maximum calculated 7-day concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMR. If the seven day period was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

**7-day loading** is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during any 7 consecutive days. If the number of days of the discharge event is less than 7 days the number of actual days of discharge shall be used for the calculation. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations. When required by the permit, report the maximum calculated 7-day loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMR. If the seven day period in which the discharge event occurred was partially in each of two months, the value shall be reported on the DMR of the month in which the last day of discharge occurred.

## PART II

### Section B. Monitoring Procedures

#### 1. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

#### 2. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304(h) of the Federal Act (40 CFR Part 136 - Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless specified otherwise in this permit. Test procedures used shall be sufficiently sensitive to determine compliance with applicable effluent limitations. Requests to use test procedures not promulgated under 40 CFR Part 136 for pollutant monitoring required by this permit shall be made in accordance with the Alternate Test Procedures regulations specified in 40 CFR 136.4. These requests shall be submitted to the Chief of the Permits Section, Water Resources Division, Michigan Department of Environmental Quality, P.O. Box 30273, Lansing, Michigan, 48909-7773. The permittee may use such procedures upon approval.

The permittee shall periodically calibrate and perform maintenance procedures on all analytical instrumentation at intervals to ensure accuracy of measurements. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Control/Quality Assurance program.

#### 3. Instrumentation

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring instrumentation at intervals to ensure accuracy of measurements.

#### 4. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information: 1) the exact place, date, and time of measurement or sampling; 2) the person(s) who performed the measurement or sample collection; 3) the dates the analyses were performed; 4) the person(s) who performed the analyses; 5) the analytical techniques or methods used; 6) the date of and person responsible for equipment calibration; and 7) the results of all required analyses.

#### 5. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Department.

## PART II

### Section C. Reporting Requirements

#### 1. Start-up Notification

If the permittee will not discharge during the first 60 days following the effective date of this permit, the permittee shall notify the Department within 14 days following the effective date of this permit, and then 60 days prior to the commencement of the discharge.

#### 2. Submittal Requirements for Self-Monitoring Data

Part 31 of Act 451 of 1994, as amended, specifically Section 324.3110(3) and Rule 323.2155(2) of Part 21 allows the Department to specify the forms to be utilized for reporting the required self-monitoring data. Unless instructed on the effluent limitations page to conduct "Retained Self Monitoring" the permittee shall submit self-monitoring data via the Department's Electronic Environmental Discharge Monitoring Reporting (e2-DMR) system.

The permittee shall utilize the information provided on the e2-Reporting website @ <https://secure1.state.mi.us/e2rs/> to access and submit the electronic forms. Both monthly summary and daily data shall be submitted to the department no later than the **20<sup>th</sup> day of the month** following each month of the authorized discharge period(s). The permittee may be allowed to submit the electronic forms after this date if the Department has granted an extension to the submittal date.

#### 3. Retained Self-Monitoring Requirements

If instructed on the effluent limits page to conduct retained self-monitoring, the permittee shall maintain a year-to-date log of retained self-monitoring results and, upon request, provide such log for inspection to the staff of the Water Resources Division, Michigan Department of Environmental Quality. Retained self-monitoring results are public information and shall be promptly provided to the public upon request.

The permittee shall certify, in writing, to the Department, on or before January 10th of each year, that: 1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained; and 2) the application on which this permit is based still accurately describes the discharge. With this annual certification, the permittee shall submit a summary of the previous years monitoring data. The summary shall include maximum values for samples to be reported as daily maximums and/or monthly maximums and minimum values for any daily minimum samples.

#### 4. Additional Monitoring by Permittee

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 above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

Monitoring required pursuant to Part 41 of the Michigan Act or Rule 35 of the Mobile Home Park Commission Act (Act 96 of the Public Acts of 1987) for assurance of proper facility operation shall be submitted as required by the Department.

#### 5. Compliance Dates Notification

Within 14 days of every compliance date specified in this permit, the permittee shall submit a written notification to the Department indicating whether or not the particular requirement was accomplished. If the requirement was not accomplished, the notification shall include an explanation of the failure to accomplish the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be accomplished. If a written report is required to be submitted by a specified date and the permittee accomplishes this, a separate written notification is not required.

## PART II

### Section C. Reporting Requirements

#### 6. Noncompliance Notification

Compliance with all applicable requirements set forth in the Federal Act, Parts 31 and 41 of the Michigan Act, and related regulations and rules is required. All instances of noncompliance shall be reported as follows:

- a. 24-hour reporting - Any noncompliance which may endanger health or the environment (including maximum and/or minimum daily concentration discharge limitation exceedances) shall be reported, verbally, within 24 hours from the time the permittee becomes aware of the noncompliance. A written submission shall also be provided within five (5) days.
- b. other reporting - The permittee shall report, in writing, all other instances of noncompliance not described in a. above at the time monitoring reports are submitted; or, in the case of retained self-monitoring, within five (5) days from the time the permittee becomes aware of the noncompliance.

