



YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD
YPSILANTI, MICHIGAN 48198-9112
TELEPHONE: (734) 484-4600
FAX: (734) 484-3369
WEBSITE: www.ycua.org

May 7, 2014

Ms. Beth Landale
Project Manager
Conestoga-Rovers & Associates
14496 Sheldon Road, Suite 200
Plymouth, MI 48170

CERTIFIED MAIL

RE: Revised Industrial User Permit #RA 12-15

Dear Ms. Landale:

Enclosed please find a revised industrial user permit (#RA 12-15) for the discharge of process wastewater from your facility located at 2901 Tyler Road in the Township of Ypsilanti to the sewage treatment system of the Ypsilanti Community Utilities Authority (YCUA). The enclosed permit was revised in response to the adoption of a new permit format by the YCUA. The enclosed permit becomes effective upon receipt. Please review the enclosed permit in its entirety.

Notable differences in the new format include the following:

- Required sample type can be found in Part II – “Monitoring Requirements” of the permit as opposed to the appendix.
- Required monitoring parameters, limits, and monitoring/reporting frequencies can be found in Part III - “Discharge Limitations / Self-Monitoring Requirements” of the permit as opposed to the appendix.
- Expanded list of definitions can be found in Part VII of the permit.
- Identification of all prohibited concentrations established by the local sewer use ordinance can be found in Part X.

Please feel free to contact me with any questions regarding the revised permit by phone at 734-484-4600 ext.121 or by email at lblackburn@ycua.org.

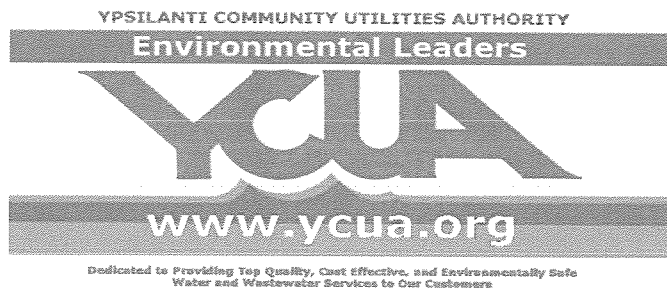
Sincerely,

A handwritten signature in black ink, appearing to read 'LBB', with a long horizontal flourish extending to the right.

Luther Blackburn
Director of Wastewater Operations/Compliance

Enclosure(s): Industrial User Permit #RA 12-15

Cc: Mr. Sree Mullapudi, YCUA Compliance Supervisor
Compliance Department File



INDUSTRIAL USER PERMIT #RA 12-15

Revitalizing Auto Communities Environmental Response Trust

2901 Tyler Road
Ypsilanti, MI 48198

is hereby authorized to discharge industrial wastewater from the above-identified facility and through the outfall identified herein into the Ypsilanti Community Utilities Authority's sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit shall constitute a violation of the Ypsilanti Township Sewer Use Ordinance.

Effective Date: **July 1, 2012**
Revision Date(s): **May 2, 2014**
Expiration Date: **December 31, 2015**

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of the sewer use ordinance, a minimum of ninety (90) days prior to the expiration date.

Issued this 5th day of, May 2014

By: Jeff Castro
Jeff Castro, YCUA Director

Part I – Discharge Requirements

- A. During the effective period of the permit, the permittee is authorized to discharge process wastewater to the Ypsilanti Community Utilities Authority's sewer system from the following outfall(s):

Description of Outfall: MH6 (as referenced in Figure #1 of permittee's application) on 24" sanitary sewer main running north towards Tyler Pond to be referenced as Outfall 001.

- B. For compliance purposes, the permittee shall collect all samples from the following location:

Sample Point: Post treatment and prior to discharge into MH6, located 166 feet from south fence line and 71 feet from east fence line.

- C. During the effective period of the permit, the discharge from outfall(s) described in Part 1(A) shall not exceed the effluent limitations identified in Part III and/or Part X.
- D. During the effective period of the permit, unless specified otherwise, the effluent from all other outfalls shall be of domestic or non-process wastewater only.
- E. All discharge shall comply with all other applicable laws, regulations, standards, and requirements contained in the sewer use ordinance and any applicable state and federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

Part II – Monitoring Requirements

- A. During the effective period of the permit, the permittee shall monitor the outfall(s) described in Part 1(A) for the parameters and frequencies set forth in Part III of the permit.
- B. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.
- C. In addition to the self-monitoring requirements specified in Part III of the permit, the YCUA will perform sampling and analysis of the permittee's wastestream a **minimum of once (1) per year.**
- D. During the effective period of the permit, the permittee shall comply with the following Best Management Practices: **Not Applicable.**
- E. Monitoring frequencies identified in Part III are based upon a calendar year. Quarterly monitoring periods are defined as follows: January through March, April through June, July through September, and October through December. Semi-Annual monitoring periods are defined as follows: January through June and July through December.
- F. If the collection of flow proportional composite samples are required, the permittee shall install, calibrate, and maintain an effluent flow meter at the specified outfall.

