



**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION III WATER BRANCH, ENFORCEMENT
AND COMPLIANCE ASSURANCE DIVISION
CLEAN WATER ACT
COMPLIANCE INSPECTION REPORT**

for

Name of Facility: Mountain Top Public Service District (PSD)
Facility Address: 4150 Bismarck Road, Mount Storm, WV 26739
Mailing Address: Box 236, Mountain Storm, WV 26739

Report Prepared on: 1/18/2023 By: _____,
Date *Signature*
Environmental Scientist (PG Environmental)

Report Final as of: 2/3/2023 By: _____, EPA
Date *Signature*

General Information

Type of Inspection:	Wastewater Treatment Facility CEI
Owner:	Mountain Top PSD
Operator:	Mountain Top PSD
Permittee:	Mountain Top PSD
NPDES Permit No:	WV0101524
NPDES Permit Effective Date:	July 1, 2022
NPDES Permit Expiration Date:	May 05, 2027
Receiving Waters:	North Branch of the Potomac River; Unnamed Tributary of Deep Run of the North Branch of the Potomac River
Permittee Address:	4150 Bismarck Avenue, Mount Storm, WV
Bayard WWTP Lat/Long:	39° 16' 28" N, 79° 21' 46" (Outlet 001; Bayard WWTP)
Gormanian WWTP Lat/Long:	39° 17' 35" N, 79° 20' 30" (Outlet 002; Gormanian WWTP)
Elk Garden WWTP Lat/Long:	39° 23' 45" N, 79° 09' 21" (Outlet 003; Elk Garden WWTP)

On-Site Facility Inspection Overview

On December 7, 2022, a representative from the U.S. Environmental Protection Agency Region III's (EPA's) contract inspector, PG Environmental (the EPA Inspector), conducted a compliance evaluation inspection of the three Mountain Top PSD wastewater treatment plants (WWTPs; Bayard, Gormanian, and Elk Garden). Mountain Top PSD is identified as the Permittee and owns and operates the three WWTPs. Three representatives from the West Virginia Department of Environmental Protection (WVDEP) attended the inspection.

Approximate Entry Time: 8:30 AM (EST) **Approximate Exit Time:** 3:10 PM (EST)

Unique Project Identifier (UPI): 3E23WN012A

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APPENDIX LIST

Appendix A: Photograph Log

Appendix B: Exhibit Log

- Exhibit 1 – EPA ICIS Exceedance Data for Outlet 001 (October 1, 2017 through October 31, 2022)
- Exhibit 2 – EPA ICIS Exceedance Data for Outlet 002 (October 1, 2017 through October 31, 2022)
- Exhibit 3 – EPA ICIS Exceedance Data for Outlet 003 (October 1, 2017 through October 31, 2022)
- Exhibit 4 – Instruction Manual for Global Water WS700 Sampler

Appendix C: NPDES Permit No. WV0101524

I. INTRODUCTION

On December 7, 2022, a representative from U.S. Environmental Protection Agency Region III's (EPA's) contract inspector, PG Environmental (the EPA Inspector), conducted a compliance evaluation inspection of the Mountain Top Public Service District (PSD) in Mount Storm, West Virginia. Mountain Top PSD is identified as the Permittee and owns and operates three wastewater treatment plants (WWTPs; Town of Bayard WWTP; Town of Gormanian WWTP; Town of Elk Garden WWTP). Three representatives from the West Virginia Department of Environmental Protection (WVDEP) attended the inspection.

The primary purpose of the inspection was to review the wastewater treatment processes at the three WWTPs, to evaluate WWTP operations at each facility, to review the accuracy and reliability of the Permittee's self-monitoring and reporting program, and to obtain information that will assist EPA in assessing the Permittee's compliance with the requirements of National Pollutant Discharge Elimination System (NPDES) Permit No. WV0101524 (hereinafter, Permit), which became effective on July 1, 2022 and expires on May 5, 2027. The Permit authorizes the discharge of treated wastewater from three WWTPs via three outlets:

- Town of Bayard (Outlet 001)
- Town of Gormanian (Outlet 002)
- Town of Elk Garden (Outlet 003)

The Town of Bayard WWTP and Town of Elk Garden WWTP each have a hydraulic design flow of 50,000 gallons per day (gpd). The Town of Gormanian WWTP has a hydraulic design flow of 10,000 gpd. The weather at the time of the inspection was cool (approximately 45-50°F) with intermittent precipitation.

II. INSPECTION PROCESS

Inspection Opening Conference

The EPA Inspector arrived at the Mountain Top PSD's water treatment plant/administrative office located at 4150 Bismarck Avenue, Mount Storm, WV at 8:30 AM (EST) for the inspection. Stephen Clark of PG Environmental displayed his Clean Water Act inspector credential to the General Manager at the outset of the inspection and explained the purpose of the inspection was to observe compliance with the Permit. A copy of the Permit is provided in Appendix C. Table 1 describes the individuals that participated in the inspection.

Table 1. Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Inspector			
Stephen Clark	PG Environmental	720-789-8046	stephen.clark@pgenv.com
PADEP			
Katelyn Crispino	WVDEP	304-822-7266	katelyn.e.crispino@wv.gov
Chad Swick	WVDEP	304-822-7266	chad.c.swick@wv.gov
Levi Thurman	WVDEP	304-822-7266	levi.c.thurman@wv.gov
Facility Representative			
Rusty Kitzmiller, General Manager	Mountain Top PSD	304-693-7667	Not provided

Facility Site Walks

As part of the inspection process, the EPA Inspector visually observed the treatment train and site conditions of the Gormanian WWTP, Bayard WWTP, and Elk Garden WWTP in the presence of the General Manager. Each WWTP is described in the following sections.

Town of Gormanian

The wastewater process train consists of the following:

- Bar screen
- Aeration basin
- Clarifier
- Tablet-type chlorine disinfection unit and chlorine contact chamber
- Tablet-type dechlorination unit
- Sludge holding tank

The WWTP is an extended aeration “package plant” (refer to [Appendix A, Photographs 1 and 2](#)). Influent wastewater is pumped to the WWTP via on offsite pump station. Influent wastewater flows through a bar screen prior to the aeration basin (refer to [Appendix A, Photograph 3](#)). Debris removed from the bar screen are placed into a bucket which drains to the influent channel; dried debris is disposed of at a landfill.

The WWTP has two blowers for the aeration basin and sludge holding tank (refer to [Appendix A, Photograph 4 and 5](#)). Each blower is rotated into the lead operating position every other month per a schedule posted inside the blower control cabinet. At the time of the inspection, the blowers were programmed to operate every 15 minutes (i.e., 15 minutes on, 15 minutes off). The General Manager stated that the following preventative maintenance activities are performed for the blowers: clean/replace filters twice per year; grease bearings twice per year; change oil once per year. Additionally, the aeration basin diffusers are inspected, cleaned, and replaced, if needed, twice per year.

After the aeration basin, wastewater enters the clarifier (refer to [Appendix A, Photographs 6 through 8](#)). Clarified wastewater then flows through the chlorination unit and to the chlorine contact chamber (refer to [Appendix A, Photographs 9 and 10](#)). After the chlorine contact chamber, disinfected wastewater flows to the dechlorination chamber (refer to [Appendix A, Photograph 11](#)). Calcium hypochlorite tablets are used for disinfection and sodium sulfite tablets are used for dechlorination.

The effluent flow meter display showed a flow rate of 7.7/7.8 gpm at 9:19 a.m. (refer to [Appendix A, Photograph 12](#)).

Treated effluent is discharged to the North Branch of the Potomac River via Outlet 002 (refer to [Appendix A, Photographs 13 through 15](#)). At the time of the inspection, the effluent appeared clear and free of solids and debris.

Town of Bayard

The wastewater process train consists of:

- Bar screen
- Equalization tank
- Splitter box
- Aeration basins (2; there are two extended aeration processes operated in parallel)
- Clarifiers (2; one follows each aeration basin)
- Tablet-type chlorine disinfection unit and chlorine contact chamber
- Tablet-type dechlorination unit
- Sludge holding tank

All influent wastewater flows to the Facility's onsite influent pump station via two influent lines (refer to [Appendix A, Photographs 16 and 17](#)). The pump station has two pumps that convey wastewater to the flow equalization basin. The influent pump station wet well is equipped with four floats: two floats to activate each pump (one for each pump) and two floats that activated wet well level alarms (one high level alarm and one low level alarm). The high and low level alarms activate a visual red light alarm at the pump station control panel; the WWTP lacks telemetry for remote monitoring.

The General Manager stated that the influent pumps alternate each pumping cycle and that the pumps are removed twice per year for inspection and cleaning. He stated that the wet well floats are cleaned twice per year, as operating conditions did not require the floats to be cleaned more frequently. Some fats, oils, and grease were present on the wastewater surface inside the wet well (refer to [Appendix A, Photograph 17](#)).

Two influent channels precede the flow equalization basin (refer to [Appendix A, Photograph 18 and 19](#)). One channel had been equipped with a comminutor/grinder that had been removed. The other channel was equipped with a manual bar screen. At the time of the inspection, all influent flow was directed through the manual bar screen channel. Debris removed from the bar screen is placed into a bucket which drains to the influent channel. The dried debris is disposed of at a landfill.

The equalization basin has two pumps that convey wastewater to a splitter box (refer to [Appendix A, Photographs 20](#)). The splitter box diverts wastewater to two parallel extended aeration treatment processes consisting of an aeration basin and clarifier (refer to [Appendix A, Photographs 21 through 28](#)). The General Manager stated the equalization basin is pumped clean annually by a septage hauler.

The WWTP has two blowers for the aeration basins and sludge holding tank (refer to [Appendix A, Photograph 23](#)). At the time of the inspection, the blowers were programmed to cycle on every 15 minutes (15 minutes on, 15 minutes off). The General Manager stated that the following preventative maintenance is performed for the blowers: clean filters twice per year; grease bearings twice per year; change oil once per year. Additionally, the aeration basin diffusers are inspected, cleaned, and replaced, if needed, twice per year. The EPA Inspector did not observe auditory evidence of leakage in the air delivery lines at the time of the inspection (e.g., hissing noises).

Each clarifier flows to a common chlorine contact chamber equipped with a table-type chlorination unit (refer to [Appendix A, Photographs 29 and 30](#)). A screening mechanism was present at the chlorination unit to capture debris as water flows out of the unit. The General Manager stated operators pump settled solids from the chlorine contact chamber to the equalization basin approximately four times per year; a trash pump is connected to piping installed in the chlorine contact chamber to transfer the solids (refer to [Appendix A, Photographs 30 and 31](#)).

The water level sensor for the flow meter was located near the end of the chlorine contact chamber (refer to [Appendix A, Photograph 32](#)). At 10:54 a.m., the flow meter display documented a flow of 1.03 gallons per

minute (gpm) based on a water level of 1.358 inches (refer to [Appendix A, Photograph 33](#)). A sticker on the flow meter display stated the flow meter was last calibrated in December 2021.

After the chlorine contact chamber, chlorinated wastewater flows through the dechlorination unit (refer to [Appendix A, Photographs 34 and 35](#)). The Permittee had installed a board underneath the dechlorination unit to act as a cascading unit to increase the dissolved oxygen concentration of the treated effluent.

A second pipe was present inside the dechlorination chamber next to the dechlorination unit (refer to [Appendix A, Photograph 34](#)). The General Manager stated this pipe did not serve a purpose as it was a relic of the original WWTP design but was never placed into service. He stated the pipe was not an overflow from a treatment unit upstream of the dechlorination unit.

After the dechlorination vault, treated effluent flows to the North Branch of the Potomac River via Outlet 001 (refer to [Appendix A, Photographs 36 through 39](#)). At the time of the inspection, the effluent appeared clear and free of solids and debris.

An emergency backup generator was located onsite (refer to [Appendix A, Photograph 40](#)). The General Manager stated the generator automatically exercises weekly.

Town of Elk Garden

The wastewater process train consists of:

- Bar screen
- Flow equalization basin
- Aeration basins (2; there are two extended aeration processes operated in parallel)
- Clarifiers (2; one follows each aeration basin)
- Sand filters (3)
- Tablet-type chlorine disinfection unit and chlorine contact chamber
- Tablet-type dechlorination unit
- Sludge holding tank

Influent wastewater enters a flow equalization basin equipped with a bar screen and two pumps (refer to [Appendix A, Photographs 41 through 44](#)). The equalization basin has two chambers; the second chamber is connected to the first chamber via pipes below the wastewater surface. The General Manager stated the second chamber is aerated to prevent septic conditions from occurring inside the chamber.

Two pumps inside the first chamber of the equalization pump wastewater to a splitter box (refer to [Appendix A, Photographs 45](#)). The splitter box diverts wastewater to two parallel secondary treatment trains, each consisting of an extended aeration basin and clarifier (refer to [Appendix A, Photographs 46 through 51](#)). Solids are wasted to two sludge holding tanks (refer to [Appendix A, Photographs 46 and 52](#)). The sludge holding tanks are pumped out as needed by a contract septage hauler and hauled to a WWTP operated by the Upper Potomac River Commission in Westernport, Maryland. At the time of the inspection, the Permittee's solids hauling contractor was pumping out the northern sludge holding tank because the Permittee had identified an air delivery line that needed to be repaired.

Clarified wastewater flows to a chamber from which it is pumped to one of three sand filters (refer to [Appendix A, Photographs 53 through 58](#)). One sand filter is operated at a time until it needs to be taken offline. A sand filter is taken offline line after solids accumulation on top of the filter has precluded a sufficient filtration rate. The solids are allowed to dry on top of the filter and then manually removed before the filter is ready to be placed back into service.