Written reporting shall include: 1) a description of the discharge and cause of noncompliance; and 2) the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

#### 7. Spill Notification

The permittee shall immediately report any release of any polluting material which occurs to the surface waters or groundwaters of the state, unless the permittee has determined that the release is not in excess of the threshold reporting quantities specified in the Part 5 Rules (Rules 324.2001 through 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated on the second page of this permit, or if the notice is provided after regular working hours call the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706 (calls from out-of-state dial 1-517-373-7660).

Within ten (10) days of the release, the permittee shall submit to the Department a full written explanation as to the cause of the release, the discovery of the release, response (clean-up and/or recovery) measures taken, and preventative measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

#### 8. Upset Noncompliance Notification

If a process "upset" (defined as 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) has occurred, the permittee who wishes to establish the affirmative defense of upset, shall notify the Department by telephone within 24-hours of becoming aware of such conditions; and within five (5) days, provide in writing, the following information:

- a. that an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. that the permitted wastewater treatment facility was, at the time, being properly operated and maintained; and
- c. that the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

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

**PART II****Section C. Reporting Requirements****9. Bypass Prohibition and Notification**

- a. Bypass Prohibition – Bypass is prohibited, and the Department may take an enforcement action 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 backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass; and
  - 3) the permittee submitted notices as required under 9.b. or 9.c. below.
- b. Notice of Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least ten (10) days before the date of the bypass, and provide information about the anticipated bypass as required by the Department. The Department may approve an anticipated bypass, after considering its adverse effects, if it will meet the three (3) conditions listed in 9.a. above.
- c. Notice of Unanticipated Bypass - The permittee shall submit notice to the Department of an unanticipated bypass by calling the Department at the number indicated on the second page of this permit (if the notice is provided after regular working hours, use the following number: 1-800-292-4706) as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the circumstances.
- d. Written Report of Bypass - A written submission shall be provided within five (5) working days of commencing any bypass to the Department, and at additional times as directed by the Department. The written submission shall contain a description of the bypass and its cause; the period of bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass; and other information as required by the Department.
- e. 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 9.a., 9.b., 9.c., and 9.d., above. This provision does not relieve the permittee of any notification responsibilities under Part II.C.11. of this permit.
- f. Definitions
- 1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
  - 2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes 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.

**10. Bioaccumulative Chemicals of Concern (BCC)**

Consistent with the requirements of Rules 323.1098 and 323.1215 of the Michigan Administrative Code, the permittee is prohibited from undertaking any action that would result in a lowering of water quality from an increased loading of a BCC unless an increased use request and antidegradation demonstration have been submitted and approved by the Department.

## PART II

### Section C. Reporting Requirements

#### 11. Notification of Changes in Discharge

The permittee shall notify the Department, in writing, as soon as possible, but no later than 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of: 1) detectable levels of chemicals on the current Michigan Critical Materials Register, priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, or the Pollutants of Initial Focus in the Great Lakes Water Quality Initiative specified in 40 CFR 132.6, Table 6, which were not acknowledged in the application or listed in the application at less than detectable levels; 2) detectable levels of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information; or 3) any chemical at levels greater than five times the average level reported in the complete application (see the first page of this permit for the date(s) the complete application was submitted). Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the compliance schedules.

#### 12. Changes in Facility Operations

Any anticipated action or activity, including but not limited to facility expansion, production increases, or process modification, which will result in new or increased loadings of pollutants to the receiving waters must be reported to the Department by a) submission of an increased use request (application) and all information required under Rule 323.1098 (Antidegradation) of the Water Quality Standards or b) by notice if the following conditions are met: 1) the action or activity will not result in a change in the types of wastewater discharged or result in a greater quantity of wastewater than currently authorized by this permit; 2) the action or activity will not result in violations of the effluent limitations specified in this permit; 3) the action or activity is not prohibited by the requirements of Part II.C.10.; and 4) the action or activity will not require notification pursuant to Part II.C.11. Following such notice, the permit may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

#### 13. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall submit to the Department 30 days prior to the actual transfer of ownership or control a written agreement between the current permittee and the new permittee containing: 1) the legal name and address of the new owner; 2) a specific date for the effective transfer of permit responsibility, coverage and liability; and 3) a certification of the continuity of or any changes in operations, wastewater discharge, or wastewater treatment.

If the new permittee is proposing changes in operations, wastewater discharge, or wastewater treatment, the Department may propose modification of this permit in accordance with applicable laws and rules.

#### 14. Operations and Maintenance Manual

Part 41 of Act 451 of 1994, as amended, specifically Section 324.4104 and associated Rule 299.2957, allow the Department to require an Operations and Maintenance (O&M) manual for the wastewater treatment facility. An up-to-date copy of the O&M manual shall be kept at the wastewater treatment facility. Upon request a copy of the O&M manual shall be provided to the Department. The Department may review the manual in whole or in part at their discretion and require modifications to it if portions are determined to be inadequate.

