STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER and WASTE MANAGEMENT
601 57th STREET
CHARLESTON, WV 25304-2345

GENERAL PERMIT FOR DISPOSAL AT PUBLICLY OWNED TREATMENT WORKS DISPOSAL OF SEWAGE SLUDGE AND/OR DOMESTIC SEPTAGE

Permit No.: WVSG20000

Subject: Disposal of Sewage Sludge and/or Domestic Septage at Publicly Owned Sewage Treatment Facilities

Issue Date: November 1, 2015

Effective Date: December 1, 2015

Expiration Date: October 31, 2020

Supersedes: General Water Pollution Control Permit WVSG20000 issued September 24, 2010

This is to certify that any sewage sludge or domestic septage pumper who holds a valid West Virginia Septic Tank Cleaning Permit issued by a West Virginia County Health Department who may be regulated under the terms and conditions of this General Permit, who has satisfied the registration requirements, and who has not been required by the Division of Water and Waste Management to apply for an individual permit, is hereby granted coverage under this General Permit to dispose sewage sludge and/or domestic septage at publicly owned sewage treatment facilities.

This permit is subject to the following terms and conditions:

The information submitted on and with the Facility Registration/Application Form is hereby incorporated with like effect as if all such information was set forth herein, and other conditions set forth in Sections A, B, C, and Appendix A.

A. REPORTING REQUIREMENTS:

1. Monthly Report

a. The Permittee shall report on the enclosed Septic Hauler Identification and Tracking Report form the type and quantity of sewage sludge or domestic septage received and the method of disposal. The required report shall be submitted electronically every month, according to the enclosed formant, through the DEP Electronic Submission System (ESS). The required reports shall be submitted to the Division of Water & Waste Management within 20 days of the end of reporting period. The report shall be submitted monthly.

b. Permittee shall provide copies of these reports to the county or regional solid waste authority in which the facility, or land application site(s), is located and to the County Health Department issuing the Septic Tank Cleaning Permit.

c. One copy of Form SS-193, Septic Tank Cleaner Quarterly Log shall be submitted to the appropriate Office of Environmental Health Services District Office listed below:

Beckley District: Office of Environmental Health Services
100 East Prince St.
Beckley, WV 25801

For facilities located in the following counties: Fayette, Greenbrier, Logan, McDowell, Mercer, Mingo, Monroe, Nicholas, Pocahontas, Raleigh, Summers, Webster and Wyoming.

Fairmont District: Office of Environmental Health Services
109 Adams St., Suite 512
Fairmont, WV 26554

For facilities located in the following counties: Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph, Taylor, Tucker and Upshur.

Kearneysville District: Office of Environmental Health Services
1948 Wiltshire Road
Kearneysville, WV 25430

For facilities located in the following counties: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan and Pendleton.

Wheeling District: Office of Environmental Health Services
117 Methodist Building, 1060 Chapline St.
Wheeling, WV 26003

For facilities located in the following counties: Brooke, Calhoun, Hancock, Marshall, Pleasants, Ohio, Ritchie, Roane, Tyler, Wirt, Wetzel and Wood.

St. Albans District: Office of Environmental Health Services
808 B Street, Suite G
St. Albans, WV 25177

For facilities located in the following counties: Boone, Clay, Cabell, Jackson, Kanawha, Lincoln, Mason, Putnam and Wayne.

B. OTHER REQUIREMENTS

1. Permittee must provide written approval from each individual POTW facility intended for disposal.

2. Permittee must provide copy of WV county Health Department permit, certificate, and/or licenses.

3. Areas used for storage of sewage sludge or domestic septage shall be designed, constructed and operated to prevent the release of contaminants to the groundwater and/or surface water, and any and all applicable local, state, and federal rules and regulations must be followed. Registration of any UST or AST may be required.

4. All ponds, impoundments, storage tanks, or other bulk septage treatment or storage units, and electrical and mechanical equipment shall be protected from physical damage by the maximum expected hundred (100) year flood level and operability be maintained during the twenty-five (25) year flood level. These facilities shall also be adequately protected by fencing.

