



Fulton County, GA

Department of Purchasing & Contract Compliance

Cecil S. Moore, CPPO, CPPB, CPSM, C.P.M., A.P.P
Director

April 20, 2011

RE: 11RFP030911K-NH S-124 Little River Waste Water Treatment Facility Upgrade Project Design

Dear Proposers:

Attached is one (1) copy of Addendum 1, hereby made a part of the above referenced RFP number **11RFP030911K-NH S-124 Little River Waste Water Treatment Facility Upgrade Project Design**.

Except as provided herein, all terms and conditions in the RFP number 11RFP030911K-NH S-124 Little River Waste Water Treatment Facility Upgrade Project Design referenced above remain unchanged and in full force and effect.

Sincerely,

Nancy Harrison

Nancy Harrison, CPPB
Assistant Purchasing Agent

Winner 2000 - 2009 Achievement of Excellence in Procurement Award • National Purchasing Institute



**11RFP030911K-NH S-124 Little River Waste Water Treatment Facility Upgrade
Project Design
Addendum No. 1
Page Two**

This Addendum forms a part of the contract documents and modifies the original RFP documents as noted below:

ACKNOWLEDGEMENT OF ADDENDUM NO. 1

The undersigned proposer acknowledges receipt of this addendum by returning one (1) copy of this form with the proposal package to the Department of Purchasing & Contract Compliance, Fulton County Public Safety Building, 130 Peachtree Street, Suite 1168, Atlanta, Georgia 30303 by the RFP due date and time **May 9, 2011 at 11:00 A.M.**

This is to acknowledge receipt of Addendum No. 1, _____ day of _____, 2011.

Legal Name of Bidder

Signature of Authorized Representative

Title

Clarifications:

1. Section 3, Page 3-4, 3rd paragraph
The sentence "Proposers are required to meet effluent Ammonia and Phosphorus limits prior to the entrance of the Membrane System." shall be removed from the RFP. The last sentence of the paragraph has been removed and replaced with the following: "The selected Design Firm shall provide the make and model of the MBR to be used in the Preliminary Design Phase."
2. Section 4, Page 4.1, Evaluation Criteria has been modified. Item 3 Relevant Project Experience has been changed to 23%, Item 5. Availability of Key Personnel has been changed to 2%. See Attached

Revisions:

Revised Evaluation Criteria

Attachments:

NPEDS Report Summary, State of Georgia Land Application System Permit

Questions:

1. Clarify that the MBR basins may be either a new or existing Basins.

Response: Please refer to the RFP. To be determined by the Design Engineer.

2. Clarify if the MBR basin needs to be covered or can it be open air with a roof (i.e. pole barn).

Response: Please refer to the RFP. To be determined by Design Engineer.

3. Clarify if nutrients can be removed in the membrane manufacture's standard process flow scheme. The membrane basins are biological reactors and will remove nutrients, such as ammonia-nitrogen, as part of standard design and operation. Eliminating the biological component of the membrane basin will result in a larger, more costly and less efficient biological process/MBR process.

Response: Please Refer to Clarification # 1 of the Addenda.

4. Clarify that each proposer for engineering design services must indicate make and model of membrane equipment used in design. Typically membrane type selection is based upon 20 year life cycle analysis after design services have been selected. This allows the selected engineer the ability to fully evaluate each of the alternatives and provide the greatest value to the facility owner.

Response: Please refer to Clarification # 1 of the Addenda.

5. Clarify peak hydraulic requirements for the MBR system as it affects quality on membranes required, space required, need and size of equalization, etc. Typically peak day flow is also provided in addition to average maximum month daily flow.

Response: Please refer to the RFP. To be determined by the design engineer.

6. On 2.25 (page 2-10, number 3), the RFP says that “the Technical Proposal, Cost Proposal, and Contract Compliance information shall be submitted in separate sealed envelopes.” But in 3.1.2 (page 3-2), the RFP says that Financial Information should be included in the Technical Proposal and in a separate envelope. Should proposals include four separately packaged submittals (Technical, Cost, Contract Compliance, and Financial)?

Response:

- Envelope 1. Original Copy of the Technical Proposal including Financial Information, Purchasing Forms, Contract Compliance Forms, and Insurance Certificates submitted in a sealed envelope marked “Original Technical Proposal”.
- Envelope 2. Contract Compliance Forms in a sealed envelope marked “Contract Compliance”
- Envelope 3. Financial Information in a sealed envelope marked “Financial Information”
- Envelope 4. Cost Proposal in a sealed envelope marked “Cost Proposal”

7. Should Proposal Forms be part of the Technical Proposal?

Response: Yes, see question 6

8. In Section 3.1.2, the RFP states that the Technical Proposal submittal shall be “Two (2) originals and five copies on CD media in PDF format.” Are the two requested original copies to be printed hard-copies of the Technical Proposal?

Response: Yes

9. In Section 7 (page 7-1) and Section 9 (Exhibit I), the RFP states that Evidence of Insurance shall be submitted. Please clarify which envelope this information is to be submitted.

Response: Included in the Technical Proposal see question 6.

10. Is there any project budget information available?

Response: No

11. Are there page limits other than those noted in Section 3.4 of the RFP? Is there an overall page limit?

Response: No, but please only include relevant information to the proposal.

12. Is there a previously completed site master plan or conceptual design document that can be referenced to document the proposed expansion up to 2.6 MGD and the decision to select MBR technology?

Response: No

13. Will the “limited technical inspection support” include a requirement for the selected design firm/team to coordinate with a 3rd party construction manager during construction phases of the project?

Response: No, Coordination during Construction will be through the Fulton County Construction Project Manager.

14. The average maximum monthly flow for the expansion is 2.6 MGD. What is the corresponding peak daily or peak hourly flow?

Response: The 2.6 MGD is a future flow limit. No corresponding data has been computed. To be determined by the Design Engineer.

15. What is the minimum daily average or minimum monthly average flow anticipated at startup of the proposed MBR systems?

Response: Future flows cannot be confirmed for startup. To be determined by the Design Engineer.

16. Will the Administration Building include a laboratory?

Response: No, Only a process control related laboratory will be included.

17. Is a sample hazardous materials report available for review in order for the proposing firms/teams to calibrate the extent, level of detail and expectations required?

Response: No, Owner directed allowance is established for hazardous materials testing as approved by the Fulton County Project Manager. Should any hazardous materials be determined, removal shall be part of the construction contract.

18. Please clarify the 30%, 60% and 90% design progression noted on page 3-4 of the Scope of Work vs. 30%, 60% and 95% noted on page 3-8.

Response: Use Page 3-4, 30%, 60% and 90% review.

19. Is the identification of the MBR technology provider required to be submitted with the proposal?

Response: No, See Clarification #1 of the Addenda.

20. What is the anticipated schedule for the final review/approval for the WLA by GA EPD?

Response: No schedule at this time has been given by GA EPD. Refer to RFP.

21. If the WLA review results in lowering (making more stringent) of discharge concentration/mass limits in Exhibit II of the RFP, will there be an opportunity to re-rate the hydraulic capacity of the proposed WRF?