The General Manager stated that each sand filter has an overflow that drains to the chlorine building (refer to [Appendix A, Photographs 57 and 58](#)). The wastewater level inside the sand filter that was in service at the time of the inspection was below the overflow pipe.

After the sand filters, wastewater is then disinfected and dechlorinated (refer to [Appendix A, Photographs 59 through 61](#)).

The effluent flow meter display showed an effluent flow rate of 13.37 gpm at 2:41 p.m. (refer to [Appendix A, Photograph 62](#)). The sticker on the cabinet stated the flow meter was last calibrated in December 2021.

Treated effluent is discharged to an unnamed tributary of Deep Run, which is tributary to the North Branch of the Potomac River via Outlet 003 (refer to [Appendix A, Photographs 63 through 65](#)).

Summary of Observations

The following section summarizes the EPA Inspector's observations relative to the Permit requirements, including the status of certain treatment units, operation and maintenance practices, and the Permittee's monitoring and reporting documentation.

Permit Status and Effluent Exceedances

Part A.001 of the Permit defines effluent limitations and monitoring requirements for Outlet 001 discharges (Town of Bayard WWTP).

Observation 1. According to EPA's ICIS database, between October 1, 2017 and October 31, 2022, the Town of Bayard WWTP experienced 12 effluent limit exceedances from Outlet 001. Two of the 12 exceedances occurred under the current Permit period, which became effective on July 1, 2022. Refer to [Appendix B, Exhibit 1](#) and Table 2.

Table 2. Effluent Limit Exceedances for Outlet 001 (October 1, 2017–October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
09/30/2019	Suspended solids, Percent Removal	Monthly Average Minimum	73	85	Percent	10/1/2017	8/14/2022
07/31/2021	Coliform, Fecal	Monthly Geometric Mean	8664	200	#/100mL	10/1/2017	8/14/2022
07/31/2021	Coliform, Fecal	Daily Maximum	8664	400	#/100mL	10/1/2017	8/14/2022
09/30/2021	BOD, 5-day, 20 Deg. C	Monthly Average	76.86	12.5	Lbs./d	10/1/2017	8/14/2022
09/30/2021	BOD, 5-day, 20 Deg. C	Daily Maximum	76.86	25	Lbs./d	10/1/2017	8/14/2022
12/31/2021	Chlorine, Total Residual	Daily Maximum	10	0	mg/L	10/1/2017	8/14/2022

Table 2. Effluent Limit Exceedances for Outlet 001 (October 1, 2017–October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
12/31/2021	Chlorine, Total Residual	Monthly Average	10	0	mg/L	10/1/2017	8/14/2022
01/31/2022	Total Suspended Solids	Monthly Average	17.9	12.5	Lbs./d	10/1/2017	8/14/2022
01/31/2022	Chlorine, Total Residual	Daily Maximum	10	0	mg/L	10/1/2017	8/14/2022
01/31/2022	Chlorine, Total Residual	Monthly Average	10	0	mg/L	10/1/2017	8/14/2022
08/31/2022	Total Suspended Solids	Monthly Average	27.52	12.5	Lbs./d	7/1/2022	5/5/2027
08/31/2022	Total Suspended Solids	Daily Maximum	27.52	25	Lbs./d	7/1/2022	5/5/2027

Part A.002 of the Permit defines effluent limitations and monitoring requirements for Outlet 002 discharges (Town of Gorman WWTTP).

Observation 2. According to EPA’s ICIS database, between October 1, 2017 and October 31, 2022, the Town of Gorman WWTTP experienced 10 effluent limit exceedances from Outlet 002. Two of the 10 exceedances occurred under the current Permit period, which became effective on July 1, 2022. Refer to Appendix B, Exhibit 2 and Table 3.

Table 3. Effluent Limit Exceedances for Outlet 002 (October 1, 2017–October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
03/31/2019	Nitrogen, Kjeldahl Total	Monthly Average	33.8	18	mg/L	10/1/2017	8/14/2022
03/31/2019	Coliform, Fecal	Daily Maximum	5900	400	#/100mL	10/1/2017	8/14/2022
09/30/2020	Nitrogen, Kjeldahl Total	Monthly Average	23.1	18	mg/L	10/1/2017	8/14/2022
03/31/2021	Coliform, Fecal	Monthly Geometric Mean	5300	200	#/100mL	10/1/2017	8/14/2022
03/31/2021	Coliform, Fecal	Daily Maximum	5300	400	#/100mL	10/1/2017	8/14/2022

Table 3. Effluent Limit Exceedances for Outlet 002 (October 1, 2017–October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
06/30/2021	BOD, 5-day, 20 Deg. C	Monthly Average	32.6	30	mg/L	10/1/2017	8/14/2022
12/31/2021	Chlorine, Total Residual	Daily Maximum	10	0	mg/L	10/1/2017	8/14/2022
12/31/2021	Chlorine, Total Residual	Monthly Average	10	0	mg/L	10/1/2017	8/14/2022
09/30/2022	Total Suspended Solids	Monthly Average	36.5	30	mg/L	7/1/2022	5/5/2027
09/30/2022	Nitrogen, Kjeldahl Total	Monthly Average	22	18	mg/L	7/1/2022	5/5/2027

Part A.003 of the Permit defines effluent limitations and monitoring requirements for Outlet 003 discharges (Town of Elk Garden WWTP).

Observation 3. According to EPA’s ICIS database, between October 1, 2017 and October 31, 2022, the Town of Elk Garden WWTP experienced nine effluent limit exceedances from Outlet 003. None of the exceedances occurred under the current Permit period, which became effective on July 1, 2022. Refer to [Appendix B, Exhibit 3](#) and Table 4.

Table 4. Effluent Limit Exceedances for Outlet 003 (October 1, 2017–October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
02/28/2018	Nitrogen, Kjeldahl Total	Monthly Average	19.9	15	mg/L	10/1/2017	8/14/2022
09/30/2018	BOD, 5-day, percent removal	Monthly Average Minimum	81	85	Percent	10/1/2017	8/14/2022
09/30/2021	Total Suspended Solids	Monthly Average	250.21	12.5	lbs./d	10/1/2017	8/14/2022
09/30/2021	Total Suspended Solids	Daily Maximum	250.21	25	lbs./d	10/1/2017	8/14/2022
09/30/2021	Total Suspended Solids	Monthly Average	34	30	mg/L	10/1/2017	8/14/2022
09/30/2021	Nitrogen, Kjeldahl Total	Monthly Average	19.13	6.3	lbs./d	10/1/2017	8/14/2022
09/30/2021	Nitrogen, Kjeldahl Total	Daily Maximum	19.13	12.5	lbs./d	10/1/2017	8/14/2022

Table 4. Effluent Limit Exceedances for Outlet 003 (October 1, 2017–October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
01/31/2022	Chlorine, Total Residual	Monthly Average	10	0.009	mg/L	10/1/2017	8/14/2022
01/31/2022	Chlorine, Total Residual	Daily Maximum	10	0.018	mg/L	10/1/2017	8/14/2022

Monitoring

Parts A.001, A.002, and A.003 of the Permit each state, “Effluent BOD5 samples shall be collected at a location immediately preceding disinfection”

Observation 4. The General Manager stated that effluent BOD5 samples are collected after disinfection at each of the three WWTPs. He stated that effluent BOD samples are collected after chlorination but prior to dechlorination at the Bayard WWTP, and collected after dechlorination at the Gormanian and Elk Garden WWTPs.

Parts A.001, A.002, and A.003 of the Permit each require select samples to be obtained as 8-hour composite samples.

Appendix A, Part III.7.d of the Permit states, “‘Composite Sample’ is a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite.”

Observation 5. Per conversations with the General Manager, the Permittee was collecting time-proportional composite samples, as opposed to flow-proportional composite samples as required by the Permit. He stated that the composite sampler is programmed to collect the same volume of aliquot over a defined period (at the time of the inspection, the sampler was programmed to obtain a 100mL aliquot every five minutes).

Observation 6. At the time of the inspection, it was unclear if the volume of the composite sample jug was adequate to collect a full 8-hour composite sample. The General Manager stated that the composite sampler stops sampling once the sample jug is full. At the time of the inspection, the sampler was programmed to collect a 100mL aliquot every 5 minutes; based on these settings, during an 8-hour timeframe, the sampler would collect a total volume of 9.6 L. Based on an approximate conversion rate of 3.785 liters per gallon, a volume of 9.6 L would equal an approximate volume of 2.5 gallons. The EPA Inspector did not observe a label on the sample jug that indicated the total volume of the jug. Per the product specifications page in the instruction manual for the Global Water WS700, which was the make and model of the sampler, the volume of the sample jug is 2 gallons (refer to [Appendix B, Exhibit 4](#)).

Appendix A, Part III.3 of the Permit states, “Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless other test procedures have been specified elsewhere in this permit.”

40 CFR Part 136 requires many of the parameters limited and required to be monitored by the Permit to be preserved by cooling to ≤ 6 °C (e.g., BOD, TSS, Total Kjeldahl Nitrogen). **40 CFR 136** requires Fecal coliform samples to be cooled to < 10 °C.

Observation 7. The Permittee uses a portable automatic composite sampler for compliance sampling. The General Manager stated that ice is not placed into the composite sampler during sampling to cool the samples; samples are cooled upon final collection of the composite sample. He also stated that the portable sampler is exposed to ambient conditions during sampling (i.e., it is not placed into a heated or cooled building).

Proper Operation and Maintenance

Appendix A, Part II.1 of the Permit states, “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.”

Observation 8. The EPA Inspector made multiple observations related to operations and maintenance at the PSD facilities:

- a. The Permittee lacked formal, written standard operating procedures (SOPs) for the operations & maintenance (O&M) of the WWTPs.
- b. The Permittee lacked a work order system or other formal mechanism to comprehensively track corrective and preventative maintenance activities. Some O&M activities were scheduled/tracked via a white board at the water treatment plant (refer to [Appendix A, Photograph 66](#))
- c. Operators do not maintain a logbook that documents daily O&M activities in a narrative format.
- d. The WWTPs lacked telemetry to remotely monitor the WWTPs or to notify operators of an equipment failure or other adverse operating conditions during unmanned hours. Operators visit the WWTPs every other day. The General Manager stated that the lack of adequate/reliable telephone service precluded the use of telemetry. The pump stations at Bayard and Elk Garden have high and low level alarms that trigger an onsite visual alarm at the respective control panels.
- e. The General Manager stated that the Chief Operator performs settleable solids tests and obtains clarifier sludge blanket levels approximately once per month, but these activities are not documented. No other process control sampling is performed at the WWTPs.
- f. The General Manager stated that sludge is wasted to the sludge holding tank based on the “weight” of the sludge inside the clarifier, which is determined when scraping the clarifier (i.e., sludge is not wasted based on maintaining a

specific sludge blanket level or other formal process control parameters). Clarifiers are scraped to help maintain a uniform sludge blanket and to help ensure a consistent return activated sludge (RAS)/waste activated sludge (WAS) flow.

- g. The EPA Inspector observed floating solids/sludge inside clarifiers and adjacent to clarifier effluent weirs at each of the three WWTPs. Additionally, biological growth was present on the clarifier effluent weirs at the Gormanian WWTP and Elk Garden WWTP. Refer to Appendix A, Photographs 7 and 8 for Gormanian WWTP. Refer to Appendix A, Photographs 24 through 28 for the Bayard WWTP. Refer to Appendix A, Photographs 47 through 51 for the Elk Garden WWTP. The General Manager stated that the floating solids were present due to recent replacement of air diffusers and that solids are removed via a net when observed during site visits.
- h. At the Bayard WWTP, biological growth was present on the outlet marker such that a portion of the text was not readily legible (refer to Appendix A, Photograph 39). **Appendix A, Paragraph I.13 of the Permit** states “A permanent [outlet] marker at the establishment shall be posted in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.” The referenced rules require, among other requirements, that the outlet marker contains the permittee name, permit number, and outlet number.
- i. The Elk Garden WWTP lacked a source of water in the winter for cleaning equipment/process units. The General Manager stated that the yard hydrants at the WWTP did not work and that a tote is used onsite as a water source. However, since the tote is exposed to ambient conditions, the water will freeze during the winter months.
- j. **Page 1 of the Permit** states the Town of Bayard WWTP is equipped with a comminutor. At the time of the inspection, the comminutor had been removed (refer to Appendix A, Photograph 19). The General Manager stated the Permittee did not plan to replace the comminutor.
- k. The flow meter calibration sticker at the Gormanian WWTP stated the meter was last calibrated in October 2021 (refer to Appendix A, Photograph 67).

Records Review

The EPA Inspector conducted a records review to evaluate the Permittee’s compliance with the Permit. Most of the records and reports required by the Permit were available for review prior to and after the inspection. The following were reviewed:

- EPA Integrated Compliance Information System (ICIS) data during the period from October 1, 2017 through October 31, 2022.
- DMRs and associated laboratory data for January 2021 through November 2022.
- A white board in the water treatment plant that tracks operations and maintenance activities for the WWTPs and the Mountain Top PSD’s public water system.
- A calendar in the water treatment plant used to identify days which WWTP sampling is conducted.
- pH meter calibration logbook.
- Wastewater operator certificates for Rusty Kitzmiller and Harvey Forrest (Chief Operator).
- Examples of recent sludge hauling invoices (sludge hauled by M&W Septic Tank Pumping LLC).

