

## **APPENDIX C**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Bureau of Water Standards and Facility Regulation**

**DOCUMENT NUMBER:** 385-2000-011

**TITLE:** Pennsylvania Combined Sewer Overflow (CSO) Policy

**EFFECTIVE DATE:** September 6, 2008  
(Minor Revisions effective February 6, 2010)

**AUTHORITY:** The Federal Clean Water Act and the Pennsylvania Clean Streams Law (P.S. §§ 691.1-691.1001) and the regulations promulgated thereunder.

**POLICY:** To plan and provide an effective and efficient program for NPDES permitting of Combined Sewer Overflows (CSOs) in the Commonwealth.

**PURPOSE:** To improve and preserve the purity of the waters of the Commonwealth through the adequate permitting and control of CSOs. To protect public health, animal and aquatic life, and to comply with the Wet Weather Water Quality Act of 2000.

**APPLICABILITY:** This document provides the Department of Environmental Protection's (DEP) overall permitting and compliance monitoring policy for large, small and satellite municipal combined sewer systems.

**DISCLAIMER:** The policies and procedures outlined in this guidance are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of DEP to give the rules in these policies that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

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## **I. GENERAL**

Controlling and eliminating Combined Sewer Overflows (CSOs) and the associated water quality impacts is one of the goals of the state and federal water pollution control programs. DEP's goal is to control and eliminate CSO discharges as practicable, and ultimately bring all remaining CSO discharges into compliance with state water quality standards through the National Pollutant Discharge Elimination System (NPDES) permitting program. DEP published a Combined Sewer Overflow (CSO) Policy dated March 1, 2002 to achieve this goal over several NPDES permitting cycles.

### **A. PERMITS ISSUED UNDER THE MARCH 1, 2002 CSO POLICY**

The March 1, 2002 CSO Policy, and previous EPA strategies, focused on the need to assure that all combined sewer systems received CSO permits and that NPDES permit conditions were met. The permit conditions required that permittees document Nine Minimum Controls (NMCs) and begin implementing a Long Term Control Plan (LTCP) for all CSOs in the system within the five-year permit term. All CSO permittees should have documented implementation of NMCs to DEP for the CSOs under the existing permit and should have begun implementing a Long-Term Control Plan during that permit term. Permittees must document compliance with these permit conditions prior to the renewal of permits for another five-year term.

### **B. REPLACEMENT OF THE 2002 POLICY**

Current information about CSO locations, number of outfalls and permit compliance dates is available electronically in a table titled "Status of Pennsylvania CSOs by region" on DEP's Web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). Once at DEP's Web site, click these links in the following order:

1. "Tools" (left side of page)
2. "Technical Guidance" (middle of page)
3. "Water Standards Facility Regulation" folder
4. "Pennsylvania Combined Sewer Overflow (CSO) Policy (Status of PA CSOs by Region)" folder
5. "Combined Sewer Overflow Listing.xls"

To further enhance and support compliance with CSO and NPDES permit conditions among the regulated community, DEP has refined and enhanced the 2002 CSO Policy. Under the revised policy, DEP will conduct or provide for appropriate follow-up actions, including compliance monitoring, compliance actions, permit renewal, plan reviews, field inspections, water quality monitoring and enforcement as necessary to promote the development and implementation of NMCs and LTCPs at each CSO facility.

DEP will also continue to provide case-specific compliance assistance, training and guidance to CSO system owners and operators when required. Additionally, DEP will work with associations and municipal organizations to conduct outreach and training in support of this policy. These activities are intended to bring CSO facilities currently not complying with existing permit conditions into compliance, and are also intended to

assure continued compliance at those facilities currently in compliance. This new round of permitting and compliance activity is being termed DEP's Phase III CSO NPDES Permitting/Compliance Program (CSO Phase III Program).

**C. SCOPE OF THE POLICY**

This document replaces DEP's March 1, 2002 Combined Sewer Overflow (CSO) Policy. This document establishes DEP's policy regarding CSO Phase III permitting to implement, as appropriate, EPA's April, 1994 National Combined Sewer Overflow (CSO) Control Policy and the subsequent Wet Weather Water Quality Act of 2000 that codified that policy. This policy applies to DEP staff, and CSO system permittees, regarding permit requirements for CSOs and the actions necessary to achieve compliance with the requirements of the CSO Phase III Program.

**D. RELATION TO PAG-6 NPDES GENERAL PERMIT FOR WET WEATHER OVERFLOW DISCHARGES FROM COMBINED SEWER SYSTEMS**

In conjunction with this policy, DEP completed and issued a revision to its General Permit for CSOs. This General Permit is part of DEP's Phase II CSO Policy and is included herein by reference. The General Permit is on DEP's Web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). Once at DEP's Web site, click these links in the following order:

1. "Licensing, Permits and Certification" (left side of page)
2. Go to link "Water Management General Permits" (toward bottom of page)
3. Open "NPDES (National Pollutant Discharge Elimination System)" folder
4. Open "General Permits" folder
5. Open "04 PAG-06 Wet Weather Overflow Discharge from Combined Sewer Systems" folder

DEP may initiate review and actions (individually or as a group) to amend or revoke current permit coverage and to re-issue approvals of coverage under the revised General Permit.

**E. RELATION TO EPA CSO STRATEGIES AND GUIDANCE**

This policy is to be used in conjunction with all current EPA guidance documents except where indicated otherwise in this policy. These EPA guidance documents serve as the basic guidance for permit writers, compliance staff and the regulated community. EPA's guidance on CSOs is found at [http://cfpub.epa.gov/npdes/cso/guidedocs.cfm?program\\_id=5](http://cfpub.epa.gov/npdes/cso/guidedocs.cfm?program_id=5) and includes:

- CSO Control Policy, April 1994 (59 Federal Register 18688)
- Guidance for Nine Minimum Controls (EPA 832-B-95-003, May '95)
- Guidance for Long-Term Control Plan (EPA 832-B-95-002, Sept. '95)
- Guidance for Screening and Ranking (EPA 832-B-95-004, Aug. '95)
- Guidance for Funding Options (EPA 832-B-95-007, Aug. '95)
- Guidance for Permit Writers (EPA 832-B-95-008, Sept. '95)

Guidance on Financial Capability Assessment and Schedule Development  
(EPA 832-B-97-004, Mar. '97)  
Guidance for Monitoring and Modeling (EPA 832-B-99-002, Jan. '99)  
Guidance: Coordinating CSO Long-Term Planning with Water Quality Standards  
Reviews (EPA 833-R-01-002, July 2001)  
Wet Weather Water Quality Act of 2000, codified in the Consolidated  
Appropriations Act, 2001 (P.L. 106-554)

#### **F. FUTURE REVISIONS OF THE POLICY**

This policy is in its fourth generation and builds upon DEP's prior strategies and policies, and EPA's two (1989 and 1994) previous National CSO Strategies. It recognizes efforts by EPA, DEP and the CSO system owners and operators to control CSOs and to minimize water quality impacts. This CSO policy will be reviewed and revised at least once every five years to reflect expected changes to state or federal CSO policies. Related guidance updates will be completed as needed.

#### **G. DEFINITIONS**

All standard definitions in the state and EPA regulations implementing the NPDES program apply and are incorporated in this policy by this reference.