Response: Not Applicable

22. Is liquid sludge thickening being considered by Fulton County for the Little River WRF in order to control hauling costs of the sludge to the Big Creek WRF?

Response: No

23. Will a Table of Contents be included in the page count?

Response: No

24. Will a transmittal letter be included in the page count?

Response: No

25. Is there a not to exceed page limit for Section 3 (other than three pages per key personnel for resumes)?

Response: No

26. Should individual project description sheets be included as part of our description of experience? Is there a not to exceed page limit for Section 4?

Response: Please refer to the RFP.

27. Please confirm the requirement to obtain all permits includes developing the plant operation and maintenance manual development and obtaining EPD's approval of the manual, which is required to obtain the operating permit for the expanded plant.

Response: Confirmed. The selected Design Firm shall prepare and submit for the County all required pre-construction permits. The Building Permit and Permit Fee Costs shall be the responsibility of the selected Contractor.

28. Please confirm that the SCADA system development, program writing, completion, and testing is part of the construction bid documents of the

expanded WRF bid and not the responsibility of the design firm to complete and provide in its cost proposal.

Response: Yes, Design and specification of the SCADA system should be included with this RFP. The purchase of and all aspects of installation, startup and testing shall be part of the Construction Contract.

29. Is the design Engineer as part of this proposal submittal to include projected life cycle costs for its conceptual design? And if yes, are they to be based on the 2.6 MGD MMF?

Response: Please refer to the RFP

30. Please confirm that the five year maintenance and service maintenance agreement for the emergency generator is to be included as part of the bid documents developed by the design engineer and not part of the design scope of services.

Response: This Agreement shall be included in the Bid for Construction.

31. In Section 3.3 the second paragraph states: "The entire process train and all related process equipment are to be housed entirely within new building structures." Please clarify if "process train" was intended to mean the membrane treatment process or all of the processes associated with the plant. For example, reusing some of the existing biological treatment tankage for biological treatment for the new facility could have significant cost savings for the County.

Response: Process Train from influent to discharge, sludge and residual management.

32. In Section 3.1.1 of the RFP it states that all pages must be 8.5" x 11". Is it acceptable to use an 11" x 17" page that is Z folded to 8.5" x 11" to allow for a easier to read display of larger items such as an org chart, schedule, etc. If so, will an z folded 11" x 17 " sheet count as a single page?

Response: No, Please refer to the RFP

33. In Section 3.3.2 it requests 4 copies of contract drawings (two at 24" x 36" and two at 11" x 17"). Will it be acceptable to provide the larger files at 22" x 34" so that the appropriate scaling of full to half sized drawings is maintained?

Response: No, Please refer to the RFP

34. In Section 3.3, page 3-4 at the end of the third paragraph it states "The proposer should provide a make and model of the MBR to be used in their design." Is this statement intended to mean that the proposer should indicate a single supplier that the anticipated design will be based upon in advance of initiating the design? It

would be in the County's best interest to allow for competition or have an evaluation / negotiation phase within the design process before committing to a single supplier.

Response: No, Please refer to Clarification # 1 of the Addenda.

36. We understand that NPDES permitting will be required as administered by GA EPD. Is multijurisdictional permitting (County and other local gov't.) anticipated as result of major process and structures modifications and demolition that will be undertaken? Is there any height limits to new permanent structures?

Response: Please refer to the RFP. Note the Plant is located in Cherokee County.

37. What is the peak capacity of the existing parshall flume?

Response: 2.65 MGD

38. We understand that the AMMF design flow is to be 2.6 MGD. What is the design peak day flow? What is the expected instantaneous peak hour design flow rate? Is the average day biological design flow different from the AMMF?

Response: Future flow characteristics have not been determined.

39. Membrane Filtering is temperature sensitive. What is the minimum water temperature experienced?

Response: 8 degrees Celsius

40. We have reviewed the Georgia Department of Natural Resources Metro Waste Load Allocations. Does the existing plant operate under the limits indicated on the WAL or are there different permit limits that the existing plant was designed to meet? If they are different please provide.

Response: No, See attached current permit and limits.

41. Page 3.3 states that the entire process train and all related process equipment are to be housed entirely within a new building structure. It is our understanding that the entire process train to be covered in a building structure includes any existing process units that are reused. Please confirm.

Response: See odor control requirements in the RFP

42. Page 3-4, second bullet states "The major component of the treatment process for the expansion will be the design of a Membrane Bio-Reactor (MBR), which will be used for solids separation...Proposers are required to meet effluent Ammonia and

Phosphorus limits prior to the entrance of the Membrane System... The proposer should provide a make and model of the MBR to be used in their design". The above could be interpreted as if the County wishes to keep the existing activated sludge process for biological nutrient removal and wishes to install membranes afterwards, as a tertiary type process, whereby the nutrient removal is performed in the activated sludge process prior to the membrane filtering. A membrane bio-reactor (MBR) is a complete mix activated sludge process with the membranes submerged in the mixed liquor. The activated sludge process can be designed with selector basins for nutrient removal (ammonia and phosphorus); however the membranes are part of the activated sludge process unit. The confusing statement is "proposers are required to meet effluent ammonia and phosphorus limits prior to the entrance of the membrane system." Please clarify that the County is requesting for a MBR activated sludge process and not using membranes as tertiary filters.

Response: The following statement shall be removed from the RFP "proposers are required to meet effluent ammonia and phosphorus limits prior to the entrance of the membrane system." See Clarification #1 of the Addenda.

43. What are the sources of odors under the current plant configuration that the County is concerned about? Have there been odor complaints in the past and what is the source(s) of the odor(s)? Are odors of current concern anticipated to be mitigated as a result of containing new processes in an enclosed building, or are there others sources of odors that the County is concerned about, e.g., solids stabilization, thickening and loading for truck transport and ultimate disposal?

Response: Please refer to the RFP

44. What is the existing SCADA system make-up at the North Fulton wastewater facility? What vendor and/or software are being used? Is it a SCADA system, or does it include distributed (remote) control?

Response: Please refer to the RFP

45. The solids and flow balance diagram drawing provides plant loading information. Is the information accurate or has the County experienced any significant differences in the actual plant loading? What is the current frequency of sludge hauling?

Response: Hauling is twice a week with each load averaging 30,000 gals.

46. Has the County discussed the primary power supply with the power company and if so is it expected that the primary power system needs to be increased?

Response: No, The selected design firm should determine the power needs

as part of the design.

47. Is an adequate potable water supply available near the existing plant site to support any new or increased demands that may be exerted as result of employing MBR technology?

Response: The selected design firm should determine availability as part of the design.

48. Is the fuel storage tank shown on sheet 2 of 11 for the existing plant still in use, in-ground or has it been removed?

Response: No, The fuel tank and generator are out of service and not in use.

49. Based on the age of the existing plant, it would be expected that the structures are sound. Does the County have any knowledge of structural deterioration that would prevent a structure from being reused? With regard to equipment, is there any equipment which has been difficult to obtain parts for or repair? We understand that may be the case for the UV disinfection system. Has any equipment deteriorated beyond repair, approaching service life, exceeding service life, or has been problematic with regard to maintenance?