Part III – Discharge Limitations/ Self-Monitoring Requirements

Facility/ Discharge Location: **Revitalizing Auto Communities Environmental Response Trust**
2901 Tyler Road
Ypsilanti, MI 48198

Permit Type: **Non-Categorical Significant Industrial User**

Sample Point: **Post treatment and prior to discharge into MH6, located 166 feet from south fence line and 71 feet from east fence line.**

Reporting Schedule: **Quarterly**

The permittee is required to monitor the industrial wastewater discharge from the identified outfall(s) in Part 1(a) of this permit to the YCUA sanitary sewer in accordance with methods set forth in 40 CFR Part 136 for the following parameters at the stated frequency. The permittee shall not discharge wastewater such that the concentration of pollutants exceed the following limits for each pollutant. The permittee shall collect **24-Hour Time Proportioned Composite Samples** for all parameters specified in Part III, except for the following which shall be obtained as a grab sample: **pH; Volatile Organic Compounds (EPA Method 624); and Total Phenolic Compounds.**

Parameter	Limit	Monitoring Frequency
Flow (Gallons)	Report ⁽¹⁾	Once/Discharge
1,2 –Dichloroethane	0.50 mg/l	Monthly
Trichloroethene	0.50 mg/l	Monthly
Vinyl Chloride	0.20 mg/l	Monthly
Polychlorinated Biphenyls	< 0.0002 mg/l ⁽²⁾	Monthly
pH	≥ 5.0 & ≤ 11.0 s.u.	Semi-Annual
Benzene	0.50 mg/l	Semi-Annual
Carbon Tetrachloride	0.50 mg/l	Semi-Annual
Chlorobenzene	100 mg/l	Semi-Annual
Chloroform	6.00 mg/l	Semi-Annual
1,4 - Dichlorobenzene	7.50 mg/l	Semi-Annual
1,1 - Dichloroethene	0.70 mg/l	Semi-Annual
Methyl Ethyl Ketone	200 mg/l	Semi-Annual
Tetrachloroethene	0.70 mg/l	Semi-Annual
Total Phenolics	1.00 mg/l	Semi-Annual

- As established in Part V(B) – Special Conditions and/or Requirements: the permittee is required to report the total volume of process discharges to Outfall 001 by the 5th of every month for the previous calendar month. The permittee shall additionally report a summary of individual discharges during the reporting quarter. The quarterly summary shall accompany the permittee's monitoring report submittal.
- Any discharge at or above the level of detection shall be a specific violation of the Permit. For polychlorinated biphenyls analysis, the sampling and analytical protocol for compliance shall be in accordance with EPA Method 608 employing a detection level of 0.0002 mg/l unless a higher detection limit is appropriate due to sample matrix interference.

Part IV – Reporting Requirements

- A. All reports required by this permit shall be submitted to the YCUA at 2777 State Road in Ypsilanti, MI 48198-9112. If an official postmark is available on a report, the YCUA will consider the date of receipt to be the same.
- B. Monitoring Reports: Monitoring results shall be reported as required in Part III. The first report is due on the 20th day of the month following the reporting period. Reporting periods are quarterly or semi-annual as based upon a calendar year.

Quarterly Reporting Schedule:

- ☐ 1st Quarter Report (January – March Monitoring Period): Due on or before April 20th.
- ☐ 2nd Quarter Report (April – June Monitoring Period): Due on or before July 20th.
- ☐ 3rd Quarter Report (July – September Monitoring Period): Due on or before October 20th.
- ☐ 4th Quarter Report (October – December Monitoring Period): Due on or before January 20th.

Semi-Annual Reporting Schedule:

- ☐ 1st Semi-Annual Report (January – June Monitoring Period): Due on or before July 20th.
- ☐ 2nd Semi-Annual Report (July – December Monitoring Period): Due on or before January 20th.

The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed as required, including flow measurements if required. The report format traditionally used, or a similar format, will continue to be an acceptable report format. Monitoring reports shall include a cover letter with a signed certification statement, laboratory reports, QA/QC data, and chain of custody for all parameters collected and analyzed.