#### **H. AUTHORITY**

This policy is established under the authority of the Federal Clean Water Act, the Pennsylvania Clean Streams Law and Pennsylvania's delegation agreement with EPA to administer the National Pollutant Discharge Elimination System (NPDES) permitting program.

### **II. DEPARTMENT'S OVERALL CSO POLICY**

It is DEP's policy to administer an effective Phase III CSO NPDES Permitting/Compliance Program to eliminate CSO discharges and ensure, as soon as possible, the achievement of applicable water quality standards. It is further DEP's policy to take necessary permitting and compliance actions under existing and renewed NPDES permits to assure that any remaining CSO discharges are controlled through the development and implementation of NMCs and a LTCP that will ultimately result in compliance with water quality standards.

DEP will include conditions that require implementation of NMCs and LTCPs in all Phase III CSO NPDES permits. Where either NMCs or LTCPs have not been developed in accordance with the enforceable permit conditions included in the previous permit, DEP will initiate an appropriate enforcement mechanism in coordination with the permit action.

DEP may allow a focused LTCP for CSO facilities serving populations of less than 75,000 residents consistent with EPA's National CSO Control Policy.

DEP will initiate an intensified outreach initiative to assure that CSO permit conditions and related enforcement actions are met.

DEP will not authorize dry weather overflow discharges from combined systems. These discharges are a violation of both state and federal law and regulations.

DEP will encourage watershed approaches to resolve CSO impacts.

DEP will not permit or otherwise authorize any new combined sewer systems.

DEP will not approve continued use of existing CSO systems following repair or replacement, but not elimination of the CSO, without a detailed analysis by the permittee comparing such repair or replacement with separation of the storm water from sanitary sewage collection and conveyance and/or other method of elimination of the CSO. This evaluation must be included in a LTCP. Where a LTCP has not been completed, a separate evaluation must be submitted to DEP for approval prior to such actions.

This policy does not address separate sanitary sewer overflows (SSOs) and is not applicable to SSOs.

### **III. PERMIT RENEWAL OPTIONS FOR SMALL AND LARGE POTWs/SATELLITE SYSTEMS WITH CSOs**

During the previous cycles of CSO permitting, the majority of the CSO systems in the Commonwealth were permitted in accordance with the EPA's National Combined Sewer Overflow Control Policy. The EPA policy and DEP's 2002 CSO Policy, as well as the permits issued under those documents, required all CSO permittees to document NMCs and begin implementing a LTCP. Therefore, Phase III CSO renewal permits require the continued implementation of the NMCs and LTCPs.

DEP may authorize certain LTCP requirements to be waived for CSO systems serving jurisdictional populations of less than 75,000. The focused DEP requirements for these systems include continued implementation of the NMCs, public participation, consideration of sensitive areas and post-construction compliance monitoring. Application of the reduced scope LTCP to small systems is not automatic. The regulations at 25 Pa. Code Sections 92.81-92.83 establish eligibility for General NPDES permits. DEP will review applications or Notices of Intent (NOIs) to determine the scope of a LTCP in any CSO permit. The descriptions below identify the classification of CSO systems and the applicable permit conditions that will be applied to each type of system as part of the CSO Phase III Program:

#### **A. PUBLICLY OWNED TREATMENT WORKS (POTWs) OWNED AND/OR OPERATED COMBINED SEWER SYSTEM**

1. These CSO facilities are part of a POTW with the collection, conveyance and treatment facilities, owned and operated by the municipality and/or municipal authority.
2. For permitting purposes, this category of facility is further divided as to size. The conditions imposed on these systems vary according to the population served by the system as described below. Generally, the CSOs from these facilities are



covered under the individual NPDES permit that authorizes and regulates the discharge(s) from the associated treatment facility. The requirements for these facilities are as follows:

Small POTW Operated CSO Systems - serve a jurisdictional population of less than 75,000. This category of system is normally permitted using permit conditions included in the individual NPDES permit for the POTW. At a minimum, these systems must meet the specific CSO permitting requirements in Attachment 1(B). If the system discharges to special protection waters (i.e. High Quality or Exceptional Value water), the requirements of Attachment 1(B) must be used under an individual NPDES CSO permit.

Large POTW Operated CSO Systems - serve a jurisdictional population of 75,000 or more. This category of system is normally permitted using permit conditions included in the Individual NPDES Permit for the POTW. These systems must meet the specific CSO permitting requirements in Attachment 2 that will be included in an individual permit. Attachment 2 requires a detailed LTCP (nine planning elements).

## **B. SATELLITE COMBINED SEWER SYSTEMS**

1. These systems provide only collection and conveyance facilities for transporting combined wastewater and storm water to a POTW for treatment. These satellite combined sewer systems usually surround major metropolitan areas and consist of collection and conveyance systems designed and built as combined sewer systems. The satellite combined sewer systems, like the POTWs, are publicly owned and/or operated. However, their owners/operators are not directly responsible for the operation of the wastewater treatment facilities receiving flows from the collection and conveyance system.
2. For permitting purposes, this category of facility is further divided as to size. The conditions imposed on these systems also vary according to the population served by the system as described below:

Small Satellite CSO System - serve a jurisdictional population less than 75,000. These systems must meet the specific CSO permitting requirements in Attachment 1(A) when coverage under the General NPDES CSO Permit is obtained. If the system does not meet the requirements for coverage under a General NPDES CSO Permit or the discharge is to special protection waters (i.e. High Quality or Exceptional Value water), the requirements of Attachment 1(B) will be included under an individual NPDES CSO permit.

Large Satellite CSO System - serve a jurisdictional population of 75,000 or more that usually surround major metropolitan areas and consist of collection and conveyance systems designed, built and operated as combined sewer systems and are not directly responsible for the operation of the wastewater treatment plant. This policy provides that an individual permit must be issued for these facilities

and the requirements in Attachment 2 must be used. Attachment 2 requires a detailed LTCP (nine planning elements).

### **C. PERMIT REQUIREMENTS**

All Phase III NPDES CSO Permits must include applicable permitting requirements in Attachment 1(A) - General Permit Requirements for Small Flow CSO Systems or Attachment 1(B) – Individual Permit Requirements for Small CSO Systems or Attachment 2- Individual Permit Requirements for Large CSO Systems. CSO outfalls will be listed in Part A of the permit. The permit will also include the following as a footnote “All discharges of floating materials, oil, grease, scum, sheen and substances which produce color, tastes, odors, turbidity or settle to form deposits shall be controlled to levels which will not be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life.” Attachment 3 - DMR Supplemental Reports for CSOs - must be used with attachments 1(A), 1(B) or 2 in all CSO permits. The permit language specified in the attachments will be used verbatim unless DEP determines that there is justification to deviate from the language in an individual permit for a specific situation. Any deviation from established permit language in an individual permit must be fully justified and documented in the Water Quality Protection Report for the permit. If the change involves a major change or policy issue, DEP’s Regional Office must present the issue to DEP’s Central Office for review and approval. These cases may require review by EPA. Referral of such issues will stop permit review time period commitments to allow for sufficient time for these issues to be resolved.