Response: To be determined by the Design Engineer.

50. What is the type and size of the fine screen currently in use?

Response: PARKSON AQUA-GAURD, 6 mm Screen, Model- AG-MN-A (75 Degree). Width 16 1/2inches, Discharge Height 7 ft

51. The scope includes a boundary survey. The existing drawings indicate iron pins and coordinates for the property corners. Please clarify the purpose and extent of the boundary survey.

Response: Include boundary survey per the RFP

52. Does the County have any analytical information that breaks down the COD into BOD, TKN, organic nitrogen and inorganic nitrogen or phosphorus into organic and inorganic P and orthophosphate? If so please provide.

Response: See Attached

53. There is no scope requirement to master plan the site, while development of a demolition plan is required. Is there any restriction to the extent of utilization of the existing unencumbered portions and currently encumbered portions of the plant site in the execution of this project?

Response: No

54. Will the extent of utilization of County-certified minority and women business enterprises (M/WBE), as the prime consultant and/or as subconsultant(s), be reflected in Evaluation Criteria points assigned to the offered proposal that maximizes M/WBE utilization relative to the field of proposal submittals?

Response: Please refer to RFP

55. Who will be responsible for conducting any odor surveys, analytical determinations, etc. as a measure to demonstrate no odor emissions at the fence line of more than 10 D/T, as a condition of final acceptance?

Response: The County will have a firm perform the independent testing through Testing Allowance. The Design Firm is responsible to design the facility to meet this requirement.

56. Page 1-1, Section 1.2 DESCRIPTION OF THE PROJECT, references “. . .with a new or renovated (emphasis added) administration building. . . .”, while Page 3-7, Section 3.3.1 PRELIMINARY DESIGN PHASE, references “Design for the renovation (emphasis added) of the administrative building. . . .” Please clarify: Is the County ultimately looking to replace or renovate the existing administration building? Since fee is part of proposal evaluation criteria, such clarification is important. This proposer is not clear how to handle the estimation of level of effort, and preliminary and final design fees related to the administration building improvements under this circumstance. This could negatively affect the points it is ultimately assigned under Evaluation Criteria 7 - Cost Proposal.

Response: The County would prefer to utilize existing structures if possible. The selected design firm should make a recommendation to the County.

57. Page 3-3, Section 3.3 SCOPE OF WORK, para. two, references “The entire process train and all related equipment related equipment are to be housed entirely within new building structures. . . .” Please define the phrase “entire process train” in order to clarify whether or not this includes all liquid treatment train operations and processes preceding and following the MBR process as well as the MBR process itself.

Response: Yes, from influent to discharge, sludge and residual management.

58. The last sentence of the third paragraph on page 3-4 states “Proposer should provide a make and model number of the MBR to be used in their design” Please confirm that the make and model number of the MBR to be used in the design is required in the proposal.

Response: No, See Clarification # 1 in the Addenda.

59. Please clarify how you intend to evaluate the quantity and/or quality of innovative ideas presented in the proposal.

Response: Refer to Evaluation Criteria in the RFP

60. Section 3.5.1 says there will be no reimbursement for direct costs. Can non-labor costs for services, such as geotechnical testing and laboratory analysis of odor samples be billed separately, or must they be rolled into the hourly labor rates?

Response: Rolled into an hourly rate.

61. Section 7 of the RFP (page 7-4) and Article 22 of the sample contract (page 8-10) contain conflicting indemnity obligations. Please clarify which provision will apply.

Response: Section 7 of the RFP (page 7-4) is the Indemnification provision that will apply.

62. It is our understanding that the NPDES discharge permit for the Little River WRP expires on October 4, 2012. Is there any scope of work for the Design Engineer to be included in this project related to general NPDES related regulatory assistance or NPDES permit renewal application assistance?

Response: No

63. Can the Design Engineer assume that the existing Bardenpho system concrete tankage and the existing concrete clarifier tankage be reused/unincorporated in the design of the proposed MBR facility?

Response: The design engineer shall make that determination.

64. Does the First Source Jobs Program apply to Professional Services, design only contracts such as this one?

Response: Yes, The Proposer should try to fill any entry level jobs for this project with the First Source Jobs Program. The Proposer should submit a justification letter should the Proposer be unable to fill any entry level jobs under the program.

65. Can the electronic copies of the proposal be submitted on flash memory drives in lieu of on CDs?

Response: No, Please see RFP for instructions

66. While we were working on the proposal form this morning, Form A Certification Regarding Debarment, we noticed a sentence was deleted from a previous version of the form that may or may not have been intended for deletion on this current form. Would you confirm that the sentence in **bold** should be deleted?

(a) **Authority to suspend.**

After reasonable notice to the entity involved and reasonable opportunity for that entity to be heard, the Purchasing Agent, after consultation with user department, the County Manager and the County Attorney shall have the authority to suspend an entity for cause from consideration for award of county contracts. As used in this section, the term entity means any business entity, individual, firm, contractor, subcontractor or business corporation, partnership, limited liability corporation, firm, contractor, subcontractor or business structure; provided, further, that any such entity shall also be subject to suspension under this section if any of its constituents, members, subcontractors at any tier of such entity's **constituents or members, is found to have committed any act constituting a cause for suspension** and the entity, or any constituent or member, knew or should have known of the commission of the act. The suspension shall be for a period not to exceed three (3) years unless cause is based on a felony conviction for an offense related or associated with fraudulent contracting or misappropriation of funds wherein the suspension shall not exceed seven (7) years.

Response: Section 5, Page 5-3

The sentence in question should not have been deleted. The existing paragraph "(a) Authority to Suspend" shall be replaced with the one above.

SECTION 4 EVALUATION CRITERIA

Revised 4/19/2011

4.0 PROPOSAL EVALUATION – SELECTION CRITERIA

The following criteria will be used to evaluate the proposals submitted in response to this RFP:

| Evaluation Criteria | Weight |
|--------------------------------------------------------------------|---------------|
| 1. Project Plan/Technical Approach | 25% |
| 2. Project Team Qualifications/ Qualifications of Key Personnel | 23% |
| 3. Relevant Project Experience | 20% |
| 4. Proposer Financial Information | 5% |
| 5. Availability of Key Personnel | 2% |
| 6. Location of Firm | 10% |
| 7. Cost Proposal | 10% |
| 8. Non Disclosure Form D & Questionnaire | 5% |
| Total Points | 100% |