- C. Increased Monitoring: If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in the periodic report submitted to the YCUA. Such increased monitoring frequency shall also be indicated in the periodic report.
- D. Split Sampling: At the permittee's request, YCUA will provide split samples from control authority sampling events when an appropriate amount of samples is available. Split samples are not to be used for the permittee's monitoring data and shall be properly identified on monitoring report submittals.
- E. Automatic Resampling: If the results of the permittee's wastewater analysis indicates **that a violation of this permit has occurred, the permittee shall:**
1. Inform the YCUA of the violation within 24 hours of becoming aware of the violation (notification must occur by phone, fax, or email).
 2. Conduct repeat sampling and pollutant analysis within thirty (30) days of becoming aware of the violation.
 3. Submit a written follow up report to the YCUA within thirty (30) days of **becoming aware of the violation**. The report shall include the following elements:
 - 1) Laboratory report with chain of custody for wastewater analysis that indicated the violation.
 - 2) Laboratory report with chain of custody for pollutant re-sampling.

- 3) A description of the violation, the cause thereof, and the violation's impact on the user's compliance status.
 - 4) Duration of the violation, including exact dates and times of the violation, and if not corrected, the anticipated time the violation is expected to continue.
 - 5) All steps taken or intended to be taken to reduce, eliminate and prevent reoccurrence of such a violation.
 - 6) Cover letter (if YCUA report form is not used) with a certification statement.
- F. Accidental Discharge Report: the permittee shall notify the YCUA immediately upon the occurrence of an accidental discharge of substances prohibited by sewer use ordinance or any slug loads or spills that may enter the public sewer system or the "Surface Waters of the State" (includes storm water drains). The YCUA shall be notified by telephone at (734) 484-4600. The notification shall include location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State, or Federal laws.

Within five days following an accidental discharge, the permittee shall submit to the YCUA a detailed written report that specifies at minimum the following:

1. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
 2. Duration of noncompliance, including exact dates and time of noncompliance and, if the non-compliance is continuing, the time by which compliance is reasonably expected to occur.
 3. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.
- G. Slug Discharge Management Plan: all permittees are required to develop and submit a current Slug Discharge Management Plan to the YCUA unless notified otherwise. If your facility does not have a Slug Discharge Management Plan or an integrated plan meeting the minimum requirements of 40 CFR 403.8 (f) (2) (v) A-D, one will be required to be submitted to the YCUA within 90 days of receiving an industrial user permit. If a Slug Discharge Management Plan is not required, the YCUA may mandate implementation of accidental discharge procedures in an alternate plan.

The Slug Discharge Management Plan may be part of an integrated plan provided it contains all the minimum requirements of 40 CFR 403.8(f)(2)(v) A-D. The submitted plan shall include the YCUA and the Michigan Department of Environmental Quality's (MDEQ) Pollution Emergency Alerting System (PEAS) in the notification process.

The Slug Discharge Management Plan can be developed in either of two ways:

1. Develop a Slug Discharge Management Plan Control Plan that contains at minimum all the requirements of 40 CFR 403.8 (f) (2) (v) A-D
 2. Develop an integrated plan that includes at minimum all the requirements of a Slug Discharge Management Plan set forth in 40 CFR 403.8 (f) (2) (v) A-D.
- H. Notification of a Change in Slug Discharge Potential: The permittee shall notify the YCUA immediately if any changes occur at the facility that affect the Slug Discharge Management Plan or spill/slug potential.

- I. Planned Changes: The permittee shall give notice to the YCUA 90 days prior to any facility expansion, production increase, or process modifications that results in new or substantially increased discharges or a change in the nature of the discharge.
- J. Anticipated Noncompliance: The permittee shall give advance notice to the YCUA of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.
- K. Duty to Provide Information: The permittee shall furnish to the YCUA, within ten (10) days any information which the YCUA 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, upon request, furnish to the YCUA within ten (10) days copies of any records required to be kept by this permit.
- L. Signatory Requirements: All applications, reports, or information submitted to the Ypsilanti Community Utilities Authority must contain the following certification statement and be signed as required in Sections 1, 2, 3, or 4 below:

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

1. By a responsible corporate officer, if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or; the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1990 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
3. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a Federal, State, or local governmental entity, or their agents.
4. By a duly authorized representative of the individual designated in paragraph 1, 2, or 3 of this section if:
 - a) the authorization is made in writing by the individual described in paragraph 1, 2, or 3;
 - b) the authorization specifies wither an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - c) The written authorization is submitted to YCUA.
5. If an authorization under paragraph 4 of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of paragraph 4 of this section must be submitted to YCUA prior to or together with an reports to be signed by an authorized representative.