At a minimum, the O&M manual should include the following information: permit standards, description and operation information for all equipment, staffing information, laboratory requirements, record keeping requirements, maintenance plan for equipment, emergency operating plan, safety program information and copies of all pertinent forms, as-built plans, and manufacturer's manuals.

Certification of the existence and accuracy of the operations and maintenance manual is required to be submitted to the Department at least sixty days prior to startup of a new wastewater treatment plant. Submittal of re-certifications will also be required sixty days prior to start up of any substantial improvements or modifications made at the wastewater treatment plant.

**PART II****Section C. Reporting Requirements****15. Signatory Requirements**

All documents or forms submitted to the Department in accordance with the conditions of this permit that require a signature shall be signed as described below.

- a. The signatory shall be (or a duly authorized representative of this person):
  - for a corporation, a principal executive officer of at least the level of vice president, or a designated representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the permit application originates,
  - for a partnership, a general partner,
  - for a sole proprietorship, the proprietor,
  - for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other duly authorized employee,
  - for a private non-profit or for-profit organization, association, or board, the executive officer, chairperson, or designated representative if that representative is responsible for the decision to perform pesticide control activities described in the permit application, or
  - for private property, a property owner or designated representative, if that representative is responsible for the decision to perform pesticide control activities described in the permit application.
- b. A person is a duly authorized representative only if:
  - the authorization is made in writing to the Department by a person described in paragraph a. of this section; and
  - the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated activity (a duly authorized representative may thus be either a named individual or any individual occupying a named position).

Nothing in this section obviates the permittee from properly submitting reports and forms as required by law.

## PART II

### Section D. Management Responsibilities

#### 1. Duty to Comply

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 shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit constitutes a violation of the Michigan Act and/or the Federal Act and constitutes grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of an application for permit renewal.

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.

#### 2. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified at the appropriate level for the facility certification by the Department, as required by Sections 3110 and 4104 of the Michigan Act. Permittees authorized to discharge storm water shall have the storm water treatment and/or control measures under direct supervision of a storm water operator certified by the Department, as required by Section 3110 of the Michigan Act.

#### 3. Facilities Operation

The permittee shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

#### 4. Power Failures

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

- a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or
- b. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

#### 5. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to the surface waters or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

## PART II

### Section D. Management Responsibilities

#### 6. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of polluting materials in accordance with the requirements of the Part 5 Rules (Rules 324.2001 through 324.2009 of the Michigan Administrative Code). For a Publicly Owned Treatment Work (POTW), these facilities shall be approved under Part 41 of the Michigan Act.

#### 7. Waste Treatment Residues

Residuals (i.e. solids, sludges, biosolids, filter backwash, scrubber water, ash, grit, or other pollutants or wastes) removed from or resulting from treatment or control of wastewaters, including those that are generated during treatment or left over after treatment or control has ceased, shall be disposed of in an environmentally compatible manner and according to applicable laws and rules. These laws may include, but are not limited to, the Michigan Act, Part 31 for protection of water resources, Part 55 for air pollution control, Part 111 for hazardous waste management, Part 115 for solid waste management, Part 121 for liquid industrial wastes, Part 301 for protection of inland lakes and streams, and Part 303 for wetlands protection. Such disposal shall not result in any unlawful pollution of the air, surface waters or groundwaters of the state.

#### 8. Right of Entry

The permittee shall allow the Department, any agent appointed by the Department or the Regional Administrator, upon the presentation of credentials:

- a. to enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. at reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect process facilities, treatment works, monitoring methods and equipment regulated or required under this permit; and to sample any discharge of pollutants.

#### 9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Act and Rule 2128 (Rule 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department and the Regional Administrator. As required by the Federal Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Act and Sections 3112, 3115, 4106 and 4110 of the Michigan Act.

#### 10. Duty to Provide Information

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

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 Department, it shall promptly submit such facts or information.

**PART II****Section E. Activities Not Authorized by This Permit****1. Discharge to the Groundwaters**

This permit does not authorize any discharge to the groundwaters. Such discharge may be authorized by a groundwater discharge permit issued pursuant to the Michigan Act.

**2. POTW Construction**

This permit does not authorize or approve the construction or modification of any physical structures or facilities at a POTW. Approval for the construction or modification of any physical structures or facilities at a POTW must be by permit issued under Part 41 of the Michigan Act.

**3. Civil and Criminal Liability**

Except as provided in permit conditions on "Bypass" (Part II.C.9. pursuant to 40 CFR 122.41(m)), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond the permittee's control, such as accidents, equipment breakdowns, or labor disputes.

**4. 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 may be subject under Section 311 of the Federal Act except as are exempted by federal regulations.

**5. State Laws**

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 Federal Act.

**6. 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 violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other Department of Environmental Quality permits, or approvals from other units of government as may be required by law.