March 2011

LITTLE RIVER WRP NPDES REPORT SUMMARY

| | | LOADING (KG/D) | | CONCENTRATION (mg/L) | | |
|-------------------------------|--------|----------------|---------|----------------------|---------|---------|
| | | Average | Maximum | Minimum | Average | Maximum |
| Oxygen | Actual | | | 9.8 | | |
| | Permit | | | REPORT | | |
| pH | Actual | | | 6.0 | | 6.7 |
| SU | Permit | | | 6 | | 9 |
| TSS Influent | Actual | 702.2 | 1089.9 | | 173.1 | 220.0 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| TSS Effluent | Actual | 10.9 | 18.3 | | 3.6 | 5.7 |
| | Permit | 76 | 95 | | 20 | 30 |
| Ammonia | Actual | 0.5 | 0.7 | | 0.20 | 0.20 |
| | Permit | 6.4 | 8 | | 1.7 | 2.6 |
| Phosphorus | Actual | 0.4 | 0.5 | | 0.13 | 0.15 |
| | Permit | 1.9 | 2.4 | | 0.5 | 0.8 |
| Flow MGD | Actual | 0.857 | 1.214 | | | |
| | Permit | 1 | 1.25 | | | |
| Fecal Coliform COUNT/100ml | Actual | | | | 2 | 24 |
| | Permit | | | | 200 | 400 |
| BOD Influent | Actual | 579.8 | 828.1 | | 145.0 | 165.7 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| BOD Effluent | Actual | 7.0 | 10.8 | | 2.4 | 3.3 |
| | Permit | 32 | 40 | | 8.5 | 12.8 |
| BOD % Removal | Actual | | | 98.8 | | |
| | Permit | | | 85 | | |
| TSS % Removal | Actual | | | 98.1 | | |
| | Permit | | | 85 | | |

March 2010

LITTLE RIVER WRP NPDES REPORT SUMMARY

| | | LOADING (KG/D) | | CONCENTRATION (mg/L) | | |
|-------------------------------|--------|----------------|---------|----------------------|---------|---------|
| | | Average | Maximum | Minimum | Average | Maximum |
| Oxygen | Actual | | | 10.5 | | |
| | Permit | | | REPORT | | |
| pH | Actual | | | 6.0 | | 6.5 |
| | Permit | | | 6 | | 9 |
| TSS Influent | Actual | 609.1 | 710.1 | | 127.2 | 143.3 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| TSS Effluent | Actual | 6.6 | 9.7 | | 2.2 | 3.3 |
| | Permit | 76 | 95 | | 20 | 30 |
| Ammonia | Actual | 0.3 | 0.5 | | 0.11 | 0.20 |
| | Permit | 6.4 | 8 | | 1.7 | 2.6 |
| Phosphorus | Actual | 0.4 | 0.6 | | 0.15 | 0.16 |
| | Permit | 1.9 | 2.4 | | 0.5 | 0.8 |
| Flow MGD | Actual | 1.048 | 1.245 | | | |
| | Permit | 1 | 1.25 | | | |
| Fecal Coliform COUNT/100mL | Actual | | | | 1 | 1 |
| | Permit | | | | 200 | 400 |
| BOD Influent | Actual | 532.9 | 637.5 | | 112.0 | 123.7 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| BOD Effluent | Actual | 4.6 | 7.2 | | 1.6 | 2.0 |
| | Permit | 32 | 40 | | 8.5 | 12.8 |
| BOD % Removal | Actual | | | 99.1 | | |
| | Permit | | | 85 | | |
| TSS % Removal | Actual | | | 98.9 | | |
| | Permit | | | 85 | | |

Sept. 2010

LITTLE RIVER WRP NPDES REPORT SUMMARY

| | | LOADING (KG/D) | | CONCENTRATION (mg/L) | | |
|-------------------------------|--------|----------------|---------|----------------------|---------|---------|
| | | Average | Maximum | Minimum | Average | Maximum |
| Oxygen | Actual | | | 8.6 | | |
| | Permit | | | REPORT | | |
| pH | Actual | | | 6.3 | | 6.8 |
| SU | Permit | | | 6 | | 9 |
| TSS Influent | Actual | 610.8 | 665.1 | | 231.3 | 243.0 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| TSS Effluent | Actual | 1.8 | 2.7 | | 1.2 | 1.3 |
| | Permit | 76 | 95 | | 20 | 30 |
| Ammonia | Actual | 0.3 | 0.4 | | 0.20 | 0.20 |
| | Permit | 6.4 | 8 | | 1.7 | 2.6 |
| Phosphorus | Actual | 0.3 | 0.4 | | 0.22 | 0.28 |
| | Permit | 1.9 | 2.4 | | 0.5 | 0.8 |
| Flow MGD | Actual | 0.558 | 0.647 | | | |
| | Permit | 1 | 1.25 | | | |
| Fecal Coliform COUNT/100ml | Actual | | | | 1 | 2 |
| | Permit | | | | 200 | 400 |
| BOD Influent | Actual | 314.7 | 362.9 | | 118.1 | 132.0 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| BOD Effluent | Actual | 1.5 | 1.9 | | 1.0 | 1.0 |
| | Permit | 32 | 40 | | 8.5 | 12.8 |
| BOD % Removal | Actual | | | 99.5 | | |
| | Permit | | | 85 | | |
| TSS % Removal | Actual | | | 99.7 | | |
| | Permit | | | 85 | | |

March 2009

LITTLE RIVER WRP NPDES REPORT SUMMARY

| | | LOADING (KG/D) | | CONCENTRATION (mg/L) | | |
|-------------------------------|--------|----------------|---------|----------------------|---------|---------|
| | | Average | Maximum | Minimum | Average | Maximum |
| Oxygen | Actual | | | 8.8 | | |
| | Permit | | | REPORT | | |
| pH | Actual | | | 6.1 | | 6.5 |
| SU | Permit | | | 6 | | 9 |
| TSS Influent | Actual | 610.6 | 735.2 | | 197.0 | 259.3 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| TSS Effluent | Actual | 4.7 | 5.9 | | 2.1 | 2.7 |
| | Permit | 76 | 95 | | 20 | 30 |
| Ammonia | Actual | 0.4 | 0.4 | | 0.19 | 0.20 |
| | Permit | 6.4 | 8 | | 1.7 | 2.6 |
| Phosphorus | Actual | 0.4 | 0.4 | | 0.17 | 0.24 |
| | Permit | 1.9 | 2.4 | | 0.5 | 0.8 |
| Flow MGD | Actual | 0.775 | 0.831 | | | |
| | Permit | 1 | 1.25 | | | |
| Fecal Coliform COUNT/100ml | Actual | | | | 1 | 1 |
| | Permit | | | | 200 | 400 |
| BOD Influent | Actual | 510.5 | 606.2 | | 167.2 | 227.0 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| BOD Effluent | Actual | 6.2 | 7.7 | | 2.6 | 4.0 |
| | Permit | 32 | 40 | | 8.5 | 12.8 |
| BOD % Removal | Actual | | | 98.8 | | |
| | Permit | | | 85 | | |
| TSS % Removal | Actual | | | 99.2 | | |
| | Permit | | | 85 | | |