## **IV. SUBMITTAL AND DEP REVIEW OF PERMIT RENEWAL APPLICATIONS AND NOIs**

### **A. DOCUMENTATION OF NMC AND LTCP IMPLEMENTATION**

Phase III NPDES CSO Permits require continued implementation of NMCs and continued implementation of LTCPs. The application or Notice of Intent (NOI) for the renewal of CSO permits submitted to DEP by an applicant must, therefore, include a description of NMCs in place at the time of the application or NOI submittal and documentation of the implementation of these NMCs. The applicant for permit renewal must submit documentation identifying which of the NMCs have been implemented and that the required NMCs will continue to be implemented during the new permit term (5 years). Permit applicants must also submit a copy of the LTCP if one had not been submitted to DEP previously. Any amendments to a previously submitted LTCP or associated schedules must be submitted to and approved by DEP during the term of the applicable permit.

If the terms of the previous permit have not been met (i.e. NMCs have not been developed, NMCs have not been implemented or a LTCP has not been developed and submitted to DEP), the provisions of Section V of this policy apply. DEP’s record of the compliance status of CSO permittees titled “Status of Pennsylvania CSOs by region” is available at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). See page 1 of this document at I.B. for information on how to navigate to this Web page. Permittees whose status is not correctly identified should provide DEP with documentation of the correct status as soon as possible.

## **B. DEP REVIEW OF APPLICATION OR NOI FOR PERMIT RENEWAL**

Before issuing or renewing Phase III NPDES CSO permits, the permit writers and operations staff of DEP will conduct permit status and compliance reviews of each system for full compliance with the NMC and LTCP permit requirements or requirements of any prior enforcement actions. These reviews will be conducted in consultation with DEP legal counsel and should be used as a basis for considering permit renewal requirements and whether an enforcement mechanism is necessary to resolve non-compliance. This review will also be used to refine the scope and extent of the LTCP requirements.

The permit engineers will review permit renewal applications to determine progress made in completing and implementing NMCs and implementing a LTCP in previous permit cycles. The operations staff review will focus on prior compliance histories, monitoring information, annual Chapter 94 reports and requirements of any enforcement actions.

In cases where NMCs have not been documented or a LTCP has not been developed and submitted to DEP, the procedures outlined in Section V of this policy will be initiated prior to permit application or NOI review.

Permit application reviews will include:

1. the status of NMC and LTCP development and implementation during previous permit cycles
2. post NMC/LTCP monitoring program data
3. what impacts these programs have in reducing the number, volume and frequency of overflows from the system
4. what BMPs the permittee must implement to achieve the goals of the LTCP
5. known water quality impacts from any unique or site-specific situations (high industrial waste contributions, special recreational uses etc.)
6. NMC and LTCP activities and schedules proposed for the permit term under consideration for renewal
7. applicability of a focused LTCP associated with small CSO systems discussed in Section III above
8. review of Chapter 94 annual reports for consistency with LTCPs where they address CSOs
9. an assurance that the LTCP includes clear endpoints as either numeric or narrative performance standards to meet water quality standards

### C. REVIEW OF MONITORING DATA PRIOR TO PERMIT RENEWAL

CSO permit conditions require NPDES permitted municipalities to submit CSO data and related information during the NPDES permit renewal application/NOI process as follows:

1. Renewal monitoring data - The General and Individual NPDES CSO permits require permittees to identify the water body receiving flows from CSOs, location of the CSOs, number of outfalls and the watershed, and water body classification. These permits also include monitoring and reporting requirements including flow, frequency, duration and magnitude of the CSO, number of CSO events and any known downstream water quality impacts. Monitoring data must be submitted to DEP as part of the permit renewal application or NOI using a format similar to Attachment 3. DEP will review the monitoring data before the NPDES permit is renewed.
2. Ongoing Reporting - The discharge monitoring report will continue to be used for reporting all incidences of CSO discharge. Attachment 3, DMR Supplemental Reports for CSOs, must be used by permittees to record and report overflow data for each overflow point. The CSO Monthly Inspection Report form (3800-FM-WSFR0441) must be used to document inspection activities for all outfalls. If there is a discharge from a CSO during a month, an outfall-specific CSO Detailed Outfall Report form (3800-FM-WSFR0442) must be completed. Where necessary, additional narrative explanations may be added to these forms. These reports must be filed with the regular DMR for the facility or separately for satellite facilities within 28 days of the end of the month. Confirmation that these reports have been submitted should be included as part of the permit renewal application or NOI.
3. Post-Construction Compliance Monitoring – A post-construction monitoring program must be carried out to assure the effectiveness of the overall program being implemented in meeting the Clean Water Act requirements and in meeting requirements established in the LTCP. The post-construction compliance monitoring program is intended to ascertain the effectiveness of CSO controls. The permittee must conduct a monitoring program during and after LTCP implementation to help determine the effectiveness of the overall program. Monitoring during LTCP implementation must include, minimization of combined sewer overflows, data collection to measure the overall effects of the program and to determine the effectiveness of CSO controls. The monitoring plan should use existing monitoring stations (both those used in previous studies and those used for collecting data during system characterization) to collect long-term data for comparisons. Monitoring plan components must be identified in a work plan.
4. Municipal wasteload management (Title 25, Chapter 94) annual report - In addition to the special DMR supplemental report, the overflow discharge data must be summarized annually and submitted to the appropriate Regional Office of DEP with the facility's Annual Wasteload Management (Chapter 94) Report. The

minimum information required to be included is specified in the CSO permit condition and Chapter 94. As a minimum, the Wasteload Management Report must provide the current operational status of major overflow points, a summary of on-going NMC implementation efforts that demonstrate consistency and compliance with the approved NMC documentation report, a summary of inspection and maintenance, a summary of the last 12 months of CSO overflow data, average number of overflows per year, any known downstream water quality impacts, and actions taken or planned to reduce or eliminate the CSO discharges.

#### **D. WATER QUALITY PROTECTION REPORT**

The permit application analysis must be documented in a water quality protection report developed by DEP. This document establishes the basis for permit issuance or renewal.

#### **E. COMPLIANCE HISTORY**

CSO permittees are required to provide a summary of prior compliance with all DEP permits held by the permittee and actions completed or proposed to be completed to resolve any permit non-compliance. Where the compliance history documents non-compliance or where DEP determines that a permittee has not complied with permit conditions or requirements, appropriate compliance action will be initiated and an enforceable compliance schedule established prior to permit renewal.

#### **F. DEP DETERMINED NON-COMPLIANCE**

If DEP determines during its review of permit renewal information that the terms of the previous permit have not been met (i.e. NMCs have not been developed, NMCs have not been implemented or a LTCP has not been developed, etc.), the review of the application or NOI shall cease. In these cases, the provisions of Section V of this policy shall be applied.

### **V. COMPLIANCE POLICY FOR CSO PERMIT VIOLATIONS/DEP CSO RESPONSE PLAN**

#### **A. COMPLIANCE PRIORITIES**

DEP's highest priority CSO cases are those that have been documented as a public health hazard or have water quality impacts that have resulted in documented impairment or loss of designated or existing use as confirmed by a stream assessment. Compliance priority will also be given to combined sewer systems without necessary CSO permits or any newly identified unpermitted CSOs. Compliance Schedules will be used to bring these facilities under a permit. Current CSO permittees will be evaluated for compliance with permit conditions by DEP on a continuous basis. When DEP determines that a permittee is in jeopardy of non-compliance with the CSO conditions of the permit (i.e. permit term is nearing the end and NMCs or LTCP conditions have not been met), DEP may initiate compliance assistance. When a permittee has failed to meet permit conditions (i.e. permit term has ended or an application for a permit renewal has been received and the NMCs or LTCP conditions have not been met) a compliance action may be taken.