5. All ponds, impoundments, storage tanks, pipelines, ditches, sumps, and other bulk storage or treatment units must be installed and operated in a manner, which complies with the Groundwater Protection Act (Chapter 22, Article 12).

6. This permit will be considered as an individual permit if the coverage of a specific individual facility is the subject of an appeal in accordance with Chapter 22, Article 15, Section 16 of the West Virginia Code. Any subsequent action taken as result of the appeal will only affect the specific subject facility.

7. All domestic septage haulers must meet the requirements of their Septic Tank Cleaning Permit issued by the state or county Bureau for Public Health as a term of compliance with this General Permit.

8. The permittee shall maintain all records and reports required by this permit for five (5) years after the date of monitoring or reporting. Records should include all sample results; copies of all required reports; and records of all data used to complete these reports.

9. Septage and Sludge Manifest forms, or equivalent records, shall be completed for each pickup location. These manifests shall be maintained for five (5) years. For portable toilet wastes, the entire load of waste will be considered one pickup location.

10. This permit will serve as a Groundwater Protection Plan in compliance with Title 47, Series 58. The applicable requirements of Title 47, Series 58 shall be implemented and maintained in a manner that is protective of groundwater and surface water. This shall include the development and implementation of a Groundwater Protection Plan for any entity utilizing underground storage tankage.

11. No grease trap waste may be disposed into a Publicly Owned Sewage Treatment Works (POTW) without first obtaining written authorization from the treatment works operator.

B. OTHER REQUIREMENTS (Continued)

12. Modification Fees - If any changes are made to the application, a modification application must be submitted to the Director of the Division of Water and Waste Management. A $50.00 fee will be assessed for disposal option changes after the permit has been issued to a septic hauler.

C. DEFINITIONS

1. "Collection point for surface water" means any perennial, intermittent or wet weather streams; ditch line; or other similar structures where stormwater collects and flows to a stream or sinkhole.

2. "Distributor" is a person who prepares the product for distribution and marketing and is responsible for distributing and marketing the product.

3. "Domestic septage" means either liquid or solid material (septage) removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from a grease trap at a restaurant.

4. "Leachate" means any liquid that has come in contact with sewage sludge. This does not include the normal liquid content of liquid sludge or domestic septage that is being land applied in an approve manner.

5. "Pathogenic Organisms" are disease-causing organisms. These include, but are not limited to, certain bacteria, protozoa, viruses, and viable helminth ova.

6. "Representative sample" means a sample collected from a population or whole that exhibits the average or typical properties of the larger population or whole.

7. "Runoff" means rainwater, leachate, or other liquid that drains overland on any part of land surface and runs off of the land surface.

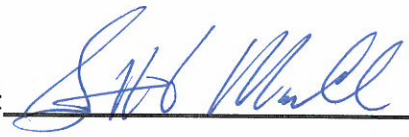
8. "Sewage Sludge" means solid, semi-solid or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage scum or solids removed in primary, secondary or advanced wastewater treatment processes and a material derived from sewage sludge. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator.

9. "Solid Waste" means any garbage, paper, litter refuse, cans, bottles, waste processed for the express purpose of incineration, sludge from a waste treatment water supply treatment plant or air pollution control facility and other discarded materials, including offensive or unsightly matter, solid, liquid, semisolid or contained liquid or gaseous material resulting from industrial, commercial, mining or community activities but does not include solid or dissolved material in sewage or sod or dissolved materials in irrigation return flows or industrial discharges which are point sources and have permits under WV Code Chapter 22, Article 11, or source, special nuclear or by-product material considered by federal standards to be below regulatory concern, or a hazardous waste either identified or listed under WV Code Chapter 22, Article le, or refuse, slurry, overburden or other wastes or material resulting from coal-fired electric power or steam generation, the exploration, development production, storage and recovery of coal, oil, and gas and other mineral resources placed or disposed o£ at a facility which is regulated under WV Code Chapter Chapters 22, 22A, or 22H, so long as such placement or disposal is in conformance with a permit issued pursuant to such chapters.