Sept 2009

LITTLE RIVER WRP NPDES REPORT SUMMARY

| | | LOADING (KG/D) | | CONCENTRATION (mg/L) | | |
|-------------------------------|--------|----------------|---------|----------------------|---------|---------|
| | | Average | Maximum | Minimum | Average | Maximum |
| Oxygen | Actual | | | 9.6 | | |
| | Permit | | | REPORT | | |
| pH | Actual | | | 6.0 | | 6.5 |
| SU | Permit | | | 6 | | 9 |
| TSS Influent | Actual | 540.1 | 596.1 | | 155.5 | 206.0 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| TSS Effluent | Actual | 10.1 | 37.4 | | 2.3 | 6.0 |
| | Permit | 76 | 95 | | 20 | 30 |
| Ammonia | Actual | 0.5 | 1.2 | | 0.20 | 0.20 |
| | Permit | 6.4 | 8 | | 1.7 | 2.6 |
| Phosphorus | Actual | 0.4 | 1.0 | | 0.14 | 0.16 |
| | Permit | 1.9 | 2.4 | | 0.5 | 0.8 |
| Flow MGD | Actual | 0.920 | 1.720 | | | |
| | Permit | 1 | 1.25 | | | |
| Fecal Coliform COUNT/100mL | Actual | | | | 4 | 101 |
| | Permit | | | | 200 | 400 |
| BOD Influent | Actual | 461.3 | 540.0 | | 137.9 | 195.0 |
| | Permit | REPORT | REPORT | | REPORT | REPORT |
| BOD Effluent | Actual | 2.7 | 5.9 | | 1.0 | 1.7 |
| | Permit | 32 | 40 | | 8.5 | 12.8 |
| BOD % Removal | Actual | | | 99.3 | | |
| | Permit | | | 85 | | |
| TSS % Removal | Actual | | | 97.9 | | |
| | Permit | | | 85 | | |

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

LAND APPLICATION SYSTEM PERMIT

PERMIT NO. GA02-170

In accordance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), and the Rules and Regulations promulgated pursuant thereto, this permit is issued to the following:

Fulton County Department of Public Works
Fulton County Government Center
141 Pryor Street, S. W., Suite 6001
Atlanta, Georgia 30303

is authorized to operate the land application system located at

Settingdown Creek Reuse
2415 Cox Road
Woodstock, Georgia
(Cherokee County)

This permit is conditioned upon the permittee complying with the effluent limitations, monitoring requirements and other conditions set forth in the permit and with the statements and supporting data submitted with the application and filed with the Environmental Protection Division of the Department of Natural Resources.

This permit is effective on the date signed by the Director of the Environmental Protection Division and is subject to revocation on evidence of noncompliance with any of the provisions of the Georgia Water Quality Control Act or any of the Rules and Regulations promulgated pursuant thereto; or with any presentation made in the above mentioned application or the statements and supporting data entered therein or attached thereto; or with any conditions of this permit.

This permit shall expire at midnight, October 4, 2012.

Signed this 5th day October 2007.



Director,
Environmental Protection Division

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PART I.

A. CONDITIONS

1. DEFINITIONS

- a. Division: the Environmental Protection Division of the Department of Natural Resources.
- b. Monthly Average: the arithmetic or geometric mean of values for samples collected in a period of 30 consecutive days.
- c. Non-restricted Access: landscaped areas where reclaimed wastewater is used for irrigation purposes and public access cannot be controlled and adequate buffer zones cannot be maintained. Reclaimed wastewater used to irrigate non-restricted access areas must be treated to urban water reuse standards.
- d. Preapplication Treatment System: the wastewater treatment facility which reduces high strength organic waste to low levels prior to application to the sprayfield area. The preapplication treatment system can consist of a mechanical plant or a pond system.
- e. Restricted Access: landscaped areas where reclaimed wastewater is used for irrigation purposes and public access is restricted to specific and controlled periods of time. Wastewater used to irrigate restricted access areas must be pretreated to secondary levels and receive disinfection.
- f. Sprayfield: the wetted area of the land application site, excluding the buffer zone.
- g. State Act: the Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).
- h. Urban Water Reuse: the use of reclaimed water as a substitute for other water sources for the beneficial irrigation of areas that may be accessible to the public, such as golf courses, residential and commercial landscaping, parks, athletic fields, roadway medians, and landscape impoundments.
- i. Reclaimed Water: wastewater that has received treatment to urban water reuse standards, meets the treatment criteria specific in the Guidelines for Water Reclamation and Urban Water Reuse, and is utilized at a reuse area or is sent to a designated user for reuse.
- j. Reject Water: wastewater that does not meet the 3 NTU criteria or water treated after the disinfection system has failed.

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- k. Designated User or User: any site or facility, where reclaimed water is beneficially used under a contract with the permittee. User may also be defined as the customer to be supplied with reclaimed water who has a written user agreement with the permittee. In addition, a designated user may also be a purveyor that provides reclaimed water to other customers.
- l. Runoff: reclaimed water, which has been applied to a reuse area in sufficient amounts to cause the water to leave the irrigation area in the form of surface flow during and shortly after irrigation application.

2. MONITORING

- a. A composite sample shall consist of a minimum of 5 subsamples collected at least every 2 hours for a period of at least 8 hours, and composited proportionately to flow.
- b. Flow measurements shall be conducted using the flow measuring device(s) in accordance with the approved design of the facility. If secondary flow measurements are installed, calibration shall be maintained to $\pm 10\%$ of the actual flow. Flow shall be measured manually to check the flow meter calibration at a frequency of once per month

If secondary flow instruments are in use and malfunction or fail to maintain calibration as required, the flow shall be computed from manual measurements or by other method(s) approved by EPD until such time as the secondary flow instrument is repaired.

For facilities which utilize alternate technologies for measuring flow, the flow measurement device must be calibrated semi-annually by qualified personnel.

Records of the calibration checks shall be maintained.

- c. Quarterly analyses required in I.B. shall be performed in March, June, September, and December. Analyses required twice per year will be performed in June and December. Analyses required annually will be performed in June.
- d. Some parameters must be analyzed to the detection limits specified by the EPD. These parameters will be reported as "not detected" when they are below the detection limit and will then be considered in compliance with the effluent limit. The detection limit will also be reported.

3. SLUDGE DISPOSAL AND MONITORING REQUIREMENTS

Sludge shall be disposed of according to the regulations and guidelines established by the EPD and the Federal Act section 405(d) and (e), and the Resource Conservation and Recovery Act (RCRA). In land applying nonhazardous municipal sewage sludge, the permittee shall comply with the general criteria outlined in the most current version of the EPD "Guidelines

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for Land Application of Sewage Sludge (Biosolids) at Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17. Before disposing of municipal sewage sludge by land application or any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a sludge management plan to EPD for written approval. This plan will become a part of the Land Application System Permit upon approval and modification of the permit. The permittee shall notify the EPD of any changes planned in an approved sludge management plan.

If an applicable management practice or numerical limitation for pollutants in sewage sludge is promulgated under Section 405(d) of the Federal Act after approval of the plan, then the plan shall be modified to conform with the new regulations.

The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor and maintain records documenting the quantity of sludge removed from the facility. Records shall be maintained documenting that the quantity of solids removed from the facility equals the solids generated on an average day. The total quantity of sludge removed from the facility during the reporting period shall be reported each month with the Discharge Monitoring Reports as required under Part I.C.2. of this permit. The quantity shall be reported on a dry weight basis.