**B. COMPLIANCE ASSISTANCE**

DEP's policy of compliance through outreach, technical support and pollution prevention is an important element of this policy. Where DEP determines potential non-compliance with NMC or LTCP conditions in permits, permittees will be notified of such potential non-compliance and DEP will provide information, technical assistance and outreach to the permittee. DEP will also work with municipal and authority organizations to provide educational opportunities regarding CSOs for permittees.

**C. COMPLIANCE ACTIONS FOR VIOLATION OF EXISTING PERMIT CONDITIONS**

The previous NPDES permits issued to wastewater facilities with CSOs included a requirement that the permittee document NMCs and implement a LTCP. Permittees have had at least one, if not two, permit cycles to complete these required activities (i.e. 5 to 10 years). It is DEP's policy to require continued implementation of NMCs and of a LTCP during the Phase III CSO permit cycle. When the permittee has not documented implementation of NMCs and/or has not implemented the LTCP in accordance with its schedule by the end of the permit term, the permittee is in non-compliance with the CSO conditions and requirements of the existing NPDES permit.

As a matter of DEP policy, the Phase III CSO permits will not contain an additional compliance schedule for implementation of either the NMCs or the LTCPs. However, if a schedule is needed to bring a facility into compliance with permit requirements, enforceable mechanisms may be used as a separate action independent of any permit action(s). When an enforceable mechanism is used to resolve permit violations, it must be included with draft permit documents sent to the EPA and provided to the discharger.

The term enforceable mechanisms may include a consent order and agreement (CO&A), a 'Department Order', a court issued order or other enforceable instrument. These enforcement mechanisms are not part of the permits and are not referenced in permits. The enforcement mechanisms will be tailored to site-specific situations and will be based on the review of NMC/LTCP before a Phase III permit is renewed. The enforcement mechanisms shall provide appropriate enforceable milestones, schedules, and, where appropriate, penalties that address all non-compliance issues.

**D. COMPLIANCE SCHEDULES**

When DEP determines that immediate compliance is not feasible, stipulated penalties and a schedule for implementation may be included in a 'Department Order' or CO&A. Compliance schedules for the completion and implementation of NMCs or the development of a LTCP may not extend beyond 18 months of the permit reissuance date unless the permittee submits compelling justification for an extended compliance schedule. Compliance schedules shall include all of the elements of the required permit condition and the schedule of completion of each of the required activities under that condition. In the case where the permittee has not developed and implemented NMCs, the compliance schedule shall identify each of the controls and shall assign a specific

date on which that control will be implemented. In the case where an applicant has not developed a LTCP, the compliance schedule shall identify the specific plan elements required for the facility and the specific date when that element will be completed. LTCP schedules shall also include the date for final plan submittal to DEP.

DEP's existing enforcement policy has sufficient flexibility and adaptability for DEP regional offices to tailor each compliance action to the specific circumstances (i.e., severity of problem, significance of problem, extent of actual harm or damage, and prior compliance history) of a CSO problem.

## **VI. LONG-TERM CONTROL PLAN AND NMCs**

### **A. COMPLIANCE WITH EPA LTCP REQUIREMENTS**

EPA's Combined Sewer Overflow (CSO) Control Policy (EPA 830-B-94-001) of April 1994 describes the minimum content of LTCPs in Section II. C. The minimum elements of a LTCP listed in that document shall be required for all LTCPs submitted to DEP except for those CSO facilities qualifying for a reduced scope LTCP as discussed in Section III of this policy. LTCP proposals that do not include these elements shall be declared incomplete and returned to the permittee for revision. In cases where a LTCP has not been previously submitted and/or approved by DEP, but is submitted with the application for permit renewal, a detailed review and DEP action shall be taken on each submittal prior to permit renewal. When documentation of implementation of NMCs has not previously been submitted, DEP will confirm the submittal of such information upon receipt, in writing to the permittee. The DEP regional office staff will update the appropriate CSO database to reflect the compliance status of the permittee.

### **B. LTCPs EXTENDING BEYOND THE CURRENT PERMIT TERM**

The permit and/or Fact Sheet developed for the CSO facility shall incorporate the LTCP by reference. LTCP schedules shall be consistent with the 1994 EPA CSO Policy and the 1997 EPA CSO Guidance for Financial Capability Assessment and Schedule Development as well as the other guidance documents in Chapter I, Section E of this document.

If the implementation of LTCPs extends beyond the permit term of a new or renewed permit, the permit shall include a schedule for the interim steps that will be implemented during the permit term.

In addition for those permittees for whom the LTCP extends beyond the term of a new or renewed permit, DEP reserves the right to issue or enter into an additional but separate enforceable instrument. Factors that DEP may consider before taking such additional actions include the size of the facility, the size of the community or communities being served by the permittee, whether there is a potential to effect potable water supplies, whether there is a potential to effect sensitive areas, the level of cooperation exhibited by the permittee and any other relevant factor. The additional enforceable instrument shall include a compliance schedule consistent with the 1994 EPA CSO Policy and the 1997 CSO Guidance for Financial Capability Assessment and Schedule Development

and shall include specific milestones and an end date for the implementation and completion of the LTCP.

### **C. AREA-WIDE PLANNING COORDINATION**

It is the policy of DEP to require operators of POTW's and any satellite conveyance systems contributing flow to a CSS that is connected to the POTW to cooperate with each other and coordinate their respective NMC and LTCP efforts such that implementation leads to the achievement of Water Quality Standards (WQS). This is to assure that individual system NMC and LTCP efforts are consistent with and compliment each other. To accomplish this, each CSO Phase III permit must contain one of the following two requirements:

POTW Operated CSO Systems – The permittee shall cooperate with and participate in any satellite CSO system's NMC and LTCP activities being developed and/or carried out by the operator(s) of these systems, and shall participate in implementing applicable portions of the approved NMC and LTCP for these systems.

Satellite CSO Systems – The operator of the satellite combined sewer system or a separate sanitary sewer system contributing flow to the CSS covered by the general permit shall participate in any area-wide CSO NMC and LTCP activities being developed and/or carried out by the operator of the POTW identified in the NOI that provides sewage treatment services. The operator shall also participate in implementing applicable portions of the approved NMC and LTCP for the operator of the POTW providing treatment and/or conveyance and treatment to the permittee.

LTCP submittals that do not include area-wide planning coordination, where needed, will be returned to the permittee for appropriate coordination prior to resubmittal or review.

### **D. MAXIMIZING TREATMENT AT THE EXISTING POTW**

Federal regulations at 40 CFR 122.41(m) allow for a CSO-related bypass (i.e. a bypass of certain portions of the treatment facility at the POTW). This can be an effective management tool for CSO systems if the bypass is proposed as provided for in the EPA's CSO Guidance for Permit Writers. Its use should be limited to systems that have implemented NMCs and LTCPs, have maximized flows to the treatment plant and have justified the need to use a CSO-related bypass as part of its operational plan for the implementation of their NMCs or LTCP. The permittee has the burden of demonstrating that it meets all requirements of 40 CFR 122.41(m).