M. Operating Upsets: A permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with the Sewer Use Ordinance shall inform the YCUA within 24 hours of becoming aware of the upset at (734) 484-4600, including weekends and holidays. A written follow-up report of the upset shall be filed by the permittee with the YCUA within five days. The report shall specify:

1. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
2. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the non-compliance is expected to continue; and
3. All steps taken or to be taken to reduce, eliminate and prevent reoccurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner. A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

- N. Annual Publication: A list of all industrial users, which were subject to Significant Non-Compliance (SNC) according to Title 40 Code of Federal Regulations (CFR) Part 403.8(D)(vii)(B) during the twelve (12) previous months, shall be annually published by the Ypsilanti Community Utilities Authority in the Ann Arbor News, the Ypsilanti Press, The Canton Observer, The Detroit News or the Detroit Free Press. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.
- O. Civil and Criminal Liability: Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under sewer use ordinance or State or Federal laws or regulations.
- P. Penalties for Violations of Permit Conditions: The sewer use ordinance provides that any person who violates a permit condition may be subject to a civil penalty of \$1000 per day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of up to \$500 per day of violation, or by imprisonment for 90 days(s), or both. The permittee may also be subject to sanctions under State and/or Federal law.
- Q. Recovery of Costs Incurred: In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or sewer use ordinance or causing damage to or otherwise inhibiting the Ypsilanti Community Utilities Authority wastewater disposal system shall be liable to the Ypsilanti Community Utilities Authority for any expense, loss, or damage caused by such violation or discharge. The Ypsilanti Community Utilities Authority shall bill the permittee for the costs incurred by the Ypsilanti Community Utilities Authority for any cleaning, repairing, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of the sewer use ordinance.

Part V – Special Conditions and/or Requirements

- A. The permittee is only authorized to access MH6 during the time that process wastewater is actively being treated and discharged to Outfall 001. At all other times, MH6 shall remain closed unless prior approval is granted by the YCUA.

- B. The permittee is required to report the total volume of process discharges to Outfall 001 by the 5th of every month for the previous calendar month.
- C. The permittee is not required to develop a Slug Discharge Management Plan unless otherwise directed by the YCUA.

Part VI – Standard Conditions

- A. Re-Opener Clause: This permit may be reopened and modified to incorporate any new or revised requirements contained in a National categorical pretreatment standard. This permit may also be reopened and modified to incorporate any new or revised requirements resulting from the YCUA as are necessary to ensure compliance with applicable sludge management requirements promulgated by EPA (40 CFR 503).
- B. Severability: The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- C. Duty to Comply: The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.
- D. Duty to Mitigate: The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.
- E. Permit Modification and Termination: **The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.** This permit may be modified or terminated for good causes including, but not limited to, the following:
 - 1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements.
 - 2. Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.
 - 3. A change in any condition in either the industrial user or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
 - 4. Information indicating that the permitted discharge poses a threat to the control authority's collection and treatment systems, POTW personnel or the receiving waters.
 - 5. Violation of any terms or conditions of the permit.
 - 6. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
 - 7. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13.
 - 8. To correct typographical or other errors in the permit.
 - 9. To reflect transfer of the facility ownership and/or operation to a new owner/operator.
 - 10. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.
 - 11. Falsifying self-monitoring reports.
 - 12. Tampering with monitoring equipment.
 - 13. Refusing to allow timely access to the facility premises and records.

14. Failure to meet effluent limitations.
 15. Failure to pay fines.
 16. Failure to pay sewer charges.
 17. Failure to meet compliance schedules
- F. Permit Appeals: The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice. This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit. The effectiveness of this permit shall not be stayed pending reconsideration by the Board. If, after considering the petition and any arguments put forth by the Director, the Board determines that reconsideration is proper, it shall remand the permit back to the Director for re-issuance. Those permit provisions being reconsidered by the Director shall be stayed pending re-issuance. A Board of Director's decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review.
- G. Property Rights: The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.
- H. Limitation on Permit Transfer: Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the Director. The permittee must give at least thirty (30) days advance written notice to the Director that requests transfer of the permit to a new owner. **An additional written notice shall also be filed at least 30 days prior to the transfer by the new owner which contains at minimum the following elements:**
1. Cover letter that states that the new owner has no immediate intent to change the facility's operations and/or processes identifies the specific date on which the transfer is to occur, and acknowledgement of full responsibility for complying with the existing permit.
 2. Submittal of a new permit application with all informational sections completed where changes from the previous owner will occur. Informational sections that will remain the same, shall include a statement that the new owner has no immediate intent to change the facility's operations and/or processes that are applicable to the section.
- I. Duty to Reapply: If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit an application for a new permit at least ninety (90) days before the expiration date of this permit.
- J. Continuation of Expired Permits: An expired permit will continue to be effective and enforceable until the permit is reissued if:
1. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the users existing permit.
 2. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.
- K. Dilution: The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

Part VII – Definitions

4-Day Average: Calculate and report 4-day averages quarterly for Cyanide, Cadmium, Chromium, Zinc, Copper, Lead, Nickel, and Total Metals per Appendix C of EPA's Pretreatment Compliance Monitoring and Enforcement Guidance (July 25, 1986).