The herein described activity is to be extended, modified, added to, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit; with all plans and specifications previously submitted with Facility Registration Application Form; with a plan of maintenance and method of operation thereof; and with any applicable rules and regulations promulgated by the Director of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with the plans and specifications previously submitted with Facility Registration Application Form, and with a plan of maintenance and method of operation thereof shall constitute grounds for the revocation or suspension of this permit and for the invocation of all the enforcement procedures set forth in Chapter 22, Articles 12 and 15 of the Code of West Virginia.

This permit is issued in accordance with the provisions of Chapter 22, Article 15 of the Code of West Virginia.

BY: 

Scott G. Mandirola
Director

Appendix A

I. MANAGEMENT CONDITIONS

1. Duty to Comply

(a) The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the CWA and State Act and is grounds for enforcement action; such as suspension or revocation of permit followed by possible civil or criminal action.

(b) The permittee(s) shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

(c) Systems unable to achieve compliance may be required to replace or add additional treatment components.

2. 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 apply for a new permit within thirty (30) days of receipt of the reissuance package. Since the permittee is registered for coverage under a general permit, this agency will notify the permittee regarding permit reissuance at the appropriate time.

3. Duty to Mitigate

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

4. Permit Actions

This permit may be modified, revoked and reissued, suspended, or revoked for cause. The filing of a request by the permittee for permit modification, revocation and reissuance, or revocation, or a notification of planned changes or anticipated noncompliance, does not stay any permit conditions.

5. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

6. Signatory Requirements

All registration application forms, reports, or information submitted to the Director shall be signed and certified as required in Title 47, Series 10, Section 4.6 of the West Virginia Legislative Rules.

7. Transfers

This permit coverage is not transferable to any person except after notice to, and approval by, the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

8. Duty to Provide Information

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

9. Other Information

Where the permittee becomes aware that he/she has failed to submit any relevant facts in a facility registration application form, or submitted incorrect information in a facility registration application form or in any report to the Director, he/she shall promptly submit such facts or information.

10. Inspection and Entry

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

a) Enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;

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

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

d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the State Act, any substances or parameters at any locations.

I. MANAGEMENT CONDITIONS (Continued)

11. Permit Modification

This permit may be modified, suspended, or revoked in whole or in part during its term in accordance with the provisions of Chapter 22, Article 11, Section 12 of the Code of West Virginia.

12. Liabilities

a) Any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed $25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a penalty not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or by both fine and imprisonment.

b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both fine and imprisonment.

c) Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both fine and imprisonment.

d) Nothing in I.14.a), b) and c) shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11.

13. Continuation of this general permit

If this general permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with 47 CSR 10 and remain in force and effect. If you were authorized to discharge under this general permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this general permit until the earliest of:
A) Your authorization for coverage under a reissued general permit or a replacement of this general permit following your timely and appropriate submittal of a complete application requesting authorization to discharge under the new general permit and compliance with the requirements of the new permit; or B) Your submittal of notification that the facility has ceased operations; or C) Issuance or denial of an individual permit for the facility's discharge; or D) A formal permit decision by DWWM not to reissue this general permit, at which time DWWM will identify a reasonable time period of covered dischargers to seek coverage under an alternative general permit or individual permit. Coverage under this permit will cease at the end of this time period.

II. OPERATION AND MAINTENANCE

1. 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 the permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures.

2. Need to Halt or Reduce Activity Not a Defense

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

3. Installation of Appropriate Treatment Not a Defense

It shall not be a defense for a permittee in noncompliance with applicable pathogen reduction and vector attraction reduction requirements to claim that the appropriate minimum treatment equipment, as required in this permit, was installed.

III. OTHER REPORTING

1. Reporting Spills and Accidental Discharges

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee for any responsibilities, liabilities, or penalties established pursuant to Title 47, Series 11, Section 2 of the West Virginia Legislative Rules promulgated pursuant to Chapter 22, Article 11.
Attached is a copy of the West Virginia Spill Alert System for use in complying with Title 47, Series 11, Section 2 of the rules as they pertain to the reporting of spills and accidental discharges.