Closing Conference

After the WWTP site walks, the EPA Inspector met with the General Manager for a closing conference and shared preliminary observations. The EPA Inspector reiterated that all preliminary observations discussed were not compliance determinations. Any and all preliminary observations shared were subject to further investigation by the EPA Inspector upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after the additional review of materials following the inspection.

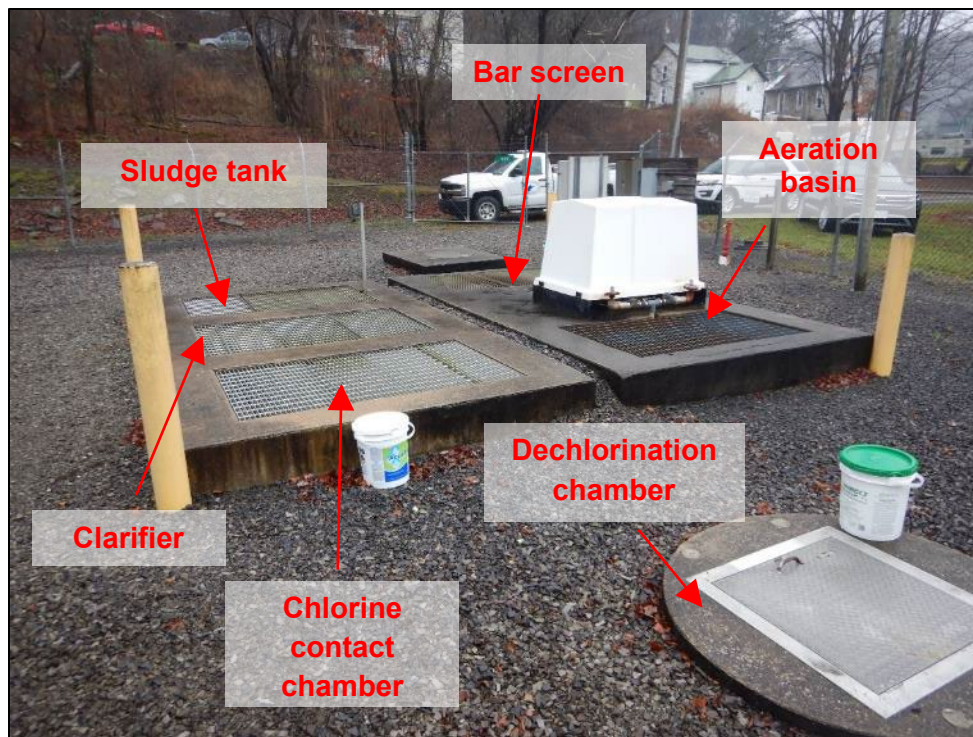
The inspection concluded at approximately 3:10 PM (EST).

Appendix A

Photograph Log



Photograph 1. Gormanian WWTP. (DSCN9604) View of the Gormanian WWTP sign on the entrance gate. The WWTP was surrounded by a chain-link fence with barbed wire. The fence was in good condition at the time of the inspection.



Photograph 2. Gormanian WWTP. (DSCN9596) View of the Gormanian WWTP.



Photograph 3. Gormanian WWTP. (DSCN9614) View of the influent bar screen.



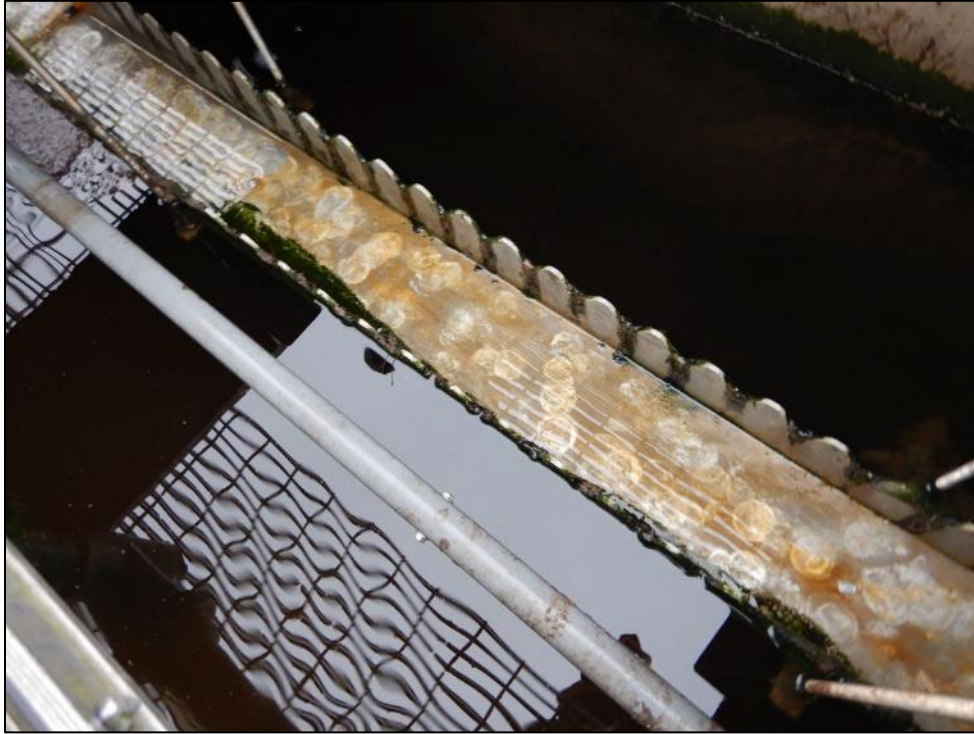
Photograph 4. Gormanian WWTP. (DSCN9626). View of the two blowers.



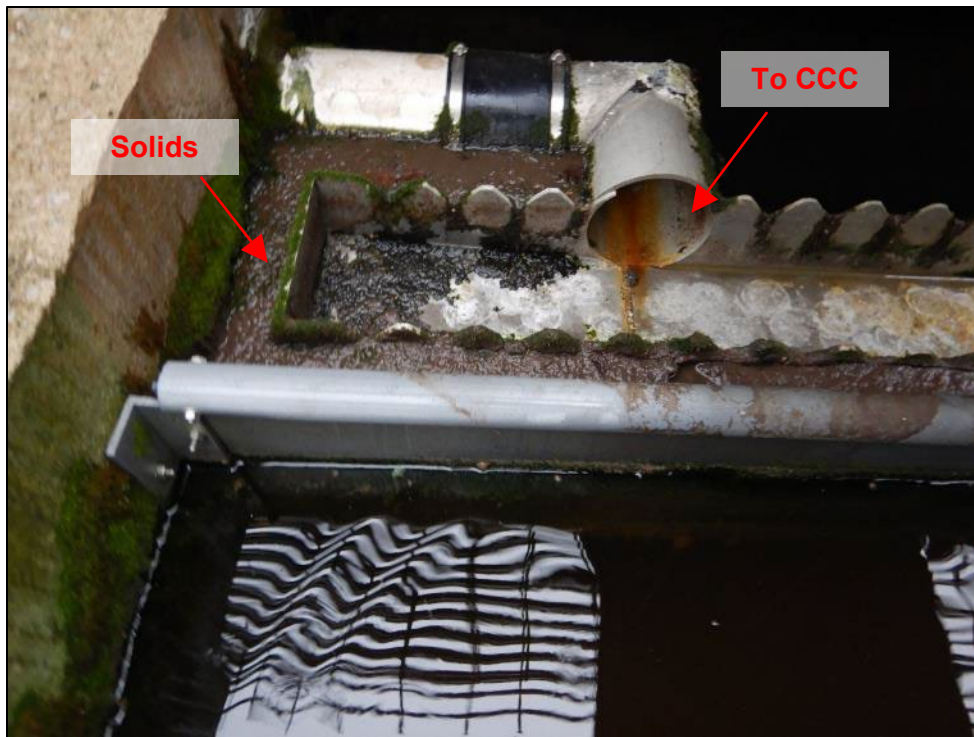
Photograph 5. Gormanian WWTP. (DSCN9624) View inside the blower control cabinet. A schedule was posted inside that indicated that each blower is cycled into the lead operating position every other month.



Photograph 6. Gormanian WWTP. (DSCN9615) View inside the clarifier.



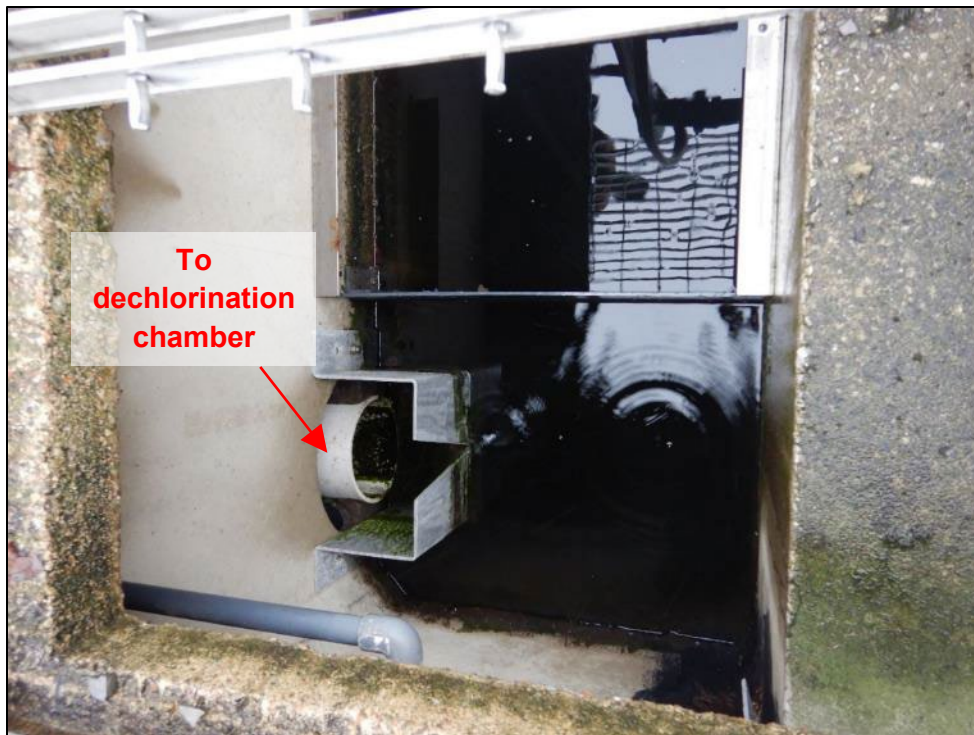
Photograph 7. Gormanian WWTP. (DSCN9616) View of the clarifier effluent weir. Solids and biological growth were present in the v-notches. Operators place chlorine tablets in the trough/laundry to help prevent biological growth but do not regularly clean the weir.



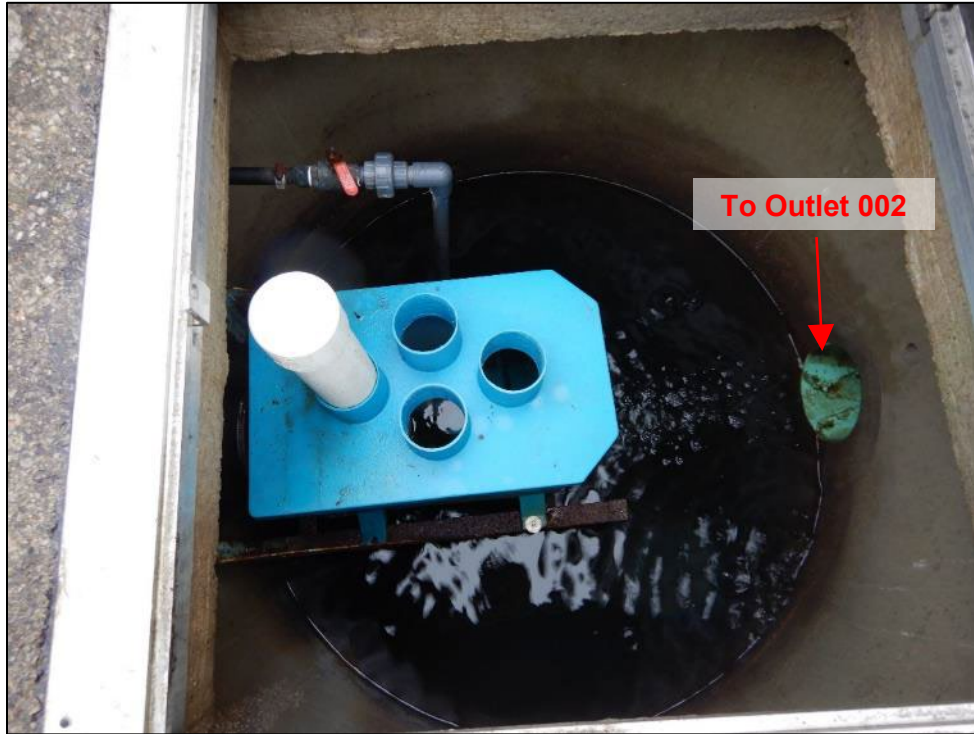
Photograph 8. Gormanian WWTP. (DSCN9618) View of solids adjacent to the clarifier effluent weir. Biological growth and solids were present in the v-notches. The chlorine contact chamber had baffles that appeared to be designed to help prevent floating solids from carrying over into the final effluent.



Photograph 9. Gormanian WWTP. (DSCN9619) View of the chlorination unit and chlorine contact chamber.



Photograph 10. Gormanian WWTP. (DSCN9620) View inside the chlorine contact chamber just prior to flowing to the dechlorination chamber.



Photograph 11. Gormanian WWTP. (DSCN9635) View inside the dechlorination chamber. This is the final stage of treatment. The pipe on the right flows to Outlet 002. The effluent flowing to Outlet 002 appeared clear and free of solids and debris.