Attachment 4 provides permit language to be used in authorizing CSO-related bypasses in NPDES permits. This permit condition language is to be used as provided by the policy unless there is documented justification for some change. Additional guidance on the use and limitation of the CSO-related bypass provisions are documented in EPA's Permit Writers' Guidance. Any adjustments made to the CSO-related Bypass requirement must be documented in the permit Fact Sheet.



**Attachment 1(A)**

**Phase III General Permit Requirements for Small CSO Systems**

**PART C - OTHER SPECIFIC REQUIREMENTS**

**I. MANAGEMENT AND CONTROL OF COMBINED SEWER OVERFLOWS**

- A. Combined sewer overflows (CSOs) are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed the design capacity of the conveyance or treatment facilities of the system. Overflows that occur without an accompanying precipitation event or snowmelt are termed “dry weather overflows” and are prohibited. CSOs are point source discharges that must be provided with control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.
- B. The point source discharge locations (outfalls) identified in the NOI submitted by the permittee for coverage under this general permit serve as authorized combined sewer overflow locations on the permittee’s sewer system.

**II. CONTINUED IMPLEMENTATION OF TECHNOLOGY-BASED NINE MINIMUM CONTROLS**

- A. Upon approval of coverage under this permit, the permittee shall continue the implementation of the NMCs, demonstrate system wide compliance with the NMCs and submit discharge monitoring reports and annual reports to DEP with appropriate documentation. The permittee’s NMC documentation report is incorporated in this permit and the NMCs listed in the NOI are hereby incorporated by reference as enforceable provisions of this permit.
- B. DEP will use the EPA guidance document entitled “Guidance For Nine Minimum Controls” (EPA 832-B-95-003), dated May 1995, and specific comments provided during review of the NMC documentation reports to determine continued compliance with the CSO permit requirements.

**III. IMPLEMENTATION OF WATER QUALITY-BASED LONG TERM CONTROL PLAN (LTCP)**

- A. The long term goal of the LTCP requirements in this permit is to achieve compliance with the state water quality standards upon completion of the LTCP implementation. The CSO discharge(s) shall comply with the performance standards of the selected CSO controls and shall comply with the water quality standards found in Chapter 93. When additional CSO-related information and data becomes available to revise water quality-based effluent limitations, the permit should be revised, as appropriate, to reflect the new effluent limitations.

- B. The permittee shall continue the implementation of the approved LTCP, demonstrate system-wide compliance with the LTCP's installed alternatives and submit with the Annual Report referenced in Section IV.B, annual progress reports on implementation.
- C. The permittee shall continue to implement its approved long term control plan (LTCP). The LTCP, at a minimum, shall incorporate the following requirements:
  - 1. Continued implementation of the nine minimum controls;
  - 2. Protection of sensitive areas (recreation areas, public water supply, unique ecological habitat, etc.);
  - 3. Public participation in any revisions or updates to the LTCP.
  - 4. The selected CSO controls should include a post-construction monitoring program plan adequate to verify compliance with water quality standards and protection of designated uses as well as to ascertain the effectiveness of CSO controls. This water quality compliance monitoring program should include a plan to be approved by DEP that details the monitoring protocols to be followed.
- D. The LTCP is described in the EPA's guidance document entitled "Guidance For Long Term Control Plan" (EPA 832-B-95-002), dated September 1995. Using a compliance monitoring program, the permittee shall periodically review the effectiveness of the LTCP and propose any changes or revisions to the LTCP to DEP for review and approval before its implementation. This shall be done at each approval renewal and as needed during the permit or approval term.
- E. The permittee shall implement, inspect, monitor and effectively operate and maintain the CSO controls identified in the LTCP pursuant to the LTCP implementation schedule. Notwithstanding any other provisions of this permit, the interim steps and/or milestones identified in the NOI and/or LTCP shall be incorporated by reference as enforceable provisions of this permit.

#### **IV. MONITORING AND REPORTING REQUIREMENTS**

- A. Discharge Monitoring Report for the Combined Sewer Overflows (DMR for CSOs)

The permittee shall record data on CSO discharges in the format specified in DEP's DMR Supplemental Reports for CSOs attached to this permit. The data shall be submitted to the appropriate regional office of DEP within 28 days of the end of the month. Satellite Combined Sewer Systems with CSOs on collection systems connected to a permitted POTW will submit their DMR Supplemental Reports for CSOs to the POTW. The permitted POTW will submit the DMR Supplemental Reports for CSOs from all of their satellite communities with their regular DMR. Copies of DMR Supplemental Reports for CSOs must be retained at the Sewage Treatment Plant (STP) site for at least three (3) years.

B. Annual CSO Status Report

On March 31 of each year, an Annual CSO Status Report shall be submitted to DEP with the annual "Municipal Wasteload Management Report" required by 25 Pa. Code Chapter 94, Section 94.12. For a satellite CSO system, a copy of the annual report shall also be provided to the POTW providing treatment for its wastewater.

1. The Annual CSO Status Report shall:

- a. Provide a summary of the frequency, duration and volume of the CSO discharges for the past calendar year,
- b. Provide the operational status of overflow points,
- c. Provide an identification of known in-stream water quality impacts, their causes, and their effects on downstream water uses,
- d. Summarize all actions taken to implement the NMCs and the LTCP and their effectiveness, and
- e. Evaluate and provide a progress report on implementing and necessary revisions to the NMC and LTCP.

2. Specifically, the following CSO-related information shall be included in the report:

- a. Rain gauge data - total inches (to the nearest 0.01 inch) that caused each CSO discharge being reported in the DMR Supplemental Reports for CSOs.
- b. Inspections and maintenance
  - Total number of regulator inspections conducted during the period of the report (reported by drainage system).
  - A list of blockages (if any) corrected or other interceptor maintenance performed, including location, date and time discovered, date and time corrected and any discharges to the stream observed and/or suspected to have occurred.
- c. Dry weather overflows

Dry weather CSO discharges are prohibited. Immediate telephone notification to DEP of such discharges is required in accordance with 25 Pa. Code, Section 91.33. Indicate location, date and time discovered, date and time corrected/ceased, and action(s) taken to prevent their reoccurrence. A plan to correct this condition and schedule to implement

the plan must be submitted with the DMR Supplemental Reports for CSOs.

d. Wet weather overflows

- For all locations that have automatic level monitoring of the regulators, report all exceedances of the overflow level during the period of the report, including location, date, time, and duration of wet weather overflows.
- For all locations at which flows in the interceptors can be controlled by throttling and/or pumping, report all instances when the overflow level was reached or the gates were lowered. For each instance, provide the location, date, time, and duration of the overflow.

**V. AREA-WIDE PLANNING/PARTICIPATION REQUIREMENT FOR SATELLITE CSO SYSTEMS**

The operator of the satellite municipal sewer system covered by the general permit shall participate in any area-wide CSO NMCs and LTCP activities being developed and/or carried out by the operator of the POTW identified in the NOI that provides sewage treatment services. The operator shall also participate in implementing applicable portions of the approved NMC and LTCP for the operator of the POTW providing treatment and/or conveyance and treatment to the permittee.