Pond treatment systems are required to report the total quantity of sludge removed from the facility only during the months that sludge is removed.

4. DESIGNATED USERS

After issuance of this permit, the permittee may provide reuse water to designated users. The permittee may provide reuse water to additional designated users as long as prior written notice is provided to the EPD and a public notice is provided to the community. The additional users list will be considered an addendum to the permit, but the permit will not be reopened to add new designated users. The permittee must keep records of the volume of reuse water provided to each of its designated users.

5. USER AGREEMENT

Any designated user receiving reuse water from the permittee must enter into an agreement with the permittee. At a minimum the agreement must address all items which are in EPD's Guidelines for Water Reclamation and Urban Water Reuse (Section 9.2).

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B.1 PREAPPLICATION TREATMENT PLANT MONITORING

MECHANICAL PLANT - REUSE

The weekly average flow of effluent from the mechanical preapplication treatment plant must not exceed 0.200 MGD. For monitoring purposes, influent shall refer to the influent to the facility and effluent shall refer to the discharge from the urban reuse treatment facility. The mechanical preapplication treatment plant shall be monitored by the permittee for the parameters and at the frequency listed below:

| Parameters | Discharge Limitation Monthly Average, mg/l unless otherwise specified | Monitoring Requirements | | |
|---------------------------------------|--------------------------------------------------------------------------------|--------------------------|-------------------------|--------------------------|
| | | Measurement Frequency | Sample Type | Sample Location |
| Flow (MGD)* | 0.200 | Seven Days/Week | Continuous Recording | Effluent |
| Biochemical Oxygen Demand (5-Day) | 5 | One/Week | Composite | Influent and Effluent |
| Suspended Solids | 5 | One/Week | Composite | Influent and Effluent |
| pH, standard units | 6.0 - 9.0 | Seven Days/Week | Grab | Effluent |
| Fecal Coliform Bacteria (#/100 ml) | 23 | Seven Days/Week | Grab | Effluent |
| **Turbidity (NTU) | 3 | Seven Days/Week | Continuous | Effluent |

Continuously recorded turbidity measurements of the discharge from the preapplication treatment plant, prior to disinfection, will be required.

*The permittee must keep records of the volume of reuse water provided to each of its customers.

**Reclaimed water exceeding 5 NTU is to be considered reject water (Refer to Part I.A.1.j)

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C. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the monitored waste stream. The permittee shall maintain a written sampling and monitoring schedule.

2. REPORTING

Monitoring Report Forms shall be completed each month with the monitoring results, signed by a principal executive officer or ranking elected official, or by a duly authorized representative of that person who has the authority to act for or on behalf of that person, and submitted to the Division, postmarked no later than the 15th day of the month following the reporting period. Monitoring results for parameters analyzed less frequently than once per month shall be submitted to the Division postmarked no later than the 15th day of the month following the specified reporting period. The Division may require the reporting of additional monitoring results by written notification. Signed copies of these and all other reports required herein shall be submitted to the following address:

Environmental Protection Division
Permitting, Compliance and Enforcement Program
4220 International Parkway, Suite 101
Atlanta, Georgia 30354

3. MONITORING PROCEDURES

Analytical procedures, sample containers, sample preservation techniques and sample holding times must be consistent with the techniques and procedures approved pursuant to 40 CFR Part 136, unless other techniques and test procedures have been specified in this permit.

4. RECORDING OF RESULTS

For each measurement of sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

1. The exact place, date, and time of sampling, and the person(s) collecting the samples;
2. The dates and times the analyses were performed;
3. The person(s) who performed the analyses;
4. The analytical procedures or methods used; and
5. The results of all required analyses.

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5. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors any pollutant at, or in addition to, the location(s) designated herein more frequently than required by this permit, the permittee shall analyze all samples collected using approved analytical methods, and the results of such monitoring shall be included in the calculation and reporting of the values required in the Monitoring Report Forms. Such increased monitoring frequency shall also be indicated. The Division may require by written notification, more frequent monitoring or the monitoring of other pollutants not specified in this permit.

6. RECORDS RETENTION

The permittee shall retain records of:

- a. All laboratory analyses performed including sample data, quality control data, and standard curves;
- b. Calibration and maintenance records of laboratory instruments;
- c. Calibration and maintenance records and recordings from continuous recording instruments;
- d. Process control monitoring records;
- e. Facility operation and maintenance records;
- f. Copies of all reports required by this permit;
- g. All data and information used to complete the permit application; and
- h. All monitoring data related to sludge use and disposal.

These records shall be kept for at least three years. Sludge handling records must be kept for at least five years. Either period may be extended by EPD written notification.

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PART II.

A. MANAGEMENT REQUIREMENTS

1. FACILITY OPERATION

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Proper operation of the land application system also includes the best management practice of establishing and maintaining a vegetative cover on the sprayfield area.

2. NONCOMPLIANCE NOTIFICATION

If, for any reason the permittee does not comply with, or will be unable to comply with any effluent limitations specified in the permit, the permittee shall provide EPD with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including the exact date and times; or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- c. The steps taken to reduce, eliminate, and prevent recurrence of the non-complying discharge.

3. ANTICIPATED NONCOMPLIANCE NOTIFICATION

The permittee shall give written notice to the EPD at least 10 days before:

- a. Any planned changes in the permitted facility; or
- b. Any activity which may result in noncompliance with the permit.

4. OTHER NONCOMPLIANCE

The permittee must report all instances of noncompliance not reported under other specific reporting requirements, at the time monitoring reports are submitted. The reports shall contain the information required under conditions of twenty-four hour reporting.

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5. OPERATOR CERTIFICATION REQUIREMENTS

The person responsible for the daily operation of the facility must be a Class I Certified Operator in compliance with the Georgia State Board of Examiners for Certification of Water and Wastewater Plant Operators and Laboratory Analysts Act, as amended, and as specified by Subparagraph 391-3-6-.12 of the Rules and Regulations for Water Quality Control. All other operators must have the minimum certification required by this Act.

6. LABORATORY ANALYST CERTIFICATION REQUIREMENTS

The permittee shall ensure that, when required, the person(s) performing the laboratory analyses for this wastewater treatment plant is a Certified Laboratory Analyst in accordance with the Georgia Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts Act, as amended, and the Rules promulgated thereunder.

7. POWER FAILURES

If the primary source of power to this facility is reduced or lost, the permittee shall use an alternative source of power to reduce or control all discharges to maintain permit compliance.

8. ADVERSE IMPACT

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge disposal which might adversely affect human health or the environment.

9. NOTICE CONCERNING ENDANGERING WATERS OF THE STATE

Whenever, because of an accident or otherwise, any toxic or taste and color producing substance, or any other substance which would endanger downstream users of the waters of the State or would damage property, is discharged into such waters, or is so placed that it might flow, be washed, or fall into them, it shall be the duty of the person in charge of such substances at the time to forthwith notify EPD in person or by telephone of the location and nature of the danger, and it shall be such person's further duty to immediately take all reasonable and necessary steps to prevent injury to property and downstream users of said water.