Best Management Practices (BMP): The programs, practices, procedures or other directed efforts, initiated and implemented by Users, which can or do lead to the reduction, conservation or minimization of pollutants being introduced into the ecosystem, including but not limited to the Ypsilanti Community Utilities Authority (YCUA) publicly owned treatment system. BMPs include, but are not limited to, equipment or technology modifications, process or procedure modifications, reformulation or design of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control, and may include technical and economic considerations. BMP's may be structural or non-structural or both. In determining what BMPs will be required of an User in a particular case, the Director may consider all relevant technological, economical, practical, and institutional considerations as determined relevant and appropriate by the Director, consistent with achieving and maintaining compliance with the requirements of this Ordinance and other applicable laws and regulations.

Best Management Practices Plan (BMPP): A written document that describes how the BMPs will be accomplished.

Bypass: The intentional diversion of wastes from any portion of a treatment facility.

Daily Maximum: The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Chain of Custody: A legal record of each person who had possession of an environmental sample from the person who collected the sample to the person who analyzed the sample in the laboratory and to the person who witnessed the disposal of the sample.

Code of Federal Regulations (CFR): a publication of the United States government, which contains all of the finalized federal regulations. Federal environmental regulations are found in volume 40 of the CFR and General Pretreatment Regulations are found in 40 CFR Part 403.

Composite Sample: A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The YCUA requires that composite samples be composed of discrete sample aliquots collected over a 24-hour period unless sample collection represents the entire calendar day's discharge. The YCUA will require one of the following for the collection of composite samples: **Time composite sample:** composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow. **Flow proportional composite sample:** collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.

Cooling Water: Uncontaminated - Water used for cooling purposed only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water. Contaminated - Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.

Effluent: Wastewater or other liquid-raw, untreated, partially or completely treated-flowing from an industrial user to a reservoir, basin, treatment process or treatment plant.

Environmental Protection Agency (EPA): The U.S. Environmental Protection Agency, Administrator, or other duly authorized official.

Grab Sample: An individual sample collected in less than 15 minutes without regard for flow or time.

Instantaneous Maximum Concentration: The maximum concentration allowed in any single grab sample.

Michigan Department of Environmental Quality (MDEQ): The State of Michigan Department responsible for enforcement of federal and state laws and regulations to control pollution and the Approval Authority for YCUA and other POTW's in Michigan.

Monthly Average: The arithmetic mean of the values for effluent samples collected during a calendar month or specified thirty (30) day period (as opposed to a rolling 30-day window).

Polychlorinated Biphenyls (PCBs) Monitoring/Limitation: Any discharge at or above the level of detection shall be a specific violation of the Permit. The sampling and analytical protocol for compliance shall be in accordance with EPA Method 608 employing a detection level of 0.0002 mg/l unless a higher detection level is appropriate due to sample matrix interference.

Mercury Monitoring/ Limitation: Any discharge at or above the level of detection shall be a specific violation of the Permit. The sampling and analytical protocol for compliance shall be in accordance with EPA Method 245.1 employing a detection level of 0.0002 mg/l unless a higher detection level is appropriate due to sample matrix interference.

Process Wastewater: Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Resource Conservation & Recovery Act (RCRA): A federal statute enacted to define a federal role in solid waste and resource management and recovery. (PL 94-580).

Sampling Event: A sampling event is an event where YCUA IPP personnel install equipment to obtain a daily composite sample at a designated SIU discharge point for the purpose of evaluating compliance with permit or other limitations. For hauled waste, a sampling event is defined as a composite sample generated by combining a grab sample from each of the SIU's truckloads disposed at YCUA in one full day.

Sanitary Sewer: A sewer, which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Sewage Works: The municipal facilities for collecting, pumping, treating and disposing of sewage. Sewer means a pipe or conduit for carrying sewage.

Sewer Use Ordinance: A sewer use ordinance is a local ordinance adopted and enacted by a local governmental entity that establishes the terms, conditions, provisions and requirements for the discharge of pollutants into a publicly owned treatment works, as provided for in federal and state regulations. As used in this program document, the term encompasses each local ordinance serving that purpose within YCUA's service area whether or not the ordinance specifically named and identified as a "sewer use ordinance."