**VI. PERMIT REOPENER CLAUSE**

DEP reserves the right to modify, revoke and reissue this permit as provided pursuant to 40 CFR 122.62 and 124.5 for the reasons set forth in 25 Pa. Code Section 92.51 (2) and for the following reasons:

- A. To include new or revised conditions developed to comply with any State or Federal law or regulation that addresses CSOs and that is adopted or promulgated subsequent to the effective date of this permit.
- B. To include new or revised conditions if new information indicates that CSO controls imposed under the permit have failed to ensure the attainment of State Water Quality Standards.
- C. To include new or revised conditions based on new information resulting from implementation of the LTCP or other plans or data.

## VII. COMBINED SEWER OVERFLOW COMPLIANCE SCHEDULE

The permittee shall complete the above CSO activities in accordance with the following compliance schedule:

<u>Schedule Activity Description</u>	<u>Compliance Due Date</u>
Continue Implementation of the NMCs	Permit effective date
Continue Implementation of the LTCP	Permit effective date
Submit Annual CSO Status Report to DEP with Chapter 94 Report	March 31 of each year
Submit DMR Supplemental Reports for CSOs (Attachment 3)	Within 28 days of the end of a month

## Attachment 1(B)

### Phase III Individual Permit Requirements for Small CSO Systems

#### PART C - OTHER SPECIFIC REQUIREMENTS

##### I. MANAGEMENT AND CONTROL OF COMBINED SEWER OVERFLOWS

- A. Combined sewer overflows (CSOs) are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed the design capacity of the conveyance or treatment facilities of the system. Overflows that occur without an accompanying precipitation event or snowmelt are termed “dry weather overflows” and are prohibited. CSOs are point source discharges that must be provided with control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.
- B. The point source discharge locations (outfalls) identified in the application submitted by the permittee serve as known combined sewer overflow locations on the permittee’s sewer system.

##### II. CONTINUED IMPLEMENTATION OF TECHNOLOGY-BASED NINE MINIMUM CONTROLS

- A. Upon issuance of this permit, the permittee shall continue the implementation of the NMCs, demonstrate system wide compliance with the NMCs and submit discharge monitoring reports and annual reports to DEP with appropriate documentation. The permittee’s NMC documentation report is incorporated in this permit and the NMCs are listed here:
- B. DEP will use the EPA guidance document entitled “Guidance For Nine Minimum Controls” (EPA 832-B-95-003), dated May 1995, and specific comments provided during review of the NMC documentation reports to determine continued compliance with the CSO permit requirements.

##### III. IMPLEMENTATION OF WATER QUALITY-BASED LONG TERM CONTROL PLAN (LTCP)

- A. The long term goal of the LTCP requirements in this permit is to achieve compliance with the state water quality standards upon completion of the LTCP implementation. The CSO discharge(s) shall comply with the performance standards of the selected CSO controls and shall comply with the water quality standards found in Chapter 93. When additional CSO-related information and data becomes available to revise water quality-based effluent limitations, the permit should be revised, as appropriate, to reflect the new effluent limitations.
- B. The permittee shall continue the implementation of the approved LTCP, demonstrate system-wide compliance with the LTCP’s installed alternatives and submit with the

Annual Report referenced in paragraph IV.B below, annual progress reports on implementation.

- C. The permittee shall continue to implement its approved long term control plan (LTCP). The LTCP, at a minimum, shall incorporate the following requirements:
1. Continued implementation of the nine minimum controls;
  2. Protection of sensitive areas (recreation areas, public water supply, unique ecological habitat, etc.);
  3. Public participation in developing the LTCP;
  4. The selected CSO controls should include a post-construction monitoring program plan adequate to verify compliance with water quality standards and protection of designated uses as well as to ascertain the effectiveness of CSO controls. This water quality compliance monitoring program should include a plan to be approved by DEP that details the monitoring protocols to be followed.
- D. The LTCP is described in the EPA's guidance document entitled "Guidance For Long Term Control Plan" (EPA 832-B-95-002), dated September 1995. Using a compliance monitoring program, the permittee shall periodically review the effectiveness of the LTCP and propose any changes or revisions to the LTCP to DEP for review and approval before its implementation. This shall be done at each permit renewal and as needed during the permit term.
- E. The permittee shall implement, inspect, monitor and effectively operate and maintain the CSO controls identified in the LTCP pursuant to the LTCP implementation schedule, which is incorporated herein by reference. Notwithstanding any other provisions of this permit, the permittee will achieve the interim steps or milestones identified in the LTCP, including but not limited to the following as listed below:

<List Interim Steps/Milestones Here>

#### **IV. MONITORING AND REPORTING REQUIREMENTS**

- A. Discharge Monitoring Report (DMR) Supplemental Reports for Combined Sewer Overflows

The permittee shall record data on CSO discharges in the format specified in DEP's DMR Supplemental Reports for CSOs attached to this permit. The data shall be submitted monthly to the appropriate regional office of DEP within 28 days of the end of the reporting month. For CSOs that are part of a permitted POTW, the DMR Supplemental Reports for CSOs must be submitted with the permittee's regular DMR. Copies of DMR Supplemental Reports for CSOs must be retained at the Sewage Treatment Plant (STP) site or municipality for at least three (3) years.

B. Annual CSO Status Report

On March 31 of each year, an Annual CSO Status Report shall be submitted to DEP with the annual "Municipal Wasteload Management Report" required by 25 Pa. Code Chapter 94, Section 94.12. For a satellite CSO system, a copy of the annual report shall also be provided to the POTW providing treatment for its wastewater.

1. The Annual CSO Status Report shall:

- a. Provide a summary of the frequency, duration and volume of the CSO discharges for the past calendar year,
- b. Provide the operational status of overflow points,
- c. Provide an identification of known in-stream water quality impacts, their causes, and their effects on downstream water uses,
- d. Summarize all actions taken to implement the NMCs and the LTCP and their effectiveness, and
- e. Evaluate and provide a progress report on implementing and necessary revisions to the NMC and LTCP.

2. Specifically, the following CSO-related information shall be included in the report:

- a. Rain gauge data - total inches (to the nearest 0.01 inch) that caused each CSO discharge being reported in the DMR Supplemental Reports for CSOs.
- b. Inspections and maintenance.
  - Total number of regulator inspections conducted during the period of the report (reported by drainage system).
  - A list of blockages (if any) corrected or other interceptor maintenance performed, including location, date and time discovered, date and time corrected, and any discharges to the stream observed and/or suspected to have occurred.
- c. Dry weather overflows

Dry weather CSO discharges are prohibited. Immediate telephone notification to DEP of such discharges is required in accordance with 25 Pa. Code, Section 91.33. Indicate location, date and time discovered, date and time corrected/ceased, and action(s) taken to prevent their reoccurrence. A plan to correct this condition and schedule to implement



the plan must be submitted with the DMR Supplemental Reports for CSOs.

d. Wet weather overflows

- For all locations that have automatic level monitoring of the regulators, report all exceedances of the overflow level during the period of the report, including location, date, time, and duration of wet weather overflows.
- For all locations at which flows in the interceptors can be controlled by throttling and/or pumping, report all instances when the overflow level was reached or the gates were lowered. For each instance, provide the location, date, time, and duration of the overflow.

