
SAMPLE INDUSTRIAL USER PERMIT
Permit No. A000

In accordance with the provisions of Ordinance #36-1992, Section 32-61, or a duly authorized amended version thereof,

Industrial User
Location Address
Abilene, TX 79604

is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfall identified herein to the City of Abilene's sanitary 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 or Federal laws, including any such regulation, standard or law that may become effective during this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of Abilene's Industrial Waste Ordinance (IWO) #36-1992, or a duly authorized amended version thereof, which contains remedies for noncompliances.

This permit shall have become effective on January 10, 2001 and shall expire at midnight on January 9, 2004.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application for renewal must be filed in accordance with the requirements of IWO #36-1992, Section 32-61 (7), or a duly authorized amended version thereof, a minimum of ninety (90) days prior to the expiration date.

CITY OF ABILENE WATER UTILITIES DEPARTMENT

By: _____
Name, Industrial Waste Manager/Pretreatment Coordinator

Issued this 2nd day of January, 2001

PART 1-EFFLUENT LIMITATIONS

A. During the term of this permit the permittee is authorized to discharge process wastewater to the City of Abilene's sanitary sewer system from the outfall listed below.

<u>Outfall</u>	<u>Description</u>
001	
002	

B. During the term of this permit the discharge from Outfall 001 shall be of process wastewater and shall not exceed the following effluent limitations:

EFFLUENT LIMITATIONS

<u>Parameter</u>	<u>Daily Maximum(mg/L)</u>	<u>Monthly Average(mg/L)</u>
-----	-----	-----
-----	-----	-----

C. During the term of this permit, the effluent from Outfall 002 shall be wastewater consisting of combined domestic and process wastewater only and shall comply with the limitations in IWO #36-1992, Section 32-58.

D. All discharges shall comply with all other applicable laws, regulations, standards and requirements contained in any state and/or federal pretreatment laws, regulations, standards and requirements, including any that may become effective during the term of this permit.

PART 2-MONITORING REQUIREMENTS

A. During the term of this permit the permittee shall monitor Outfall FAC for the following pollutants, at the indicated frequencies:

<u>Parameter</u>	<u>Frequency</u>	<u>Sample Type</u>
-----	-----	-----
-----	-----	-----

B. All handling, preservation and analysis of samples shall be in accordance with 40 CFR Part 136, and any amendments thereto, unless specified otherwise in the monitoring conditions of this permit.

PART 3-REPORTING REQUIREMENTS

A. Monitoring results shall be used as the source of the data required to complete the "Periodic Compliance Report" and submitted in July for the period of January through June and in January for the period of July through December. Reports are due within thirty (30) days of the reporting period and must be signed by an authorized representative, as defined in 40 CFR 403.12 (1). As a minimum this report should contain:

- 1) identification of facility;
- 2) period for which report pertains;
- 3) average contaminant concentration;
- 4) maximum contaminant concentration;
- 5) average daily flow;
- 6) maximum daily flow;
- 7) certification statement found in Part 5, Section (D), Paragraph (4) of this permit.

-- CITY OF ABILENE, TEXAS --

- B. If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR 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 daily maximum or monthly average pollutant discharge and results shall be reported in a periodic compliance report submitted to the City of Abilene. Such increased monitoring frequency shall also be indicated in the periodic report.
- C. Automatic Re-sampling: If the results of the permittee's wastewater analysis indicates that a violation of this permit has occurred, the permittee must:
1. Notify the Industrial Waste Officer and/or the Environmental Laboratory Manager of the violation within twenty-four (24) hours; and,
 2. Repeat the sampling and analysis of the noncompliant pollutant and submit the results of this analysis to the City of Abilene within thirty (30) days of the first violation.
- D. Accidental Discharge Report
1. The permittee shall notify the Industrial Waste Officer, and/or the Environmental Laboratory Manager, immediately upon the occurrence of an accidental discharge of substances prohibited in IWO #36-1992, Section 32-58, or any slug loads or spills that may enter the sanitary sewer. The City of Abilene should be notified by telephone at 676-6042. If an accident occurs after hours the City should be notified by telephone at 676-6000. The notification shall include:
 - a. Location of discharge;
 - b. Date and time of discharge;
 - c. Type of waste, to include concentration and volume; and,
 - d. 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.
 2. Within five (5) business days following an accidental discharge, the permittee shall submit to the City of Abilene a detailed report of said discharge. The report shall specify:
 - a. Description and cause of the upset, slug load or accidental discharge. The impact on the permittee's compliance status. The location, type, concentration and volume of discharge.
 - b. Duration of noncompliance, including the exact dates and times of noncompliance, and if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
 - c. All steps taken, or to be taken, to reduce, eliminate and/or prevent recurrence of such an upset, slug load, accidental discharge, or other condition of noncompliance.
- E. All reports required by this permit shall be submitted to the City of Abilene at the following address:

City of Abilene
ATTN: Industrial Waste Manager
P.O. Box 60
Abilene, TX 79604

PART 4-SPECIAL MONITORING/NOTIFICATION REQUIREMENT

- A. During the term of this permit, the permittee shall maintain a record of all maintenance performed on the pH monitoring equipment.
- B. The permittee shall maintain on the premises proper documentation (manifests) of all solids removed and disposed of from the pretreatment system.