Spills and Major Spills:

A "spill" is any discharge of raw sewage by a Publicly Owned Treatment Works (POTW) to the waters of the State.

A "major spill" is any discharge of raw sewage that exceeds 10,000 gallons or results in water quality violations in the waters of the State or the discharge of pollutants into waters of the State by a POTW that exceeds the weekly average permitted effluent limit for BOD₅ or TSS by 50 percent or greater for any one day.

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"Consistently exceeding effluent limitation" means a POTW exceeding the 30-day average limit for biochemical oxygen demand or total suspended solids for at least five days out of each seven-day period during a total period of 180 consecutive days.

The following specific requirements shall apply to POTW's. If a spill or major spill occurs, the owner of a POTW shall immediately:

- a. Notify EPD, in person or by telephone, when a spill or major spill occurs in the system.
- b. Report the incident to the local health department(s) for the area affected by the incident.

The report at a minimum shall include the following:

1. Date of the spill or major spill;
 2. Location and cause of the spill or major spill;
 3. Estimated volume discharged and name of receiving waters; and
 4. Corrective action taken to mitigate or reduce the adverse effects of the spill or major spill.
- c. Post a notice as close as possible to where the spill or major spill occurred and where the spill entered State waters and also post additional notices along portions of the waterway affected by the incident (i.e. bridge crossings, boat ramps, recreational areas, and other points of public access to the affected waterway). The notice at a minimum shall include the same information required in 9 (b)(1-4) above. These notices shall remain in place for a minimum of seven days after the spill or major spill has ceased.
 - d. Within 24 hours of becoming aware of a spill or major spill, the owner of a POTW shall report the incident to the local media (television, radio, and print media). The report shall include the same information required in 9(b)(1-4) above:
 - e. Within five (5) days (of the date of the spill or major spill), the owner of a POTW shall submit to EPD a written report which includes the same information required in 9(b)(1-4) above.
 - f. Within 7 days (after the date of a major spill), the owner of a POTW responsible for the major spill, shall publish a notice in the largest legal organ of the County where the incident occurred. The notice shall include the same information required in 9(b)(1-4) above.
 - g. The owner of a POTW shall immediately establish a monitoring program of the receiving waters affected by a major spill or by consistently exceeding an effluent limit, with such monitoring being at the expense of the POTW for at least one year. The monitoring program shall include an upstream sampling point as well as sufficient downstream locations to accurately characterize the impact of the major spill or the consistent exceedence of effluent limitations

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described in the definition of "Consistently exceeding effluent limitation" above. As a minimum, the following parameters shall be monitored in the receiving stream:

1. Dissolved Oxygen;
2. Fecal Coliform Bacteria;
3. pH;
4. Temperature; and
5. Other parameters required by the EPD.

The monitoring and reporting frequency as well as the need to monitor additional parameters, will be determined by EPD. The results of the monitoring will be provided by the POTW owner to EPD and all downstream public agencies using the affected waters as a source of a public water supply.

Within 24 hours of becoming aware of a major spill, the owner of a POTW shall provide notice of a major spill to every county, municipality, or other public agency whose public water supply is within a distance of 20 miles downstream and to any others which could be potentially affected by the major spill.

10. MONITORING WELL REQUIREMENTS

The permittee, upon written notification by the Division, may be required to install groundwater monitoring wells at an existing land application system. This requirement may apply if monitoring wells were not included in the original design of the facility and also, if the Division determines the existing groundwater monitoring wells are not adequate.

11. GROUNDWATER REQUIREMENTS

Groundwater leaving the land application system boundaries must not exceed maximum contaminant levels for drinking water. If groundwater samples indicate contamination, the permittee will be required, upon written notification by the Division, to develop a plan which will ensure that the primary maximum contaminant levels for drinking water are not exceeded. The plan will be implemented by the permittee immediately upon Division approval.

12. NO DISCHARGE SYSTEM

The wastewater and disposal system must be maintained as a no-discharge system; therefore, additional land for spraying must be utilized if the application rate cannot satisfactorily be handled by the currently approved sprayfield.

B. RESPONSIBILITIES

1. COMPLIANCE

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The permittee must comply with this permit. Any permit noncompliance is a violation of the State Act, and the State Rules, and is grounds for:

- a. Enforcement action;
- b. Permit termination, revocation and reissuance, or modification; or
- c. Denial of a permit renewal application.

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

2. RIGHT OF ENTRY

The permittee shall allow the Director of the EPD, the Regional Administrator of EPA, and their authorized representatives, agents, or employees after they present credentials to:

- a. Enter the permittee's premises where a regulated activity or facility is located, or where any records required by this permit are kept;
- b. Review and copy any records required by this permit;
- c. Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and

Sample any substance or parameter at any location.

3. SUBMITTAL OF INFORMATION

The permittee shall furnish to the Division, within a reasonable time, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Division upon request, copies of records required to be kept by this permit. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Division, the permittee shall promptly submit such facts or information.

4. TRANSFER OF OWNERSHIP OR CONTROL

A permit may be transferred to another person by a permittee if:

- a. The permittee notifies the Director in writing of the proposed transfer at least 30 days in advance of the proposed transfer;
- b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for

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violations from that date on) is submitted to the Director at least 30 days in advance of the proposed transfer; and

The Director, within thirty (30) days, does not notify the current permittee and the new permittee of the Division's intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

5. PERMIT MODIFICATION

This permit may be modified, terminated, or revoked and reissued in whole or in part during its term for causes including, but not limited to:

- a. Permit violations;
- b. Obtaining this permit by misrepresentation or by failure to disclose all relevant facts;
- c. Changing any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- d. Changes in effluent characteristics; and
- e. Violations of water quality standards.

The filing of a request by the permittee for permit modification, termination, revocation and reissuance, or notification of planned changes or anticipated noncompliance does not negate any permit condition.

6. PENALTIES

The State Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, 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 or by imprisonment, or by both. The State Act also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of the Division.

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance

7. CIVIL AND CRIMINAL LIABILITIES

The permittee is liable for civil or criminal penalties for noncompliance with this permit and must comply with applicable State laws including promulgated water quality standards. The permit cannot be interpreted to relieve the permittee of this liability even if it has not been modified to incorporate new requirements.

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8. EXPIRATION OF PERMIT

The permittee shall not operate the system after the expiration date. In order to receive authorization to operate beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by the Division no later than 180 days prior to the expiration date.

9. CONTESTED HEARINGS

Any person aggrieved or adversely affected by any action of the Director of the EPD shall petition the Director for a hearing within 30 days of notice of the action.

10. SEVERABILITY

The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the provision does not affect other circumstances or the remainder of this permit.

11. NEW LAS SYSTEMS

Upon completion of construction of a new land application system, the facility will not be allowed to be placed into service until: 1) the Operations Manual for the facility has been submitted to the Division, 2) the final inspection has been conducted, and 3) written authorization to commence operation has been provided by the Division.

12. WATERSHED PROTECTION PLAN

The permittee has developed a watershed protection plan and the plan has been approved by EPD. The permittee's approved watershed protection plan shall be enforceable through this permit.