**V. AREA-WIDE PLANNING/PARTICIPATION REQUIREMENT**

Where applicable, the permittee shall cooperate with and participate in any interconnected CSO system's NMCs and LTCP activities being developed and/or carried out by the operator(s) of these systems, and shall participate in implementing applicable portions of the approved NMC and LTCP for these systems.

**VI. PERMIT REOPENER CLAUSE**

DEP reserves the right to modify, revoke and reissue this permit as provided pursuant to 40 CFR 122.62 and 124.5 for the reasons set forth in 25 Pa. Code Section 92.51(2) and for the following reasons:

- A. To include new or revised conditions developed to comply with any State or Federal law or regulation that addresses CSOs and that is adopted or promulgated subsequent to the effective date of this permit.
- B. To include new or revised conditions if new information indicates that CSO controls imposed under the permit have failed to ensure the attainment of State Water Quality Standards.
- C. To include new or revised conditions based on new information resulting from implementation of the LTCP or other plans or data.

**VII. COMBINED SEWER OVERFLOW COMPLIANCE SCHEDULE**

The permittee shall complete the above CSO activities in accordance with the following compliance schedule:

<u>Schedule Activity Description</u>	<u>Compliance Due Date</u>
Continue Implementation of the NMCs	Permit effective date
Continue Implementation of the LTCP	Permit effective date
Submit Annual CSO Status Report to Department with Chapter 94 Report	March 31 of each year
Submit DMR Supplemental Reports for CSOs (Attachment 3)	Within 28 days of the end of a month

<u>Scheduled Interim Milestones</u>	<u>Compliance Due Date</u>
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List here all interim milestones (from approved NMC and LTCPs) for tracking through PCS or eFACTS

## Attachment 2

### Phase II Individual Permit Requirements for Large CSO Systems

#### PART C - OTHER SPECIFIC REQUIREMENTS

##### I. MANAGEMENT AND CONTROL OF COMBINED SEWER OVERFLOWS

Combined sewer overflows (CSOs) are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed the design capacity of the conveyance or treatment facilities of the system during or immediately after wet weather periods. Overflows that occur without an accompanying precipitation event or snow-melt are termed "dry weather overflows" and are prohibited. CSOs are point source discharges that must be provided with control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.

The point source discharge locations (outfalls) specifically identified in the application submitted by the permittee serve as known combined sewer overflow locations on the permittee's sewer system.

##### II. CONTINUED IMPLEMENTATION OF TECHNOLOGY-BASED NINE MINIMUM CONTROLS

- A. Upon issuance of this permit, the permittee shall continue the implementation of the NMCs, demonstrate system wide compliance with the NMCs and submit discharge monitoring reports and annual reports to DEP with appropriate documentation. The permittee's NMC documentation report is incorporated in this permit and the NMCs are listed here:
- B. DEP will use the EPA guidance document entitled "Guidance For Nine Minimum Controls" (EPA 832-B-95-003), dated May 1995, and specific comments provided during review of the NMC documentation reports to determine continued compliance with the CSO permit requirements.

##### III. IMPLEMENTATION OF WATER QUALITY-BASED LONG TERM CONTROL PLAN (LTCP)

- A. The long term goal of the LTCP requirements in this permit is to achieve compliance with the state water quality standards upon completion of the LTCP implementation. The CSO discharge(s) shall comply with the performance standards of the selected CSO controls and shall comply with the water quality standards found in Chapter 93. When additional CSO-related information and data becomes available to revise water quality-based effluent limitations, the permit should be revised, as appropriate, to reflect the new effluent limitations.
- B. The permittee shall continue the implementation of the approved LTCP, demonstrate system-wide compliance with the LTCP's installed alternatives and submit with the

Annual Report referenced in paragraph IV.B below, annual progress reports on implementation.

- C. The permittee shall continue to implement its approved long term control plan (LTCP). The LTCP, at a minimum, shall incorporate the following requirements:
1. Continued implementation of the nine minimum controls.
  2. Protection of sensitive areas (recreation areas, public water supply, unique ecological habitat, etc.);
  3. Characterization, monitoring and modeling of overflows and assessment of water quality impacts;
  4. Evaluation and selection of control alternative - presumptive or demonstrative approach;
  5. Public participation in LTCP plan development and implementation;
  6. Implementation schedule and financing plan for selected control options;
  7. Maximizing treatment at the existing POTW treatment plant;
  8. The selected CSO controls should include a post-construction monitoring program plan adequate to verify compliance with water quality standards and protection of designated uses as well as to ascertain the effectiveness of CSO controls. This water quality compliance monitoring program should include a plan to be approved by DEP that details the monitoring protocols to be followed; and,
  9. CSO System Operational Plan.
- D. The LTCP is described in the EPA's guidance document entitled "Guidance For Long Term Control Plan" (EPA 832-B-95-002), dated September 1995. Using a compliance monitoring program, the permittee shall periodically review the effectiveness of the LTCP and propose any changes or revisions to the LTCP to DEP for review and approval before its implementation.
- E. The permittee shall implement, inspect, monitor and effectively operate and maintain the CSO controls identified in the LTCP pursuant to the LTCP implementation schedule, which is incorporated herein by reference. Notwithstanding any other provisions of this permit, the permittee will achieve the interim steps or milestones identified in the LTCP, including but not limited to the following as listed below:

<List Interim Steps/Milestones Here>

#### IV. MONITORING AND REPORTING REQUIREMENTS

A. Discharge Monitoring Report (DMR) Supplemental Reports for Combined Sewer Overflows:

The permittee shall record data on CSO discharges in the format specified in DEP's DMR Supplemental Reports for CSOs attached to this permit. The data shall be submitted monthly to the appropriate regional office of DEP within 28 days of the end of the reporting month. For CSOs that are part of a permitted POTW, the DMR Supplemental Reports for CSOs must be submitted with the permittee's regular DMR. Copies of the DMR Supplemental Reports for CSOs must be retained at the Sewage Treatment Plant (STP) site for at least three (3) years.

B. Annual CSO Status Report

On March 31 of each year, an Annual CSO Status Report shall be submitted to DEP with the annual "Municipal Wasteload Management Report" required by 25 Pa. Code Chapter 94, Section 94.12. For a satellite CSO system, a copy of the annual report shall also be provided to the POTW providing treatment for its wastewater.

1. The Annual CSO Status Report shall:

- a. Provide a summary of the frequency, duration and volume of the CSO discharges for the past calendar year;
- b. Provide the operational status of overflow points;
- c. Provide an identification of known in-stream water quality impacts, their causes, and their effects on downstream water uses;
- d. Summarize all actions taken to implement the NMCs and the LTCP and their effectiveness; and,
- e. Evaluate and provide a progress report on implementing and necessary revisions to the NMC and LTCP.

2. Specifically, the following CSO-related information shall be included in the report:

- a. Rain gauge data - total inches (to the nearest 0.01 inch) that caused each CSO discharge being reported in the DMR Supplemental Reports for CSOs.
- b. Inspections and maintenance.
  - Total number of permittee/owner inspections conducted during the period of the report (reported by drainage system).