Photograph 12. Gormanian WWTP. (DSCN9629) View of the effluent flow meter display, which showed a flow rate of 7.7/7.8 gpm at the time of the inspection.



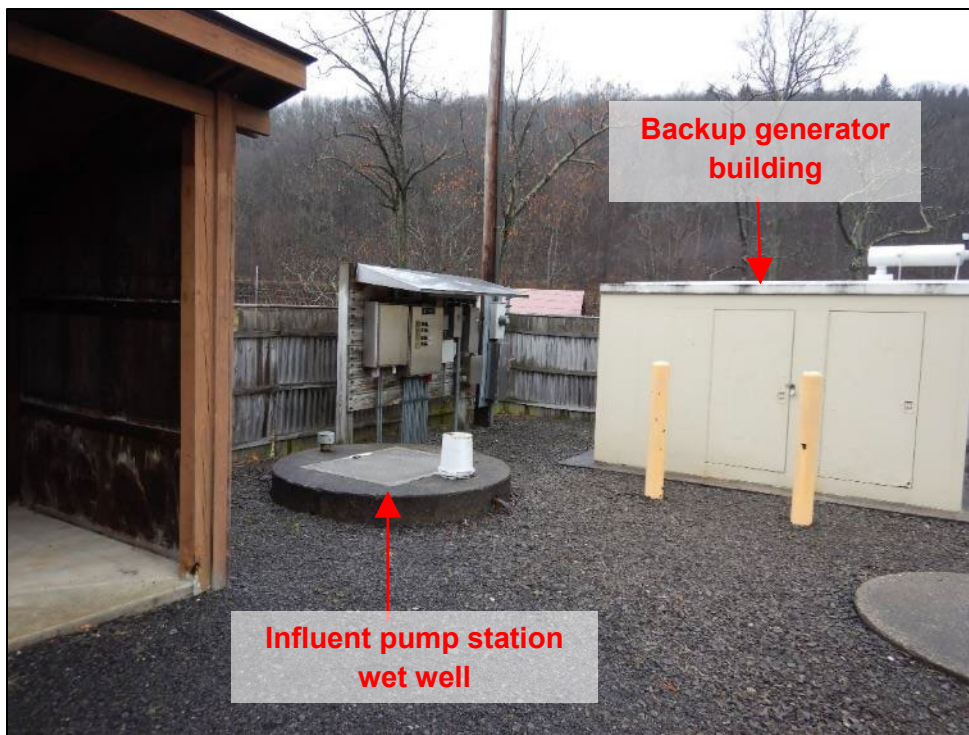
Photograph 13. Gormanian WWTP. (DSCN9641) View of Outlet 002 and sign. The arrow callout is pointing to the general position of the outfall pipe as it is obscured from view by vegetation (refer to Photograph 14).



Photograph 14. Gormanian WWTP. (DSCN9643) View of Outlet 002. The outfall pipe is obscured from view by vegetation. The effluent appeared clear and free of solids and debris at the time of the inspection.



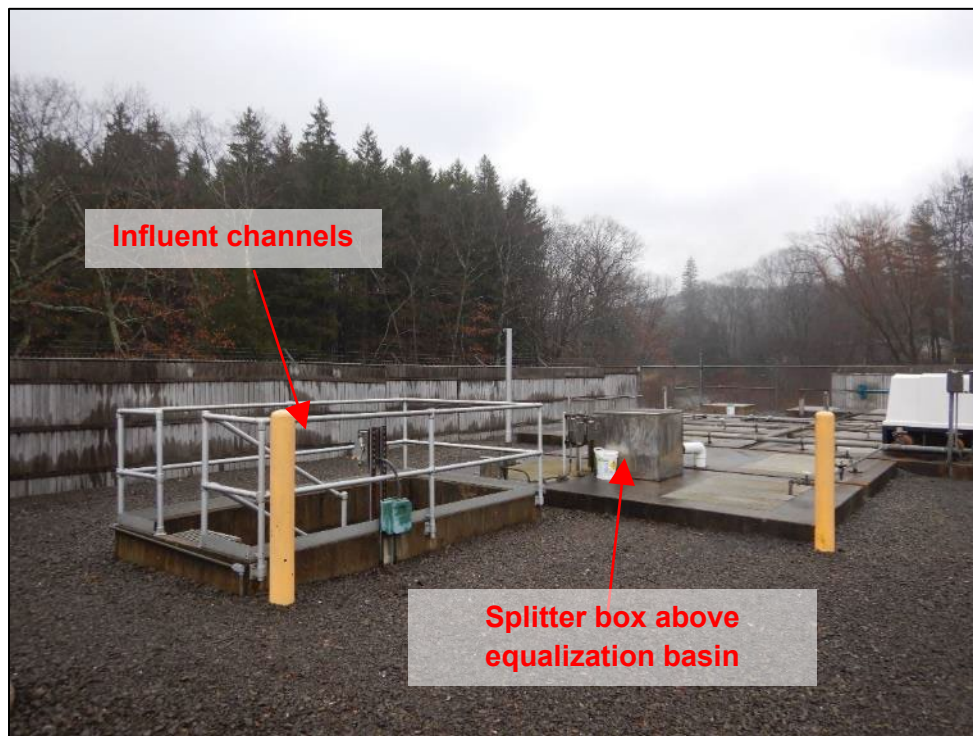
Photograph 15. Gormanian WWTP. (DSCN9644) View of effluent from Outlet 002 flowing to the North Branch of the Potomac River.



Photograph 16. Bayard WWTP. (DSCN9718) View of the influent pump station and backup generator building.



Photograph 17. Bayard WWTP. (DSCN9658) View inside the influent pump station wet well. Some fats, oils, and grease were present on the wastewater surface inside the wet well. The General Manager stated the floats are cleaned twice per year. There are two floats for pump operation (one for each pump) and two floats for level alarms (one high level and one low level).



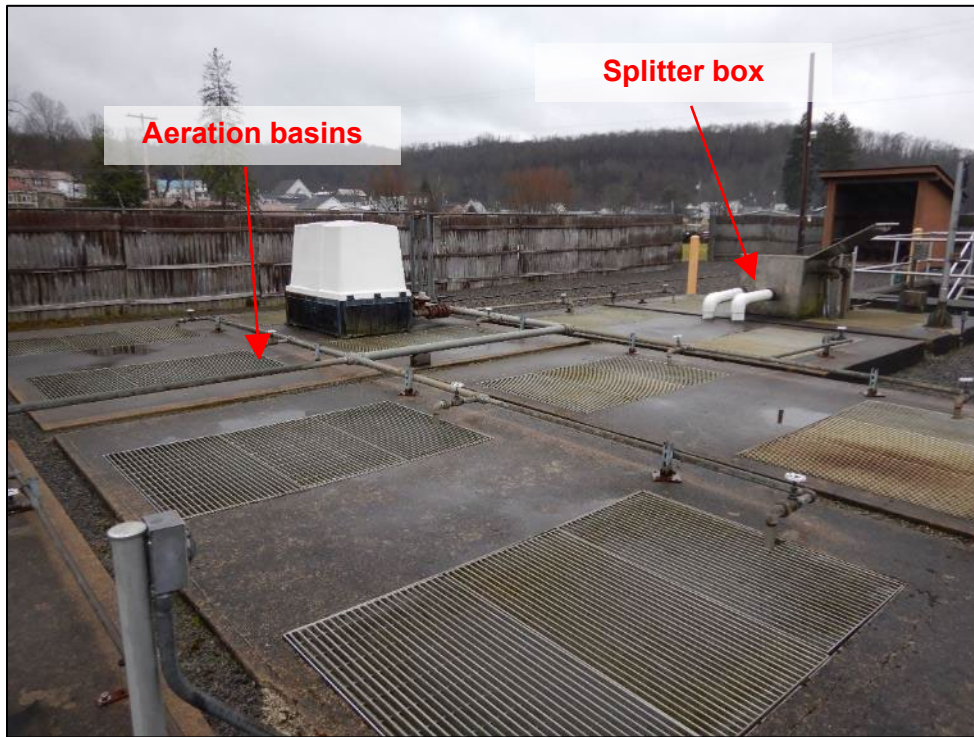
Photograph 18. Bayard WWTP. (DSCN9670) View of the WWTP.



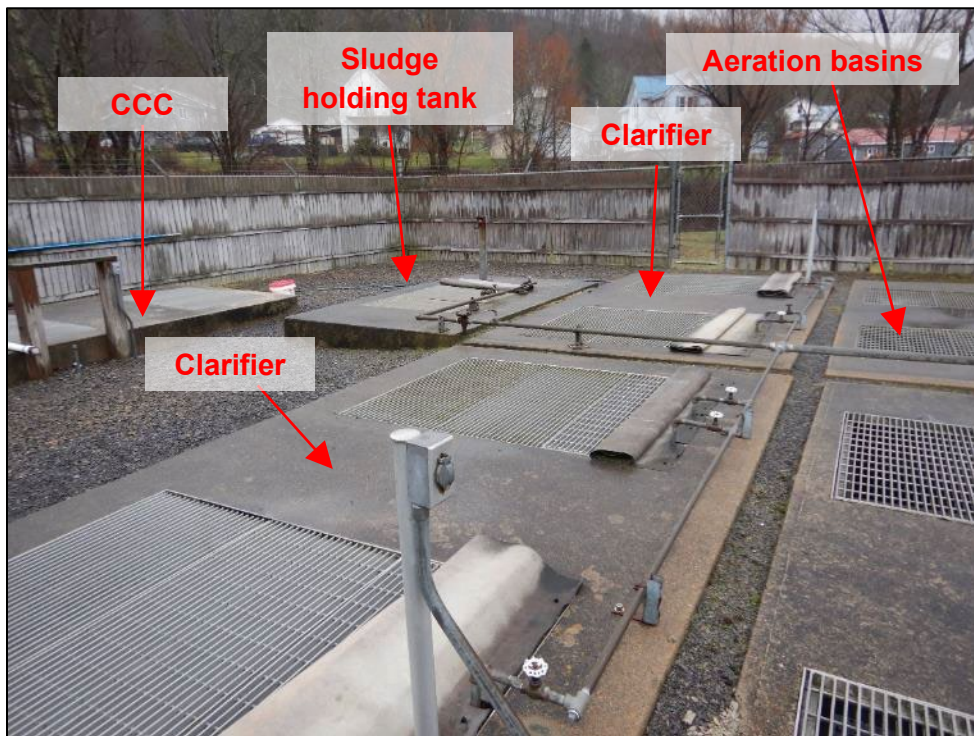
Photograph 19. Bayard WWTP. (DSCN9673) View of the influent channels. There are two channels, one that had been equipped with a grinder that had been removed from service. The other is equipped with a manual bar screen. At the time of the inspection, influent flow was directed to the manual bar screen channel.



Photograph 20. Bayard WWTP. (DSCN9674) View inside the splitter box that sits above the equalization basin. The valve regulates hydraulic flow through the plant.



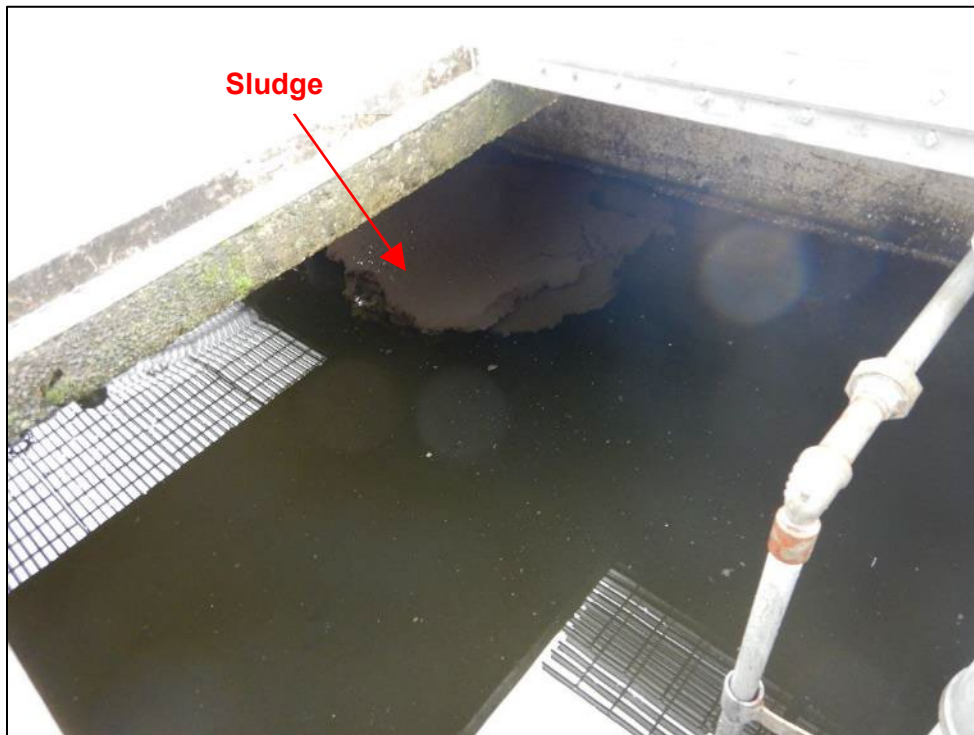
Photograph 21. Bayard WWTP. (DSCN9688) View of the WWTP.



Photograph 22. Bayard WWTP. (DSCN9689) View of the WWTP.