Significant Industrial User (SIU): means either of the following: (1) A nondomestic User subject to categorical pretreatment standards under 40 CFR S403 (1992) and 40 CFR Chapter I, subchapter N (1990); or (2) A nondomestic User that, in the opinion of YCUA or of the township, has a reasonable potential to adversely affect the POTW's operation, or for violating any pretreatment standard or requirement or that contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant, or that discharge an average of 25,000 gallons per day or more of process wastewater to the POTW, excluding sanitary, noncontact cooling, and boiler blow down wastewater. Any User designated as significant may petition the township to be deleted from the list of Significant Industrial Users on the grounds that it has no potential for adversely affecting the POTW's operation or violating any pretreatment standard or requirement. The Director may determine that a User that meets the criteria of Subsections (1) and (2) of this definition above is not currently a Significant Industrial User, if the Director finds that the User has no reasonable potential to adversely affect the operation of the POTW, to violate any pretreatment standard or requirement, or that a Industrial User Permit is not required to meet the purposes and objectives of this Ordinance. A determination that a User is not a Significant Industrial User (or that a permit is therefore not required) shall not be binding and may be reversed by the Director at any time based on changed circumstances, new information, or as otherwise determined necessary by the Director to meet the purposes and objectives of this Ordinance.

Significant Noncompliance (SNC): means any of the following: (1) chronic violations of wastewater discharge limits, defined as results of analyses in which 66% or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed, by any magnitude, a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l); (2) technical review criteria (TRC) violations, defined as results of analyses in which 33% or more of all of the measurements taken for the same pollutant parameter taken during a 6-month period equal or exceed the product of the Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable technical review criteria. (Technical review criteria equals 1.4 for compatible pollutants and 1.2 for all other pollutants, except pH.); (3) any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l), (daily maximum, longer-term average, instantaneous limits, or Narrative Standard) that the YCUA determines has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of township or YCUA personnel or the general public; (4) any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the YCUA's exercise of its emergency authority under Rule 323.2306(a) (vi) of the Part 23 Rules under the State Act or its emergency authority under this Ordinance to halt or prevent the discharge; (5) failure to meet, within 90 days after a scheduled date, a compliance schedule milestone contained in a YCUA or other local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance; (6) failure to provide, within 30 days after the due date, a required report such as, but not limited to, a baseline monitoring report, 90 day or other compliance report, periodic self-monitoring report, or report on compliance with a compliance schedule; (7) failure to timely or accurately report noncompliance; or (8) any other violation or group of violations, which may include a violation of Best Management Practices, that YCUA determines will affect or has adversely affected the operation or implementation of the YCUA pretreatment program or operation of the POTW.

Slug, Slug Loading, Slug Discharge: means either: 1) Any discharge of pollutants at a volume or concentration that causes upset of or interference with the POTW or causes the pass-through of pollutants to receiving waters. 2) Any discharge of a pollutant(s), measured by a grab sample, at a concentration exceeding five (5) times the composite or grab sample discharge limit. 3) Any discharge of wastewater outside the pH range of 5 – 11 S.U. for either a continuous duration of greater than or equal to fifteen minutes or for a sum total of thirty minutes within one day. 4) Any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or non-customary batch discharge.

State: State of Michigan.

State Act: Public Act 451 of 1994, the Natural Resources and Environmental Protection Act (NREPA), as amended, and any administrative rules promulgated there under, as amended or revised from time to time.

Total Toxic Organics (TTO): The sum of all quantifiable values greater than 0.01 mg/l for the listed toxic organics in 40 CFR 413.02 (i)

Total Metals: Defined as the sum of the concentration of Copper, Chromium, Nickel, and Zinc. Sampling for Total Metals shall occur on the same monitoring day.

United States Environmental Protection Agency (USEPA or EPA): The principal environmental regulatory agency established by Congress to administer the nation's environmental laws.

Upset: 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 excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.