2. Immediate Reporting

a) The permittee shall report any non-compliance that may endanger health or the environment immediately after becoming aware of the circumstances by using the Agency's designated spill alert telephone number. A written submission shall be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

b) The following shall also be reported immediately:
   (1) Any spill(s) or discharge(s) to any surface water collection point.
   (2) Any spill(s) or discharge(s) to the ground exceeding ten (10) gallons.

c) The Director may waive the written report on a case-by-case basis if the oral report has been received in accordance with the above.

d) Compliance with the requirements of III.2.a or III.2.b of this section, shall not relieve a person of compliance with Title 47, Series 11, Section 2 of the West Virginia Legislative Rules, or Chapter 22, Article 12.

e) The notification number for emergency reporting of non-compliance is 1-800-642-3074.

3. Reporting Requirements

a) Planned changes. The permittee shall give notice to the Director of any planned physical alterations or additions to the
permitted facility that may affect the nature or quantity of the discharge. Notice is required when:

   (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Section 13.7.b of Title 47, Series 10 of the West Virginia Legislative Rules; or
   (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. The notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under III.2.of this section.

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

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain the information listed in III.2.a).

EMERGENCY RESPONSE SPILL ALERT SYSTEM
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

REQUIREMENTS:

Title 47, Series 11, Section 2 of the West Virginia Legislative Rules, Environmental Protection, Water Resources - Waste Management, Effective July 1, 1987.

RESPONSIBILITY FOR REPORTING:

Each and every person who may cause or be responsible for any spill or accidental discharge of pollutants into the waters of the State shall give immediate notification to the Division of Water and Waste Management's Emergency Notification Number, 1-800-642-3074. Such notification shall set forth insofar as possible and as soon thereafter as practical the time and place of such spill or discharge, type or types and quantity or quantities of the material or materials therein, action or actions taken to stop such spill or discharge and to minimize the polluting effect thereof, the measure or measures taken or to be taken in order to prevent a recurrence of any such spill or discharge and such additional information as may be requested by the Division of Water and Waste Management. This also applies to spills to the waters of the State resulting from accidents to common carriers by highway, rail and water.

It shall be the responsibility of each industrial establishment or other entity discharging directly to a stream to have available the following information pertaining to those substances that are employed or handled in its operation in sufficiently large amounts as to constitute a hazard in case of an accidental spill or discharge into a public stream:

(1) Potential toxicity in water to man, animals and aquatic life;
(2) Details on analytical procedures for the quantitative estimation of such substances in water and
(3) Suggestions on safeguards or other precautionary measures to nullify the toxic effects of a substance once it has gotten into a stream.

Failure to furnish such information as required by Section 14, Article 11, Chapter 22, Code of West Virginia may be punishable under Section 24, Article 11, Chapter 22, and/or Section 22, Article 11, Chapter 22, Code of West Virginia.

It shall be the responsibility of any person who causes or contributes in any way to the spill or accidental discharge of any pollutant or pollutants into State waters to immediately take any and all measures necessary to contain such spill or discharge. It shall further be the responsibility of such person to take any and all measures necessary to clean-up, remove and otherwise render such spill or discharge harmless to the waters of the State.

When the Director determines it necessary for the effective containment and abatement of spills and accidental discharges, the Director may require the person or persons responsible for such spill or discharge to monitor affected waters in a manner prescribed by the Director until the possibility of any adverse effect on the waters of the State no longer exists.

VOLUNTARY REPORTING BY LAW OFFICERS, U. S. COAST GUARD, LOCK MASTERS AND OTHERS:

In cases involving river and highway accidents where the responsible party may or may not be available to report the incident, law officers, U. S. Coast Guard, Lock Masters and other interested person(s) should make the report.

WHO TO CONTACT:
Notify the following number: **1-800-642-3074**

INFORMATION NEEDED:

- Source of spill or discharge
- Location of incident
- Time of incident
- Material spilled or discharged
- Amount spilled or discharged
- Toxicity of material spilled or discharged
- Personnel at the scene
- Actions initiated
- Shipper/Manufacturer identification
- Railcar/Truck identification number
- Container type