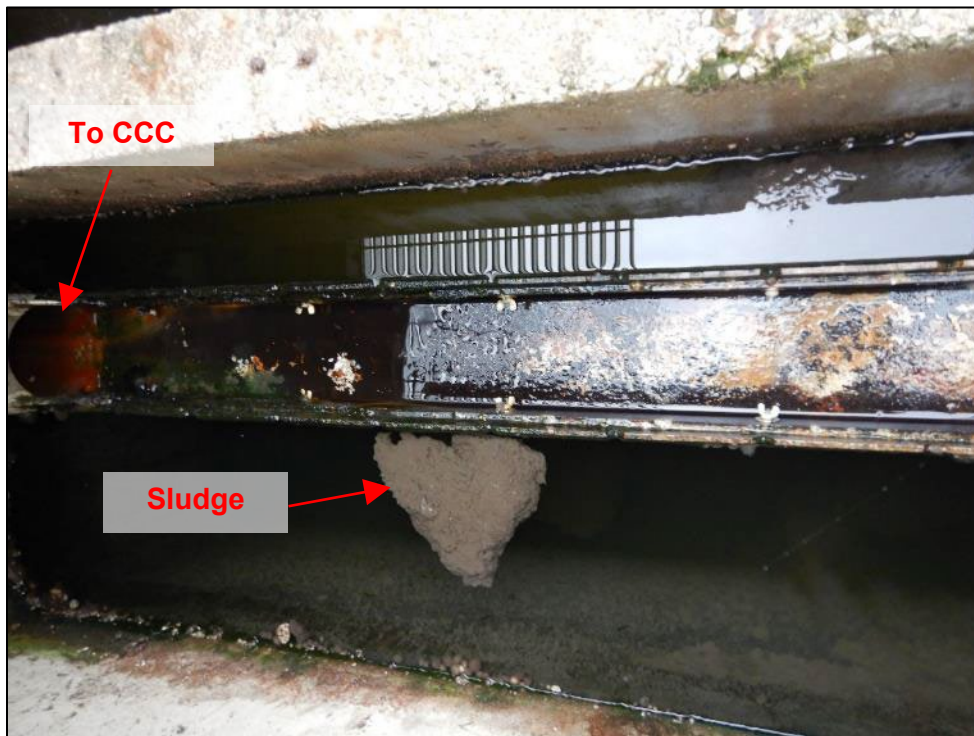
Photograph 23. Bayard WWTP. (DSCN9683) View of the two blowers.



Photograph 24. Bayard WWTP. (DSCN9694) View inside the northern clarifier. Floating sludge was present on the surface of the clarifier.



Photograph 25. Bayard WWTP. (DSCN9691) View inside the northern clarifier. Floating sludge was present adjacent to the effluent weir.



Photograph 26. Bayard WWTP. (DSCN9692) View of the northern clarifier effluent weir. Floating sludge was adjacent to the weir.



Photograph 27. Bayard WWTP. (DSCN9697) View of the southern clarifier.



Photograph 28. Bayard WWTP. (DSCN9698) View of the southern clarifier effluent weir. Floating sludge was adjacent to the weir.



Photograph 29. Bayard WWTP. (DSCN9703) View of the chlorination unit. A screening mechanism had been installed post-chlorination to capture debris.



Photograph 30. Bayard WWTP. (DSCN9705) View of the chlorine contact chamber just prior to flowing to the dechlorination chamber. A pipe was present that was used to periodically pump settled solids to the equalization basin (four times per year per the General Manager).



Photograph 31. Bayard WWTP. (DSCN9707) View of the pipe in the chlorine contact chamber used to transfer solids from the chlorine contact chamber to the equalization basin. The General Manager stated a trash pump is connected to the piping to transfer the solids.



Photograph 32. Bayard WWTP. (DSCN9706) View of the level sensor in the chlorine contact chamber used to determine effluent flow rate.



Photograph 33. Bayard WWTP. (DSCN9723) View of flow meter display. The display stated that the flow was 1.03 gpm based on a water level of 1.358 inches. The sticker on the display stated the meter was last calibrated in December 2021.



Photograph 34. Bayard WWTP. (DSCN9711) View inside the dechlorination chamber. The board underneath the dechlorination unit was installed to increase dissolved oxygen concentrations of the treated effluent. The General Manager stated the second pipe did not serve a purpose (it was a relic of the original plant design but never placed into service). He stated it was not an overflow pipe from a treatment unit upstream of the dechlorination chamber.



Photograph 35. Bayard WWTP. (DSCN9710) Close-up view of effluent flow out of the dechlorination unit. Effluent flows from this chamber to Outlet 001.



Photograph 36. Bayard WWTP. (DSCN9727) View of Outlet 001. The receiving waterbody pictured is the North Branch of the Potomac River.



Photograph 37. Bayard WWTP. (DSCN9731) View of Outlet 001 headwall, pipe, and sign.



Photograph 38. Bayard WWTP. (DSCN9730) View of Outlet 001 pipe. The effluent appeared clear and free of solids and debris.



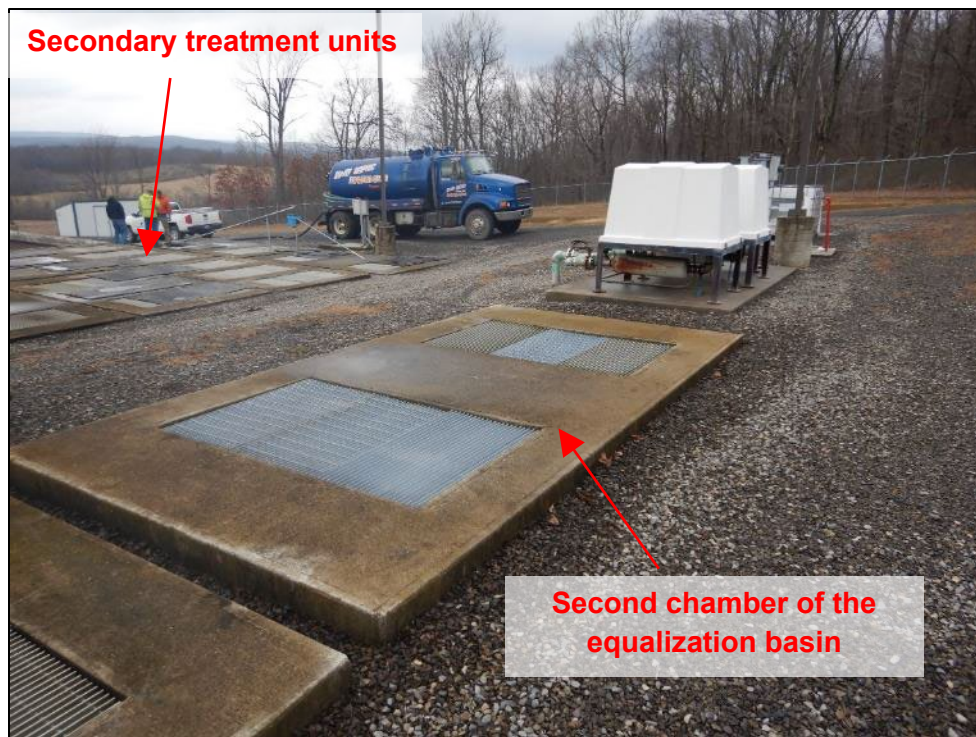
Photograph 39. Bayard WWTP. (DSCN9729) View of the sign for Outlet 001. The text on the sign was obscured such that it was partially illegible.



Photograph 40. Bayard WWTP. (DSCN9706) View of emergency backup generator unit for the WWTP.



Photograph 41. Elk Garden WWTP. (DSCN9976) View of the first chamber of the influent equalization basin and splitter box.



Photograph 42. Elk Garden WWTP. (DSCN9979) View of the second chamber of the equalization basins, blower housing units, and the secondary treatment process units.



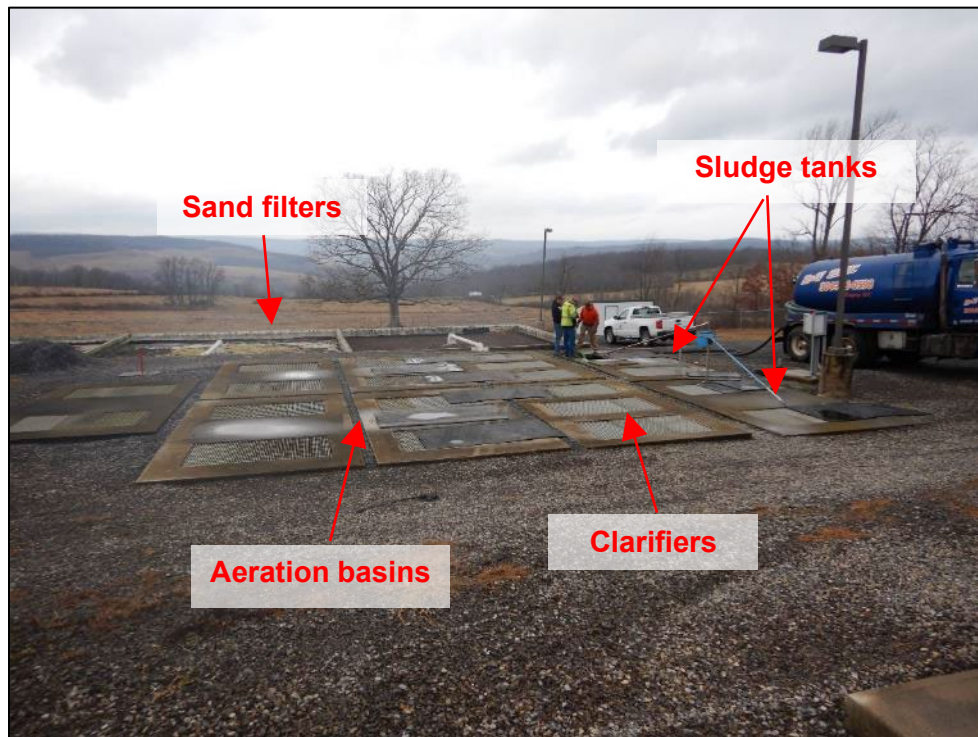
Photograph 43. Elk Garden WWTP. (DSCN9972) View of the influent bar screen in the first chamber of the flow equalization basin.



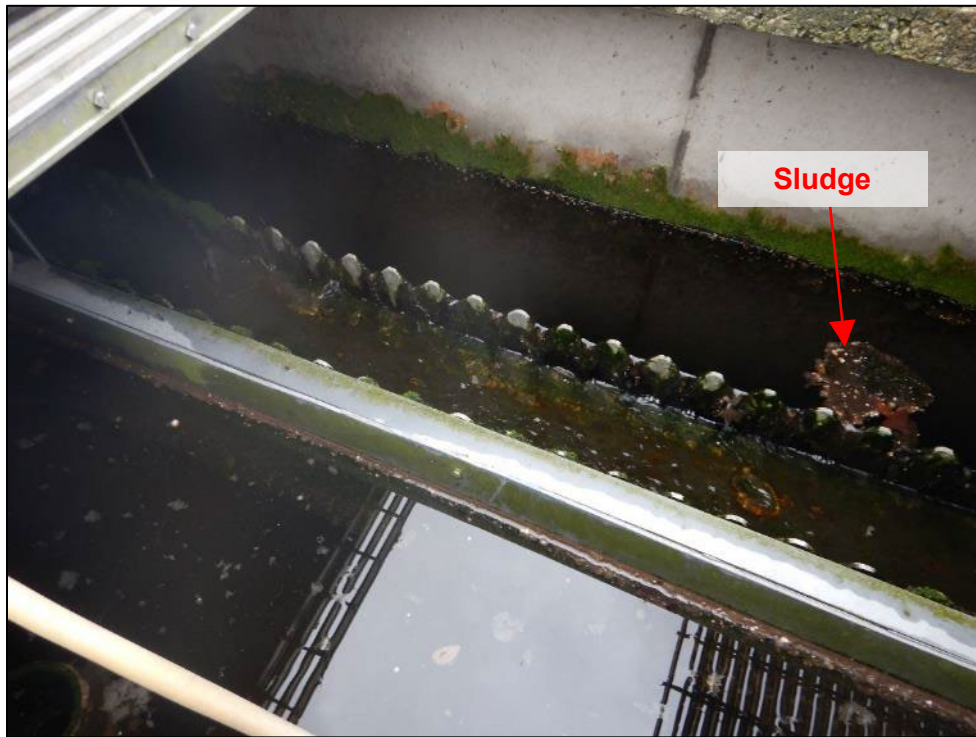
Photograph 44. Elk Garden WWTP. (DSCN9973) View inside the second chamber of the flow equalization basin. The basin is connected to the first chamber from pipes below the wastewater surface. The General Manager stated this chamber is aerated to prevent septic conditions from occurring.