Part VIII – General Prohibitive Discharge Standards

The permittee shall comply with all the general prohibitive discharge standards in the sewer use ordinance. Namely, the industrial user shall not discharge to the sewer system:

- A. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewage works or to the operation of the sewage works.
- B. Solids or viscous substances that may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities.
- C. Any wastewater having a pH less than 5.0 or greater than 11.0; or wastewater having any other corrosive property capable of causing damage or hazard to structure, equipment, or personnel of the sewage works.
- D. Any wastewater containing toxic pollutants or of high chlorine demand in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the sewage works, or exceed the limitation set forth in the EPA Categorical Pretreatment Standard, or any other Federal, State or County standards.
- E. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause worker health and safety problems. This prohibition includes, but is not limited to, wastewaters, which contain liquids, solids, or gases that cause gases, vapors, or fumes from the discharge to exceed 10% of the immediately dangerous to life and health (IDLH) concentration. Discharges which contain more than one pollutant which may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the Director. The more restrictive discharge limits shall be calculated based on the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge.
- F. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- G. Any substance such as residues, sludge's, or scum that may cause the sewage works to be unsuitable for land application or reclamation and reuse or to interfere with the reclamation process.
- H. Any substance which will cause the sewage works to violate its NPDES Permit or the receiving water quality standards.

- I. Any wastewater with color or sufficient light absorbance to interfere with treatment plant process, prevent analytical determinations, or create any aesthetic effect on the treatment plant effluent, such as, but not limited to, dye wastes and vegetable tanning solutions.
- J. Daily maximum concentration or mass loading shall not be exceeded on any single calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetical measurement of the pollutant concentration derived from all measurements taken that day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged during the day. If a composite sample is required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a single calendar day shall be based on the composite sample collected for that parameter on that calendar day. If grab samples are required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a calendar day shall be based on the average of all grab samples collected for that parameter on that calendar day. If only one grab sample is collected for a parameter on a given day, the determination whether the daily maximum limitation for that parameter has been exceeded for the day shall be based on the results of that single grab sample. If the pollutant concentration in any sample is less than the applicable detection limit, that value shall be regarded as zero (0) when calculating the daily maximum concentration.
- K. Any wastewater having a temperature which will inhibit biological activity in the sewage works resulting in Interference, but in no case wastewater with a temperature at the introduction into the sewage works which exceeds 60 degrees Celsius (140F) or is lower than 0 degree Celsius (32F).
- L. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable State or Federal regulations.
- M. Any wastewater that causes a hazard to human life or creates a public nuisance.
- N. Containing organic solvent extractable substances such as fats, wax, grease, or oils of petroleum origin, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F and at 140 degrees F.
- O. Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids, gases or other pollutants which cause the wastewater to have a closed cup flashpoint of less than 140 degrees F, or pollutants which cause an exceedance of 10 percent of the Lower Explosive Limit (LEL) at any point within the POTW, or containing gasoline, benzene, xylene or toluene which causes the wastewater to exceed the State of Michigan Surface Water Quality Standards.
- P. Any garbage that has not been ground by household type or other suitable garbage grinders.
- Q. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solids or viscous substances capable of causing obstructions or other interferences with proper operation of the sewer system.
- R. Toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, to constitute hazards to humans or animals, or to create any hazard in waters, which receive, treated effluent from the sewer system treatment plant. Toxic wastes shall include, but are not limited to wastes containing cyanide, chromium, cadmium, mercury, copper, and nickel ions.
- S. Solids of such character and quantity that special and unusual attention required for their handling.
- T. Any substance which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the Federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or other regulations or criteria for sludge management and disposal as required by the State.
- U. Any medical or infectious wastes prohibited from being discharged under Federal or State law and regulations.
- V. Any pollutant, including BOD pollutants, released at a flow rate and/or pollutant concentration which would cause interference with the treatment plant.
- W. Material considered a hazardous waste under the Resource Conservation and Recovery Act (RCRA).

- X. Any commercial or industrial waste that may cause pass through of pollutants or interference with the wastewater treatment plant operations or that violates Federal, State, or local restrictions.
- Y. Trucked and hauled wastes, except at discharge points designated by YCUA.
- Z. Pollutants causing toxic gases, vapors, and fumes.
- AA. Any leachate from a hazardous waste landfill.
- BB. Any landfill leachate unless permitted and authorized under a written contract, within YCUA's sole discretion, between YCUA and the User.
- CC. Any pollutant discharge which constitutes a slug.

Part VIII – Operation and Maintenance of Pollution Controls

- A. Proper Operation and Maintenance: The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes but is not limited to: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process control, including appropriate quality assurance procedures. This provision requires the operation of back up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this permit.
- B. Duty to Halt or Reduce Activity: Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges or both until operation on the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power 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.
- C. Bypass of Treatment Facilities: By pass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist. The permittee may allow bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance to assure efficient operation.

Notification of Anticipated Bypass: If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the YCUA and submit a written notice to the YCUA within 5 days. This report shall specify:

1. A description of the bypass, and its cause, including its duration;
 2. Whether the by pass has been corrected; and
 3. The steps being taken or to be taken to reduce, eliminate, and prevent a re-occurrence of the bypass.
- D. Removed Substances: Solids, sludge's, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act and all laws and regulations of the State of Michigan.