The watershed protection plan provides for the following:

- a. The watershed protection plan shall apply to all basins and subbasins that are served by the facility. The plan will utilize the information generated in the permittee's watershed assessment to establish a baseline of watershed conditions and to provide ongoing long-term monitoring according to the approved plan to either verify that the plan is effective or to modify the plan such that water quality standards will be achieved.
- b. The watershed protection plan must include a schedule for correcting current water quality problems that are causing water quality standards violations. The permittee shall provide ongoing monitoring to verify that the actions taken to correct the water quality problems are effective.
- c. The permittee shall develop and put in place best management practices (BMPs) to prevent future water quality standards violations.
- d. The permittee shall provide ongoing monitoring to verify that the BMPs

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are working or to provide the information necessary to modify the BMPs to achieve water quality standards.

Annual Report

Each June 30th the permittee is to submit the following to EPD:

- a. An annual certification statement documenting that the plan is being implemented as approved. The certification statement shall read as follows: " I certify, under penalty of law, that the watershed protection plan is being implemented. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- b. All watershed plan data collected during the previous year in an electronic format. This data shall be archived using a digital format such as a spreadsheet developed in coordination with EPD. All archived records, data, and information pertaining to the watershed protection plan shall be maintained permanently.
- c. A progress report that provides a summary of the BMPs that have been implemented and documented water quality improvements. The progress report shall also include any necessary changes to the Watershed Protection Plan.

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PART III.

A. APPROVED INDUSTRIAL PRETREATMENT PROGRAM FOR PUBLICLY OWNED TREATMENT WORKS (POTWs)

1. The permittee's approved pretreatment program shall be enforceable through this permit.
2. The permittee shall administer the approved pretreatment program by:
 - a. Maintaining records identifying the character and volume of pollutants contributed by industrial users to the POTW.
 - b. Enforcing and obtaining appropriate remedies for noncompliance by any industrial user with any applicable pretreatment standard or requirement defined by Section 307(b) and (c) of the Federal Act, 40 CFR Part 403.5 and 403.6 or any State or local requirement, whichever is more stringent.
 - c. Revising the adopted local limits based on technical analyses to ensure that the local limits continue to prevent:
 1. Interference with the operation of the POTW;
 2. Pass-through of pollutants in violation of this permit;
 3. Municipal sludge contamination; and
 4. Toxicity to life in the receiving stream.

Within 180 days of the effective date of this permit issuance or reissuance (excluding permit modifications), the permittee shall review the local limits of the program and submit to EPD a written technical evaluation of the need to revise the local limits.

- d. Ensuring that industrial wastewater discharges from industrial users are regulated through discharge permits or equivalent individual control mechanisms. Compliance schedules will be required of each industrial user for the installation of control technologies to meet applicable pretreatment standards and the requirements of the approved program.
- e. Inspecting, surveying, and monitoring to determine if the industrial user is in compliance with the applicable pretreatment standards.
- f. Equitably maintaining and adjusting revenue levels to ensure adequate and continued pretreatment program implementation.
- g. Preparing a list of industrial users which, during the previous twelve months, have been in significant noncompliance with the pretreatment requirements enumerated in 40 CFR Part 403.8 (f)(2)(vii). This list will be published annually in the newspaper with the largest circulation in the service area during January through December, with the first publication due January 2008.

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B. APPROVED PRETREATMENT PROGRAM ANNUAL REPORT

1. Within 30 days of the close of the reporting period January through December, with the first report due January 2008 and each January thereafter, the permittee shall submit a report to the EPD that includes:
 - a. An updated list of POTW industrial users;
 - b. The results of POTW sampling and analyses required by the EPD;
 - c. A summary of POTW industrial user inspections;
 - d. A summary of POTW operations including information on upsets, interferences, pass through events, or violations of the permit related to industrial user discharges;
 - e. A summary of all activities to involve and inform the public of pretreatment requirements;
 - f. A summary of the annual pretreatment program budget;
 - g. A descriptive summary of any compliance activities initiated, ongoing, or completed against industrial users which shall include the number of administrative orders, show cause hearings, penalties, civil actions, and fines;
 - h. A list of contributing industries using the treatment works, divided into Standard Industrial Classification Code (SIC) categories, which have been issued permits or similar enforceable individual control mechanisms, and a status of compliance for each industrial user. The list should also identify the industries that are categorical or significant industrial users
 - i. The name and address of each industrial user that has received a conditionally revised discharge limit;
 - j. A list of all industrial users who were in significant noncompliance with applicable pretreatment standards and requirements;
 - k. A list of all industrial users showing the date that each was notified that a categorical pretreatment standard had been promulgated by EPA for their industrial category and the status of each industrial user in achieving compliance within the 3 year period allowed by the Federal Act; and
 - l. A description of all substantial changes proposed for the program. All substantial changes must first be approved by the EPD before formal adoption by the POTW. Substantial changes shall include but not be limited to:

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1. Changes in legal authority;
 2. Changes in local limits;
 3. Changes in the control mechanisms;
 4. Changes in the method for implementing categorical pretreatment standards.
 5. A decrease in the frequency of self-monitoring or reporting required of industrial users;
 6. A decrease in the frequency of industrial user inspections or sampling by the POTW;
 7. Significant reductions in the program resources including personnel commitments, equipment, and funding levels;
 8. Changes in confidentiality procedures; and
 9. Changes in the POTW sludge disposal and management practices.
2. Reports submitted by an industrial user will be retained by the permittee for at least 3 years and shall be available to the EPD for inspection and copying. This period shall be extended during the course of any unresolved litigation concerning the discharge of pollutants by an industrial user or concerning the operations of the program or when requested by the Director.

C. INDUSTRIAL PRETREATMENT STANDARDS

Effluent limitations for the permittee's discharge are listed in Part I. Other pollutants attributable to industrial users may also be present in the discharge. When sufficient information becomes available, this permit may be revised to specify effluent limitations for these pollutants based on best practicable technology or water quality standards. Once the specific nature of industrial contributions has been identified, data collection and reporting may be required for parameters not specified in Part I.

D. REQUIREMENTS FOR EFFLUENT LIMITATIONS ON POLLUTANTS ATTRIBUTABLE TO INDUSTRIAL USERS

1. The permittee shall require all industrial dischargers to the POTW to meet State pretreatment regulations promulgated in response to Section 307(b) of the Federal Act. Other information about new industrial discharges may be required and will be requested from the permittee after the EPD has received notice of the discharge.
2. The permittee may be required to supplement the requirements of the State and Federal pretreatment regulations to ensure compliance with all applicable effluent limitations listed in Part I. Supplemental actions by the permittee concerning some or all of the industries discharging to the POTW may be necessary.

E. RETAINER

The EPD may require the permittee to amend an approved pretreatment program to incorporate revisions in State Pretreatment Regulations or other EPD requirements. Any required revision must be incorporated into the program within one year of notification by the EPD. Implementation of any revision or amendments to the program shall be described in the subsequent annual report to the EPD.