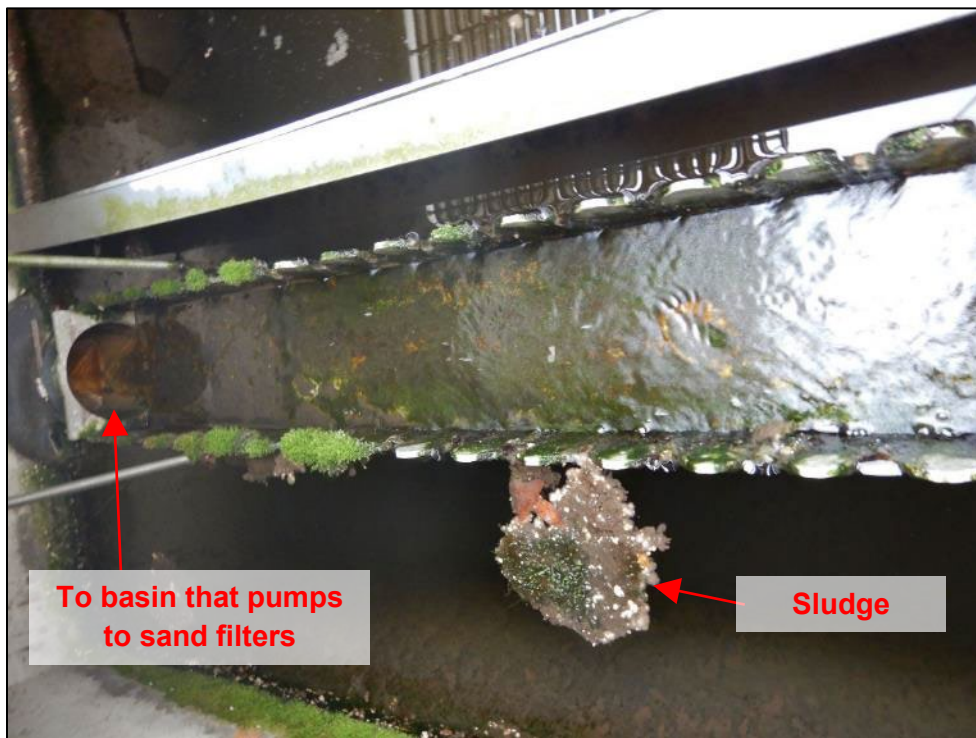
Photograph 45. Elk Garden WWTP. (DSCN9975) View inside the splitter box.



Photograph 46. Elk Garden WWTP. (DSCN9978) View of the WWTP including aeration basins, clarifiers, sludge tanks, and sand filters. Covers for the aeration basins and clarifiers are used in the winter to help maintain the secondary treatment process at an adequate temperature.



Photograph 47. Elk Garden WWTP. (DSCN9983) View of the south clarifier effluent weir. Floating sludge was adjacent to the weir and biological growth was present on the weir.



Photograph 48. Elk Garden WWTP. (DSCN9985) View of the south clarifier effluent weir. Floating sludge was adjacent to the weir and biological growth was present on the weir.



Photograph 49. Elk Garden WWTP. (DSCN9986) View of the south clarifier effluent weir. Biological growth was present on the weir.



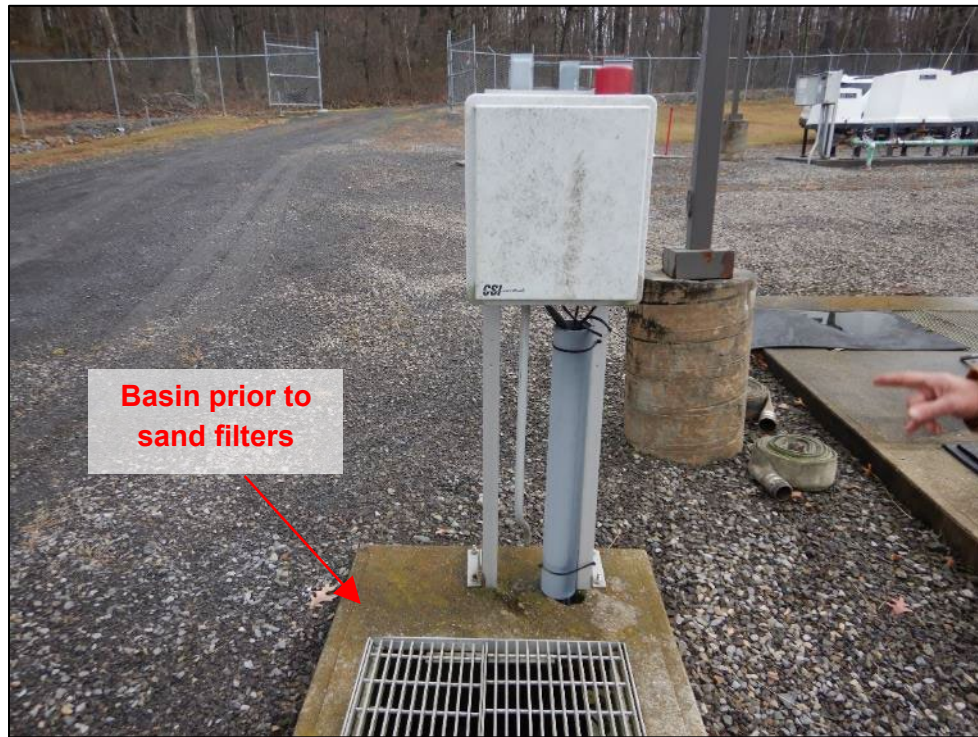
Photograph 50. Elk Garden WWTP. (DSCN9992) View of the north clarifier effluent weir. Biological growth was present on the weir and floating sludge was present adjacent to the weir.



Photograph 51. Elk Garden WWTP. (DSCN9994) View of the north clarifier effluent weir. Biological growth was present on the weir and floating sludge was present adjacent to the weir.



Photograph 52. Elk Garden WWTP. (DSCN9988) View inside the north sludge holding tank. The tank had been pumped out during the inspection; the Permittee had identified an air delivery line that needed to be repaired.



Photograph 53. Elk Garden WWTP. (DSCN9998) View of the basin from which clarified wastewater is pumped to the sand filters and its associated pump control panel. The basin had two pumps.



Photograph 54. Elk Garden WWTP. (DSCN9997) View inside the basin from which clarified wastewater is pumped to the sand filters.



Photograph 55. Elk Garden WWTP. (DSCN0001) View of the three sand filters. The Permittee operates one filter at a time; the General Manager stated that each filter is capable of treating the rated capacity of the WWTP (50,000 gpd).



Photograph 56. Elk Garden WWTP. (DSCN0005) View of northernmost sand filter which was not in service at the time of the inspection. The Permittee was allowing the sludge to dry before manually removing it.



Photograph 57. Elk Garden WWTP. (DSCN0004) View of the sand filter shown in the middle of Photograph 56. The General Manager stated the standpipe shown in the foreground of the photograph is an overflow that flows to the chlorination building (each filter is equipped with such an overflow pipe).



Photograph 58. Elk Garden WWTP. (DSCN0006) View of the southernmost sand filter which was in service at time of the inspection.



Photograph 59. Elk Garden WWTP. (DSCN0012) View of the chlorination unit and chlorine contact chamber. Floating debris was observed on the surface of the chlorine contact chamber.



Photograph 60. Elk Garden WWTP. (DSCN0014) View of the dechlorination unit.



Photograph 61. Elk Garden WWTP. (DSCN0016) View of dechlorinated effluent flowing into a pipe that leads to Outlet 003.



Photograph 62. Elk Garden WWTP. (DSCN0011) View of the effluent flow meter display, which stated the effluent flow was 13.37 gpm at the time of the inspection. The sticker on the cabinet stated the flow meter was last calibrated in December 2021.



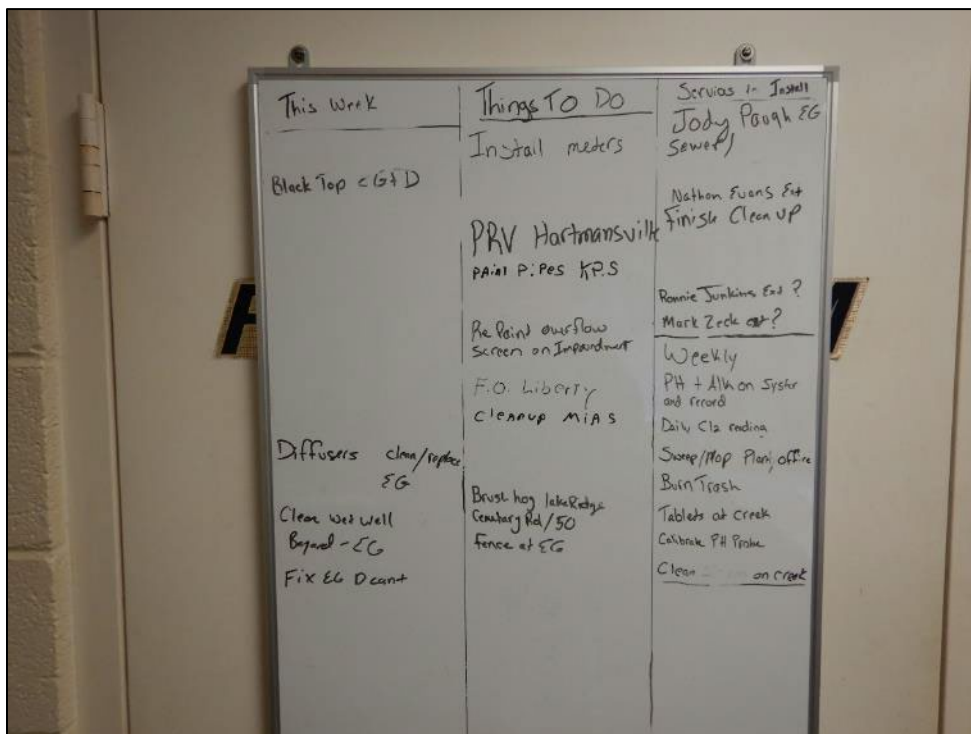
Photograph 63. Elk Garden WWTP. (DSCN0021) View of Outlet 003 pipe and sign. Outlet 003 is located in a cow pasture and approximately 930 feet from the chlorination/dechlorination building.



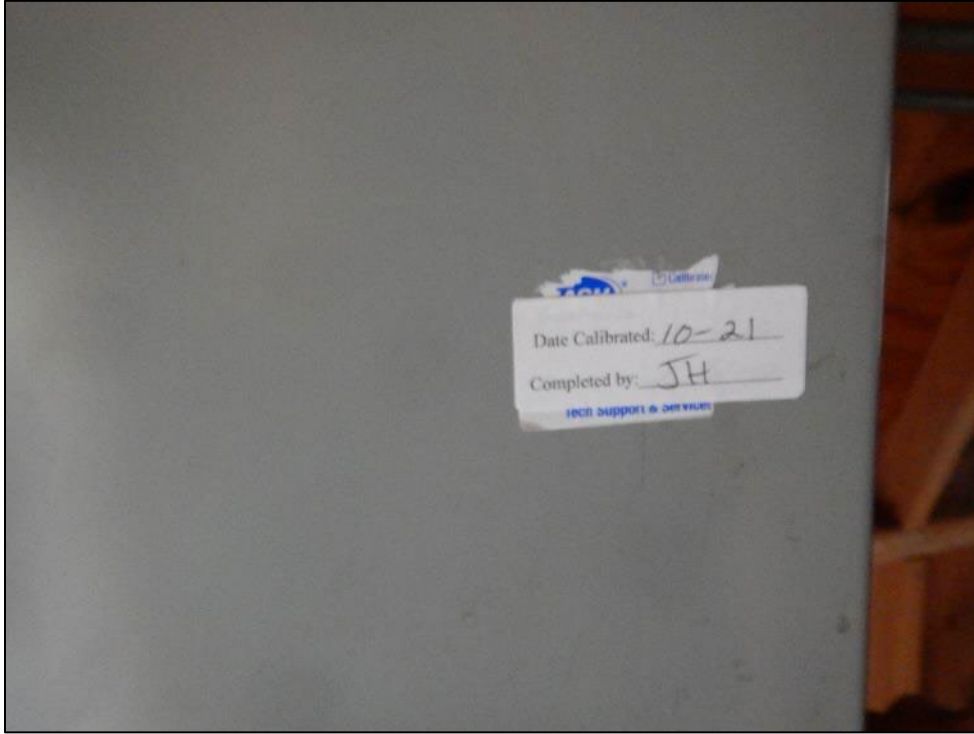
Photograph 64. Elk Garden WWTP. (DSCN0023) View of Outlet 003 pipe.



Photograph 65. Elk Garden WWTP. (DSCN0025) View of the confluence of the Outlet 003 effluent flow path and the receiving water, which is an unnamed tributary of Deep Run, which is tributary to the North Branch of the Potomac River.



Photograph 66. Mountain PSD Water Treatment Plant. (DSCN9737) View of the whiteboard at the water treatment plant used to track O&M activities for the WWTPs and public water system.



Photograph 67. Gormanian WWTP. (DSCN9630) View of the calibration sticker for the flow meter. The sticker states the meter was last calibrated in October 2021.