Part IX – Monitoring and Records

- A. Representative Sampling: Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points and with the method specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and the approval of the Ypsilanti Community Utilities Authority.
- B. Flow Measurements: If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes. If a required flow measurement device requires maintenance or service that will inhibit the collection of flow proportional composite samples, the permittee shall provide notice to the YCUA that includes a brief explanation on the service required and the expected time period that the device will be out of service. The permittee shall collect time proportional composite samples in lieu of flow proportional composite samples unless otherwise directed by the YCUA.
- C. Analytical Methods to Demonstrate Continued Compliance: All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.
- D. Additional Monitoring by the Permittee: If the permittee monitors any pollutant more frequently than required by this permit using test procedures identified in PART IV(C), the results of this monitoring shall be included in the permittee's self-monitoring reports.
- E. Inspection and Entry: The permittee shall allow the Ypsilanti Community Utilities Authority, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:
1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 3. Inspect at reasonable times any facilities, equipment, including monitoring and control equipment, practices, or operations regulated or required under this permit;
 4. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location;
 5. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.

- F. Retention of Records: The permittee shall retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of this sample, measurement, report or application. This period may be extended by request of the Ypsilanti Community Utilities Authority at any time. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Ypsilanti Community Utilities Authority shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.
- G. Record Contents: Records of sampling and analyses shall include:
1. The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures;
 2. Who performed the sampling or measurements;
 3. The date (s) analyses were performed;
 4. Who performed the analyses;
 5. The analytical techniques or methods used; and
 6. The results of such analyses.
- H. Falsifying Information: Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

Part X – Prohibited Concentrations

- A. No permittee shall discharge wastewater such that the concentration of pollutants in one grab sample exceeds the following limits:

Fats, Oil, and Grease: 100 mg/l

pH, standard units: ≥ 5.0 and ≤ 11.0 S.U.

Total Cyanides: 1.0 mg/l

Total Phenolic Compounds: 1.0 mg/l ⁽¹⁾

- B. No permittee shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample is at or above the following surcharge threshold, except as otherwise permitted in writing by the Director and on payment of a surcharge fee, and no person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample exceeds the following upper limits, with respect to the following compatible pollutants:

<u>Pollutant</u>	<u>Surcharge Threshold</u>	<u>Upper Limits</u>
5-day BOD (Biochemical Oxygen Demand)	300 mg/l	1000 mg/l
Total SS (Suspended Solids)	350 mg/l	2500 mg/l
COD (Chemical Oxygen Demand)	600 mg/l	2000 mg/l
Total Phosphorus	15 mg/l	75 mg/l
Ammonia-Nitrogen	30 mg/l	700 mg/l

- C. No permittee shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample exceeds the following limits with respect to the following inorganic or organic pollutants:

<u>Inorganics</u>	<u>Limits</u>
Arsenic	1.0 mg/l
Beryllium	0.002 mg/l
Cadmium	0.50 mg/l
Chromium (Total)	4.0 mg/l
Copper	3.0 mg/l
Lead	0.3 mg/l
Mercury	Nondetectable ⁽²⁾
Nickel	3.0 mg/l
Silver	0.15 mg/l
Zinc	3.0 mg/l

Organics

Polychlorinated Biphenyls	Nondetectable ⁽³⁾
---------------------------	------------------------------

- 1) The total phenols limit is based on the discharge of any or all of the following phenolic compounds: 2-Chlorophenol, 4-Chlorophenol, 2,4-Dichlorophenol, 2,4-Dimethylphenol, 2,4-Dinitrophenol, 2-Methylphenol, 3-Methylphenol, 4-Methylphenol, 2-Nitrophenol, 4-Nitrophenol, and Phenol. Discharge of other phenolic compounds is prohibited except as specifically authorized by the Director.
- 2) Nondetectable per U.S. EPA Method 245.1. The local discharge limitation for mercury is established at the level of detection in accordance with the following: There shall be no detectable amounts of mercury discharged to a township or YCUA sanitary sewer. Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 245.1. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Mercury, unless higher levels are appropriate due to matrix interference.
- 3) Nondetectable per U.S. EPA Method 608. The local discharge limitation for Polychlorinated Biphenyls is established at the level of detection in accordance with the following: There shall be no detectable amounts of Polychlorinated Biphenyls discharged to a township or YCUA sanitary sewer. Polychlorinated Biphenyls sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 608. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Polychlorinated Biphenyls, unless higher levels are appropriate due to matrix interference.