- A list of blockages (if any) corrected or other interceptor maintenance performed, including location, date and time discovered, date and time corrected, and any discharges to the stream observed and/or suspected to have occurred.

c. Dry weather overflows

Dry weather CSO discharges are prohibited. Immediate telephone notification to DEP of such discharge is required in accordance with 25 Pa. Code, Section 91.33. Indicate location, date and time discovered, date and time corrected/ceased, and action(s) taken to prevent their reoccurrence. A plan to correct this condition and schedule to implement the plan must be submitted with the DMR Supplemental Reports for CSOs.

d. Wet weather overflows

- For all locations that have automatic level monitoring of the regulators, report all exceedances of the overflow level during the period of the report, including location, date, time, and duration of wet weather overflows.
- For all locations at which flows in the interceptors can be controlled by throttling and/or pumping, report all instances when the overflow level was reached or the gates were lowered. For each instance, provide the location, date, time, and duration of the overflow.

## V. AREA-WIDE PLANNING/PARTICIPATION REQUIREMENT

Where applicable, the permittee shall cooperate with and participate in any interconnected CSO system's NMCs and LTCP activities being developed and/or carried out by the operator(s) of these systems, and shall participate in implementing applicable portions of the approved NMC and LTCP for these systems.

## VI. PERMIT REOPENER CLAUSE

DEP reserves the right to modify, revoke and reissue this permit as provided pursuant to 40 CFR 122.62 and 124.5 for the reasons set forth in 25 Pa. Code Section 92.51(2) and for the following reasons:

- A. To include new or revised conditions developed to comply with any State or Federal law or regulation that addresses CSOs and that is adopted or promulgated subsequent to the effective date of this permit.
- B. To include new or revised conditions if new information indicates that CSO controls imposed under the permit have failed to ensure the attainment of State Water Quality Standards.

- C. To include new or revised conditions based on new information resulting from implementation of the LTCP or other plans or data.

**VII. COMBINED SEWER OVERFLOW COMPLIANCE SCHEDULE**

The permittee shall complete the above CSO activities in accordance with the following compliance schedule:

<u>Schedule Activity Description</u>	<u>Compliance Due Date</u>
Continue Implementation of the NMCs	Permit effective date
Continue Implementation of the LTCP	Permit effective date
Submit Annual CSO Status Report to DEP with Chapter 94 Report	March 31 of each year
Submit DMR Supplemental Reports for CSOs (Attachment 3)	Within 28 days of the end of a month

<u>Scheduled Interim Milestones</u>	<u>Compliance Due Date</u>
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List here all interim milestones (from approved NMC and LTCPs) for tracking through PCS or eFACTS





**INSTRUCTIONS FOR COMPLETING  
CSO MONTHLY INSPECTION  
SUPPLEMENTAL REPORT**

1. Enter Facility Name, Municipality, County, Watershed No., Month, Year, NPDES Permit No., and Permit Expiration Date.
2. List all CSO outfalls associated with the facility, as listed in the NPDES permit, in the column labeled "CSO Outfall No.," using additional sheets as needed.
3. Specify the location of the CSO (e.g., street or other identification information) in the column labeled "Outfall Location."
4. In the column labeled "Discharge?" enter "Yes" or "No" for each outfall to report whether a discharge was identified at any time during the calendar month. **If you respond Yes for any outfall, a separate "Detailed Outfall Report" must be submitted for that outfall.**
5. Add any additional outfall-specific information as needed in the "Comments" column.

Type the name of the person who prepared the form, the person's job title, and sign and date the form after reading the certification statement.



**CSO SUPPLEMENTAL REPORT  
DETAILED OUTFALL REPORT**

Facility Name: \_\_\_\_\_  
Municipality: \_\_\_\_\_  
Watershed: \_\_\_\_\_

County: \_\_\_\_\_

Month: \_\_\_\_\_  
NPDES Permit No.: \_\_\_\_\_  
Renewal application due **180 days** prior to expiration  
This permit will expire on \_\_\_\_\_

Year: \_\_\_\_\_  
Outfall No. \_\_\_\_\_

Day	Identification*	Discharge Volume (MG)*	Duration (hrs)	Cause*	Precipitation (in)	Comments
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

\*See instructions for explanation.

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel 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. See 18 Pa. C.S. § 4904 (relating to unsworn falsification).

Prepared By: \_\_\_\_\_  
Title: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETING CSO DETAILED OUTFALL SUPPLEMENTAL REPORT

1. Enter Facility Name, Municipality, County, Watershed No., Month, Year, NPDES Permit No., CSO Outfall No., and Permit Expiration Date.
2. Explain how the discharge was identified (e.g., inspection, complaint, alarm) in the column labeled "Identification."
3. In the column labeled "Discharge Volume," specify the volume of the discharge in million gallons, and (in parentheses) identify the method used to determine the volume by selecting one of the following codes:  
  
O = Observed duration and rate of flow to approximate overflow volume.  
C = Calculated overflow volume utilizing a model or empirical analysis.  
M = Measured overflow volume from data collected by a calibrated flow monitor.  
U = Unable to determine.
4. In the column labeled "Duration (hrs)," specify the total discharge period. If you estimate the discharge period, explain how you arrived at the estimate in the Comments column.
5. In the column labeled "Cause," identify the cause of the overflow (e.g., line or gate blockage, malfunction, hydraulic load).
6. In the column labeled "Precipitation," report the total precipitation for the day, in inches (in), as measured using an on-site rain gauge, or use local airport data.
7. Add any additional outfall-specific information as needed in the "Comments" column.
8. Type the name of the person who prepared the form, the person's job title, and sign and date the form after reading the certification statement.

**Attachment 4**  
**Maximizing Treatment at the Existing POTW**

A CSO-related bypass of the secondary treatment portion of the POTW treatment plant is authorized only when (1) the permittee is implementing Nine Minimum Controls and a Long Term Control Plan and the bypass is part of the operational plan for implementing Nine Minimum Controls and the Long Term Control Plan, (2) it is in accordance with the provision of 40 CFR 122.41 (m) and (3) the flow rate to the POTW treatment plant, as a result of a precipitation or snow-melt events, exceeds \_\_\_\_\_ MGD. (Permit writer to insert the maximum flow rate that can safely be handled by the secondary units without wash-outs based on the facility's design capacity and maximization of flow through the secondary treatment units.) Bypasses that occur when the flow at the time of the bypass is less than the above specified flow rate are not authorized under this condition.

In the event of a CSO-related bypass authorized under this condition, the permittee shall minimize the discharge of pollutants to the receiving water. At a minimum, the CSO-related bypass flows must receive primary clarification, solids and floatables removal, and disinfection. The bypass may not cause the effluent from the POTW either to exceed the effluent limits contained in its permit or to cause or contribute to a violation of water quality standards. The permittee shall report any substantial changes in the volume or character of pollutants being introduced into the POTW or that may be present in the CSO-related bypass. Authorization of CSO-related bypasses under this provision may be modified or terminated when there is a substantial change in the volume or character of pollutants being introduced to the POTW or in the bypassed flow. The permittee shall provide notice to the permitting authority of bypasses authorized under this condition within 24 hours of occurrence of the bypass.