Appendix B

Exhibit Log

Exhibit 1
EPA ICIS Exceedance Data for Outlet 001
(October 1, 2017 through October 31, 2021)

NPDES ID	Permit Name	Monitoring Period End Date	Limit Set	Parameter	Mon. Loc. Desc.	Limit Value Qualifier Code	Limit Value	Limit Type	Quantity 1	Quantity 2	Quantity Units	Concentration 1	Concentration 2	Concentration 3	Concentration Units	Effluent Violation? Y/N	Limit Start Date	Limit End Date
WV0101524	MOUNTAIN TOP PSD	09/30/2019	001-D	Solids, suspended	Percent Removal	>=	85.	MO AV MN				73			%	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	07/31/2021	001-A	Coliform, fecal general	Disinfection, Process	<=	200.	MO GEOMN					8664		#/100mL	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	07/31/2021	001-A	Coliform, fecal general	Disinfection, Process Complete	<=	400.	DAILY MX						8664	#/100mL	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2021	001-A	BOD, 5-day, 20 deg. C	Prior to Disinfection	<=	12.5	MO AVG	76.86		lb/d					Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2021	001-A	BOD, 5-day, 20 deg. C	Prior to Disinfection	<=	25.	DAILY MX		76.86	lb/d					Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	12/31/2021	001-A	Chlorine, total residual	Disinfection, Process Complete	<=	.	DAILY MX						10	mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	12/31/2021	001-A	Chlorine, total residual	Disinfection, Process Complete	<=	.	MO AVG					10		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	01/31/2022	001-A	Solids, total suspended	Disinfection, Process Complete	<=	12.5	MO AVG	17.9		lb/d					Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	01/31/2022	001-A	Chlorine, total residual	Disinfection, Process Complete	<=	.	DAILY MX						10	mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	01/31/2022	001-A	Chlorine, total residual	Disinfection, Process Complete	<=	.	MO AVG					10		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	08/31/2022	001-A	Solids, total suspended	Disinfection, Process Complete	<=	12.5	MO AVG	27.52		lb/d					Y	7/1/2022	5/5/2027
WV0101524	MOUNTAIN TOP PSD	08/31/2022	001-A	Solids, total suspended	Disinfection, Process Complete	<=	25.	DAILY MX		27.52	lb/d					Y	7/1/2022	5/5/2027

Exhibit 2
EPA ICIS Exceedance Data for Outlet 002
(October 1, 2017 through October 31, 2021)

NPDES ID	Permit Name	Monitoring Period End Date	Limit Set	Parameter	Mon. Loc. Desc.	Limit Value Qualifier Code	Limit Value	Limit Type	Quantity 1	Quantity 2	Quantity Units	Concentration 1	Concentration 2	Concentration 3	Concentration Units	Effluent Violation? Y/N	Limit Start Date	Limit End Date
WV0101524	MOUNTAIN TOP PSD	03/31/2019	002-B	Nitrogen, Kjeldahl, total [as N]	Disinfection, Process Complete	<=	18.	MO AVG					33.8		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	03/31/2019	002-B	Coliform, fecal general	Disinfection, Process Complete	<=	400.	DAILY MX						5900	#/100mL	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2020	002-B	Nitrogen, Kjeldahl, total [as N]	Disinfection, Process Complete	<=	18.	MO AVG					23.1		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	03/31/2021	002-B	Coliform, fecal general	Disinfection, Process Complete	<=	200.	MO GEOMN					5300		#/100mL	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	03/31/2021	002-B	Coliform, fecal general	Disinfection, Process Complete	<=	400.	DAILY MX						5300	#/100mL	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	06/30/2021	002-B	BOD, 5-day, 20 deg. C	Prior to Disinfection	<=	30.	MO AVG					32.6		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	12/31/2021	002-B	Chlorine, total residual	Disinfection, Process Complete	<=	.	DAILY MX						10	mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	12/31/2021	002-B	Chlorine, total residual	Disinfection, Process Complete	<=	.	MO AVG					10		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2022	002-B	Solids, total suspended	Disinfection, Process Complete	<=	30.	MO AVG					36.5		mg/L	Y	7/1/2022	5/5/2027
WV0101524	MOUNTAIN TOP PSD	09/30/2022	002-B	Nitrogen, Kjeldahl, total [as N]	Disinfection, Process Complete	<=	18.	MO AVG					22		mg/L	Y	7/1/2022	5/5/2027

Exhibit 3
EPA ICIS Exceedance Data for Outlet 003
(October 1, 2017 through October 31, 2021)

NPDES ID	Permit Name	Monitoring Period End Date	Limit Set	Parameter	Mon. Loc. Desc.	Limit Value Qualifier Code	Limit Value	Limit Type	Quantity 1	Quantity 2	Quantity Units	Concentration 1	Concentration 2	Concentration 3	Concentration Units	Effluent Violation? Y/N	Limit Start Date	Limit End Date
WV0101524	MOUNTAIN TOP PSD	02/28/2018	003-A	Nitrogen, Kjeldahl, total [as N]	Disinfection, Process Complete	<=	15.	MO AVG					19.9		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2018	003-D	BOD, 5-day, percent removal	Percent Removal	>=	85.	MO AV MN				81			%	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2021	003-A	Solids, total suspended	Disinfection, Process Complete	<=	12.5	MO AVG	250.21		lb/d					Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2021	003-A	Solids, total suspended	Disinfection, Process Complete	<=	25.	DAILY MX		250.21	lb/d					Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2021	003-A	Solids, total suspended	Disinfection, Process Complete	<=	30.	MO AVG					34		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2021	003-A	Nitrogen, Kjeldahl, total [as N]	Disinfection, Process Complete	<=	6.3	MO AVG	19.13		lb/d					Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	09/30/2021	003-A	Nitrogen, Kjeldahl, total [as N]	Disinfection, Process Complete	<=	12.5	DAILY MX		19.13	lb/d					Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	01/31/2022	003-A	Chlorine, total residual	Disinfection, Process Complete	<=	.009	MO AVG					10		mg/L	Y	10/1/2017	8/14/2022
WV0101524	MOUNTAIN TOP PSD	01/31/2022	003-A	Chlorine, total residual	Disinfection, Process Complete	<=	.018	DAILY MX						10	mg/L	Y	10/1/2017	8/14/2022

Exhibit 4
Instruction Manual for Global Water WS700 Sampler



Global Water
800-876-1172 • globalw.com



Global Water

Instrumentation, Inc.

11390 Amalgam Way
Gold River, CA 95670
T: 800-876-1172
Int'l: (916) 638-3429, F: (916) 638-3270
globalw.com

WS700 Sampler



Global Water

800-876-1172 • globalw.com

X. Specifications

Operating Temperature:	0° to +70°C
Size of unit:	22"H X 17"W X 9"D
Weight:	20lb (Shipping Weight 22lb)
Materials:	
Enclosure:	Expanded UV protected PVC
Bottle:	2 gallon Polyethylene
Pickup Hose:	15' nylon reinforced 1/4" ID polyethylene flexible tubing section with intake strainer
Pump Tubing:	Neoprene 1/4" ID, 7/16" OD
Sample Pump:	
Flow Rate:	1000 ml per minute at a 4 foot head
Type:	Peristaltic
Maximum Lift:	~20 feet
Battery:	Rechargeable 5 AH Gel Cell
Battery Life:	~1 hour, continuous pumping under load Standby: 3 months while still retaining enough power to run the pump to capacity
Start Delay:	16 time settings from 0 to 12 hours
Composite Interval:	15 time settings from 5 min. to 12 hours plus an External Trigger mode setting
Sample Size:	15 composite sample sizes from 50ml to 2 liters plus a Full Bottle discrete setting (Approximate sizes at 4 foot head)
External Trigger Input:	250mS minimum pulse width Switch closure or 4-24VDC
Pulse Output:	5VDC one-second pulse 1000ohm output impedance
Bottle Switch Input:	Switch closure Input Floating read switch in bottle
Rain and Water Sensors:	Optional moisture sensors or switch closure inputs
Internal Fuse:	10A Slow-Blow

Appendix C

NPDES Permit No. WV0101524



west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street SE
Charleston, West Virginia 25304-2345
Phone: 304-926-0495/Fax: 304-926-0496

Harold D. Ward, Cabinet Secretary
<https://dep.wv.gov>

May 06, 2022

DOUGLAS M. LYONS, CHAIRMAN
MOUNTAIN TOP PSD
BOX 236
MOUNT STORM, WV 26739

CERTIFIED RETURN RECEIPT REQUESTED

Dear Permittee:

Enclosed please find WV/NPDES Permit Number WV0101524 dated May 06, 2022.

Please note that a Discharge Monitoring Report (DMR) is to be completed and submitted to this Division each month.

Finally note that copies of all future correspondence regarding the permit must be forwarded to the Field Inspector and Field Supervisor at the following address:

Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, WV 26757

Also, please note the attachment to this permit which describes the annual permit fee requirement. Reissuance of your permit does not change the annual fee billing cycle.

If you have any questions, please contact Ryan McGlothen, P.E. of this Division at (304) 926-0499 at extension 43819, or by email at Ryan.K.McGlothen@wv.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kathryn Emery".

Katheryn Emery, P. E.

KE:rkm

Enclosures

Permit Number: WV0101524

Permittee: MOUNTAIN TOP PSD

cc: Bureau of Public Health
Construction Assistance
Env. Insp. Supv.
Env. Insp.
Public Service Commission

**STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
601 57TH STREET SE
CHARLESTON, WV 25304-2345**

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WATER POLLUTION CONTROL PERMIT

NPDES PERMIT NO.: WV0101524

SUBJECT: Sewage

ISSUE DATE: May 06, 2022

EFFECTIVE DATE : July 01, 2022

EXPIRATION DATE: May 05, 2027

SUPERSEDES: Permit No. WV0101524

dated August 15, 2017

LOCATION: MOUNT STORM

(City)

Grant

(County)

N. Potomac River

(Drainage Basin)

See the next page for a list of Outlets.

TO WHOM IT MAY CONCERN:

This is to certify that: MOUNTAIN TOP PSD
BOX 236
MOUNT STORM, WV 26739

is hereby granted a West Virginia NPDES Water Pollution Control Permit to:

operate and maintain three (3) existing sewage collection and treatment systems which are further described as follows:

Outlet No.: 001 - Town of Bayard

To operate and maintain a sanitary wastewater collection system consisting of approximately 4,782 linear feet of six (6) inch diameter gravity sewer line, 14,462 linear feet of eight (8) inch diameter gravity sewer line, 91 manholes, 20 cleanouts, one (1) lift station, 30 linear feet of six (6) inch diameter force main line, and all necessary appurtenances.

To operate and maintain a 50,000 gallon per day wastewater treatment system consisting of a 50,000 gallon per day extended aeration wastewater treatment plant comprised of a comminutor, a bar screen, a 5,400 gallon flow equalization tank, a 50,000 gallon aeration tank, a 10,900 gallon clarifier, a sludge holding tank, a tablet-type chlorine disinfection unit with a 1,735 gallon contact tank, a tablet-type dechlorination unit, a continuous flow measuring meter and all necessary appurtenances.

Facilities are designed to serve approximately 720 persons or equivalent in the Town of Bayard in Grant County and to discharge treated wastewater via Outlet 001 to the North Branch (52 miles from its mouth) of the Potomac River.

Outlet No.: 002 - Town of Gorman

To operate and maintain a sanitary wastewater collection system consisting of approximately 850 linear feet of four (4) inch diameter gravity sewer line, 200 linear feet of six (6) inch diameter gravity sewer line, 4,500 linear feet of eight (8) inch diameter gravity sewer line, 20 manholes, four (4) cleanouts, two (2) duplex submersible sewage grinder pump stations, 200 linear feet of one and one fourth (1 1/4) inch diameter force main line, 950

linear feet of two (2) inch diameter force main line, and all necessary appurtenances.

To operate and maintain a 10,000 gallon per day wastewater treatment system consisting of a 10,000 gallon per day extended aeration "package plant" comprised of a bar screen, a 10,000 gallon aeration chamber, a 2,704 gallon clarifier, a tablet-type chlorine disinfection unit with a 1,454 gallon contact tank, a tablet-type dechlorination unit, a 2,906 gallon sludge holding tank, a continuous flow measuring meter, and all necessary appurtenances.

Facilities are designed to serve approximately 140 persons or equivalent in the Town of Gorman in Grant County and to discharge treated wastewater via Outlet 002 to the North Branch (approximately 50 miles from its mouth) of the Potomac River.

Outlet No.: 003 - Town of Elk Garden

To operate and maintain a sanitary wastewater collection system consisting of approximately 4,646 linear feet of four (4) inch diameter gravity sewer line, 4,121 linear feet of six (6) inch diameter gravity sewer line, 16,095 linear feet of eight (8) inch diameter gravity sewer line, 96 manholes, 29 cleanouts, a duplex lift station, 1,788 linear feet of four (4) inch diameter force main line and all necessary appurtenances.

To operate and maintain a 50,000 gallon per day wastewater treatment system consisting of a 50,000 gallon per day extended aeration sewage treatment plant consisting of a bar screen, a communitor, a 17,000 gallon flow equalization tank, a 50,000 gallon aeration tank, a 9,200 gallon clarifier, a 17,000 aerated sludge holding tank, a 5,000 gallon dosing tank, three (3) alternating surface sand filters with a total surface area of 3,868 square feet, a tablet-type chlorine disinfection unit with a 3,150 gallon contact tank, a tablet-type dechlorination, a post aeration unit, a flow measuring meter, and all necessary appurtenances.

Facilities are designed to serve approximately 714 persons or equivalent in the Town of Elk Garden in Mineral County and to discharge treated wastewater via Outlet 003 to an unnamed tributary (0.09 miles from its mouth) of Deep Run of the North Branch of the Potomac River.

This permit is subject to the following terms and conditions :

The information submitted on and with Permit Application No. WV0101524, dated the 11th day of February 2022, is all hereby made terms and conditions of this Permit with like effect as if all such permit application information were set forth herein and with other conditions set forth in Sections A, B, C, D, and Appendix A.

The validity of this permit is contingent upon the payment of the applicable annual permit fee, as required by Chapter 22, Article 11, Section 10 of the Code of West Virginia.