PART 5-STANDARD CONDITIONS

A. General Conditions

1. Reopener Clause

- a. This permit may be reopened and modified to incorporate any new or revised requirements resulting from the Publicly Owned Treatment Work's (POTW) effluent having failed any required toxicity testing.
- b. This permit may be reopened and modified to incorporate any amendments or changes to IWO #36-1992.
- c. This permit may be reopened and modified to incorporate any new or revised requirements developed by the City of Abilene as necessary to ensure POTW compliance with applicable sludge management requirements promulgated by the Environmental Protection Agency (EPA) in 40 CFR 503.
- d. This permit may be reopened and modified to incorporate any new or revised conditions, requirements and/or changes deemed necessary by the Director.

2. Permit Appeals

- a. Permittees who wish to appeal or challenge requirements, limitations or conditions of this permit must do so in writing within thirty (30) days of permit receipt.
- b. Appeals or challenges must be addressed to the City of Abilene at the following address:

City of Abilene
ATTN: Industrial Waste Officer
P.O. Box 60
Abilene, TX 79604

3. 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 circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

4. 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.

5. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the POTW 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 noncompliant discharge.

6. Permit Termination

This permit may be terminated for the following reasons:

- a. Falsifying self-monitoring reports;
- b. Tampering with monitoring equipment;
- c. Refusing to allow timely access to the facility premises and records;
- d. Failure to meet effluent limitations;
- e. Failure to pay assessed fees;
- f. Failure to pay sewer charges; and,
- g. Failure to meet compliance schedules

7. 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.

8. Limitations on Permit Transfer

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least thirty (30) days advance notice to the Director and the Director approves the wastewater discharge

permit transfer. The notice to the Director must be in accordance with the conditions of IWO #36-1992, Section 32-61(5).

9. Right of Entry

The Director shall have the right to enter the premises of the permittee to determine whether the permittee is complying with all requirements of this permit, the industrial waste ordinance, or any order issued to the permittee. The permittee shall allow the Director, his inspectors, agents, and representatives ready access at any time necessary to all parts of such premises for purposes of inspection, sampling, characterizing the waste, and the performance of any of their duties; and the failure or refusal of the permittee to comply with these provisions shall be grounds for the disconnection of water or sewer service or both.

B. Operation and Maintenance of Pollution Controls

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and relative appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit.

2. 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 this permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. 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. Bypass of Treatment Facilities

a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, severe property damage or no feasible alternatives exist.

b. 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.

c. Notification of bypass:

i. Anticipated bypass. If the permittee knows in advance of the need to bypass, it shall submit prior written notice, at least ten (10) days before the date of the bypass to the City of Abilene.

ii. Unanticipated bypass. The permittee shall immediately notify the City of Abilene and submit a written notice to the POTW within five (5) days. This report shall specify:

(a) A description of the bypass, and its cause, including its duration;

(b) Whether the bypass has been corrected; and,

(c) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, 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, Subtitles C and D of the Resource Conservation and Recovery Act and the Texas Solid Waste Disposal Act.

C. Recordkeeping Requirements

1. Retention of Records

a. 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 the sample, measurement, report or application.

b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City of Abilene shall be retained and preserved by the

-- CITY OF ABILENE, TEXAS --

permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

2. Record Contents

Records of sampling and analysis shall include:

- a. The date, exact place, time and methods of sampling or measurements, and sample preservation techniques or procedures;
- b. Who performed the sampling or measurements;
- c. The date(s) analysis were performed;
- d. Who performed the analysis;
- e. The analytical techniques or methods used;
- f. The results of such analysis; and,
- g. Some expression of the precision and accuracy of such analysis.

3. 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 be result in the imposition of criminal sanctions and/or civil penalties.

D. Additional Reporting Requirements

1. Planned Changes

The permittee shall give notice to the Director ninety (90) days prior to any facility expansion, production increase, or process modifications, which result in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Noncompliances

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

3. Duty to Provide Information

The permittee shall furnish to the Director, within five (5) days any information which the Director 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 City of Abilene within five (5) days copies of any records required to be kept by this permit.

4. Signatory Requirements

All applications, reports, or information submitted to the City of Abilene must contain the following certification statement and be signed by an authorized representative, as defined in 40 CFR 403.12 (l):

"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."

5. Annual Publication

A list of all industrial users which were subject to enforcement proceedings and/or were in significant noncompliance, as defined in 40 CFR 403.3 (t), during the previous twelve (12) months shall be annually published by the City of Abilene in the largest daily newspaper within its service area. 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.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under IWO #36-1992, Section 32-67 or State or Federal laws or regulations.

7. Penalties for Violations of Permit Conditions

The IWO #36-1992, Section 32-67 provides that any person who violates a permit condition is subject to a civil penalty not to exceed \$1,000.00/day for such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties not to exceed \$2,000.00/day for violation, or imprisonment, or both. In addition, the City may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses.

8. Recovery of Cost Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or IWO #36-1992 or causing damage to or otherwise inhibiting the POTW shall be liable to the City of Abilene for any expense, loss, or damage caused by such violation or discharge. The City of Abilene shall bill the permittee for the costs incurred by the City of Abilene for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of IWO #36-1992.