Inspectable Unit	Latitude	Longitude	Receiving Stream	Dist. to Stream Mouth (in Mile)	Milepost
001	39°16'28"	79°21'46"	NORTH BR OF POTOMAC	90	N/A
002	39°17'35"	79°20'30"	NORTH BR OF POTOMAC	85.85	N/A
003	39°23'45"	79°09'21"	Unnamed Tributary Of DEEP RN	0.8	N/A

A.001 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2022 and lasting through midnight 5/5/2027 the permittee is authorized to discharge from Outlet Number(s) 001 (Sanitary)

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>					
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	Continuous	measured
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-B) (RF-A)	12.5 Avg. Monthly	25 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
00530 - (Total Suspended Solids) (Year Round) (ML-A) (RF-A)	12.5 Avg. Monthly	25 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
81010 - (BOD, % Removal) (Year Round) (ML-K) (RF-D)	N/A	N/A	N/A	85 Month. Avg. Min.	N/A	N/A	Percent	1/year	Calculated
81011 - (Suspended Solids, % Removal) (Year Round) (ML-K) (RF-D)	N/A	N/A	N/A	85 Month. Avg. Min.	N/A	N/A	Percent	1/year	Calculated
74055 - (Coliform, Fecal) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	N/A	200 Mon. Geo. Mean	400 Max. Daily	Cnts/100ml	1/month	Grab
00400 - (pH) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	1/month	Grab
00300 - (Dissolved Oxygen) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	5 Inst. Min.	N/A	N/A	mg/l	1/month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Effluent BOD5 samples shall be collected at a location immediately preceding disinfection. Other effluent samples shall be collected at or as near as possible to the point of discharge. [Town of Bayard]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.001 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2022 and lasting through midnight 5/5/2027 the permittee is authorized to discharge from Outlet Number(s) 001 (Sanitary)

Such discharges shall be limited and monitored by the permittee as specified below:

Such discharges shall be limited and monitored by the permittee as specified below:								Monitoring Requirements	
Effluent Characteristic	Quantity		Units	Other Units		Units	Measurement Frequency	Sample Type	
00625 - (Nitrogen, Kjeldahl Total) (Year Round) (ML-A) (RF-A)	7.5 Avg. Monthly	15 Max. Daily	Lbs/Day	N/A	18 Avg. Monthly	36 Max. Daily	mg/l	1/month	8 hr comp
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	8 hr comp
00665 - (Phosphorus, Total) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	8 hr comp
50060 - (Chlorine, Total Residual) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	N/A	zero Avg. Monthly	zero Max. Daily	mg/l	1/month	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	8 hr comp
01114 - (Lead, Total Recoverable) (Year Round) (ML-A) (RF-D)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/year	8 hr comp
01094 - (Zinc, Total Recoverable) (Year Round) (ML-A) (RF-D)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/year	8 hr comp

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Effluent BOD5 samples shall be collected at a location immediately preceding disinfection. Other effluent samples shall be collected at or as near as possible to the point of discharge. [Town of Bayard]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.002 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2022 and lasting through midnight 5/5/2027 the permittee is authorized to discharge from Outlet Number(s) 002 (Sanitary)

Such discharges shall be limited and monitored by the permittee as specified below:

Such discharges shall be limited and monitored by the permittee as specified below:								Monitoring Requirements	
Effluent Characteristic	Discharge Limitations						Units	Measurement Frequency	Sample Type
	Quantity		Units	Other Units					
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	Continuous	measured
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-B) (RF-B)	2.5 Avg. Monthly	5 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/quarter	8 hr comp
00530 - (Total Suspended Solids) (Year Round) (ML-A) (RF-B)	2.5 Avg. Monthly	5 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/quarter	8 hr comp
74055 - (Coliform, Fecal) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	N/A	200 Mon. Geo. Mean	400 Max. Daily	Cnts/100ml	1/quarter	Grab
00400 - (pH) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	1/quarter	Grab
00300 - (Dissolved Oxygen) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	5 Inst. Min.	N/A	N/A	mg/l	1/quarter	Grab
00625 - (Nitrogen, Kjeldahl Total) (Year Round) (ML-A) (RF-B)	1.5 Avg. Monthly	3 Max. Daily	Lbs/Day	N/A	18 Avg. Monthly	36 Max. Daily	mg/l	1/quarter	8 hr comp
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	8 hr comp

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Effluent BOD5 samples shall be collected at a location immediately preceding disinfection. Other effluent samples shall be collected at or as near as possible to the point of discharge. [Town of Gorman]ia]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.002 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2022 and lasting through midnight 5/5/2027 the permittee is authorized to discharge from Outlet Number(s) 002 (Sanitary)

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>			
00665 - (Phosphorus, Total) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	8 hr comp
50060 - (Chlorine, Total Residual) (Year Round) (ML-A) (RF-B)	N/A	N/A	N/A	N/A	zero Avg. Monthly	zero Max. Daily	mg/l	1/quarter	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Effluent BOD5 samples shall be collected at a location immediately preceding disinfection. Other effluent samples shall be collected at or as near as possible to the point of discharge. [Town of Gormanian]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.003 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2022 and lasting through midnight 5/5/2027 the permittee is authorized to discharge from Outlet Number(s) 003 (Sanitary)

Such discharges shall be limited and monitored by the permittee as specified below:

Such discharges shall be limited and monitored by the permittee as specified below:								Monitoring Requirements	
Effluent Characteristic	Discharge Limitations						Units	Measurement Frequency	Sample Type
	Quantity		Units	Other Units					
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	Continuous	measured
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-B) (RF-A)	12.5 Avg. Monthly	25 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
00530 - (Total Suspended Solids) (Year Round) (ML-A) (RF-A)	12.5 Avg. Monthly	25 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
81010 - (BOD, % Removal) (Year Round) (ML-K) (RF-D)	N/A	N/A	N/A	85 Month. Avg. Min.	N/A	N/A	Percent	1/year	Calculated
81011 - (Suspended Solids, % Removal) (Year Round) (ML-K) (RF-D)	N/A	N/A	N/A	85 Month. Avg. Min.	N/A	N/A	Percent	1/year	Calculated
74055 - (Coliform, Fecal) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	N/A	200 Mon. Geo. Mean	400 Max. Daily	Cnts/100ml	1/month	Grab
00400 - (pH) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	1/month	Grab
00300 - (Dissolved Oxygen) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	N/A	mg/l	1/month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Effluent BOD5 samples shall be collected at a location immediately preceding disinfection. Other effluent samples shall be collected at or as near as possible to the point of discharge.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.003 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2022 and lasting through midnight 5/5/2027 the permittee is authorized to discharge from Outlet Number(s) 003 (Sanitary)

Such discharges shall be limited and monitored by the permittee as specified below:

Such discharges shall be limited and monitored by the permittee as specified below:								Monitoring Requirements	
Effluent Characteristic	Discharge Limitations								
	Quantity		Units	Other Units		Units	Measurement Frequency	Sample Type	
00625 - (Nitrogen, Kjeldahl Total) (Year Round) (ML-A) (RF-A)	7.5 Avg. Monthly	15 Max. Daily	Lbs/Day	N/A	18 Avg. Monthly	36 Max. Daily	mg/l	1/month	8 hr comp
Refer to Section C.25 for alternate limits.									
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	8 hr comp
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	8 hr comp
50060 - (Chlorine, Total Residual) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	N/A	0.009 Avg. Monthly	0.018 Max. Daily	mg/l	1/month	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
Refer to Section C.25 for alternate limits.									
01114 - (Lead, Total Recoverable) (Year Round) (ML-A) (RF-D)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/year	8 hr comp
01094 - (Zinc, Total Recoverable) (Year Round) (ML-A) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
Refer to Section C.25 for alternate limits.									
00900 - (Hardness, Total (as CaCO3)) (Year Round) (ML-6) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Effluent BOD₅ samples shall be collected at a location immediately preceding disinfection. Other effluent samples shall be collected at or as near as possible to the point of discharge.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the provisions for waste treatment and the monitoring requirements specified in the permit in accordance with the following schedule :

Effective date of permit.

2. Reports of compliance or non-compliance with, and progress reports on interim and final requirements contained in the above compliance schedule, if any, shall be postmarked no later than 14 days following each schedule date.

Section C - Other Requirements

01. The herein-described treatment works, structures, electrical and mechanical equipment shall be adequately protected from physical damage by the maximum expected one hundred (100) year flood level and operability be maintained during the twenty-five (25) year flood level.
02. The entire sewage treatment facilities shall be adequately protected by fencing.
03. The proper operation and maintenance of the listed sewage treatment facilities shall be performed, or supervised, by a certified operator possessing at least a Class S certificate for Wastewater System Operators as issued by the State of West Virginia. The on-site attendance of this facility's Class S operator shall be determined and directed by the Bureau for Public Health, Office of Environmental Health Services.
04. The arithmetic mean of values for effluent samples collected in a seven (7) consecutive day period shall not exceed 45.0 mg/l for BOD5 and TSS for Outlet No.001 [Town of Bayard] and Outlet No.002 [Town of Gormanian] and shall not exceed 45 mg/l for TSS for Outlet No.003 [Elk Garden]. Furthermore, the permittee may submit mitigating factors as an attachment to its DMRs related to an excursion of this requirement. The Director may choose to take those mitigating factors into consideration in determining whether enforcement action is required.
05. The permittee shall submit each month (1/month) or quarter (1/quarter) according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration and/or quantities the values of the constituents listed in Section A analytically determined to be in the plant effluent(s). Additional information pertaining to effluent monitoring and reporting can be found in Section III of Appendix A.
06. The required DMRs shall be received by the agency no later than 25 days following the end of the reporting period in accordance with the following requirements. The agency is now requiring the permittee to utilize our electronic discharge monitoring report (eDMR) system which is now mandatory. The permittee is not required to submit hard copies of the DMRs to the addresses listed below when using eDMR. Special circumstances may result in the agency granting an exemption to eDMR and are considered on case by case basis. If the permittee was exempted by the agency from using the eDMR system, then the permittee is required to send hard copies to the addresses below. The permittee may contact the agency for more information about the eDMR system and potential exemptions from using it. Regardless, in accordance with Appendix A, Section III.6 of this permit, the permittee shall maintain copies of DMRs (either hard copies or electronic copies) at the plant site and the DMRs shall be made readily available upon request for DEP personnel.
 - a. **Director**
Division of Water and Waste Management
601 57th Street, SE
Charleston, West Virginia 25304
Attn: Permitting Branch
Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, West Virginia 26757
07. In conjunction with all other reporting requirements of this permit, copies of all future correspondence regarding this permit will be forwarded to the Environmental Inspector and Environmental Inspector Supervisor at the following address:

Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, West Virginia 26757
08. The permittee shall not accept any new non-domestic discharges without first obtaining approval from the Director of the Division of Water and Waste Management as provided in Title 47, Series 10, Section 14 of the West Virginia Legislative Rules.
09. If any existing non-domestic discharge causes, or is suspected of causing, interference or pass through (as defined by 40 CFR 403.3) or otherwise violates any provision of 40 CFR 403, the permittee shall notify the Director of such violation or suspected violation.

Section C - Other Requirements

10. If any existing non-domestic discharge is identified as being subject to Categorical Pretreatment Standard under 40 CFR Chapter 1, Subchapter N, and the discharge is not regulated by this permit, the permittee shall notify the Director of such identification.
11. The average daily design flow of the Town of Bayard and the Town of Elk Garden Wastewater Treatment Plants have been established at 0.05 million gallons per day. The average daily design flow of the Town of Gorman WTP has been established at 0.01 million gallons per day. When the average monthly effluent flow at each plant reported on Discharge Monitoring Reports reaches, or exceeds, 90 percent of the average design flow, 0.045 million gallons per day (Bayard and Elk Garden) or 0.009 million gallons per day (Gorman) during three (3) consecutive monthly periods, the permittee shall submit a Plan of Action to the Director. The Plan of Action shall present, at a minimum, an analysis of current hydraulic and organic loadings on the plant, an analysis of the future projected loadings, and a Schedule of Tasks to accomplish procedures necessary to maintain required treatment levels.
12. Any future collection system extensions projected to cause an increase in the wastewater flow, equal to, or greater than, five (5) percent of average design flow (2,500 gpd for Bayard and Elk Garden, or 500 gpd for Gorman) shall require the permittee to contact the Director to secure approval of the extension. After consideration of the complexity of the project, and the available treatment capacity of the facility, the Director may require the permittee to seek approval through Modification of the Permit.
13. Effluent monitoring for the following pollutants shall be conducted using the most sensitive methods and detection levels commercially available and economically feasible. The following methods are to be used unless the permittee desires to use an EPA Approved Test Method with a listed lower method detection level. Regardless, it is recognized that detection levels can vary from analysis to analysis and that non-detect results at a different MDL for the specified test method would not constitute a permit violation.

Parameter	EPA Method No.	Method Detection Level (ug/l)
Copper, Total Recoverable	200.8	0.5
Lead, Total Recoverable	200.8	0.6
Zinc, Total Recoverable	200.8	1.8

14. The analytical test procedures, set forth in 40 CFR Part 136, prescribe colorimetric methods for certain parameters. The digestion process for the performance of total recoverable is not sufficient for the utilization of a colorimetric procedure. Therefore, colorimetric procedures shall not be acceptable for the analysis of parameters prescribed as total recoverable.
15. Over the term of this permit, the permittee is allowed one (1) excursion each of the maximum daily fecal coliform effluent limitation prescribed in Section A.001 and A.003. The number of allowed excursions is based upon one (1) percent of the number of required self-monitoring events. Utilization of the excursion allowance is conditioned as follows.
 - a. Excursion allowances are afforded only to self-monitoring results and only when self-monitoring activities assess compliance with the maximum daily effluent limitation by analysis of an individual grab sample. No excursion allowance can be applied to analytical results obtained by representatives of the Director in the performance of their compliance assessment activities. Additionally, representatives of the Director may assess compliance with the maximum daily effluent limitation by collection and analysis of an individual grab sample.
 - b. The excursion allowance is contingent upon the permittee's prompt return to compliance as evidenced by the next required fecal coliform self-monitoring event.
 - c. The result for which an excursion allowance is claimed shall be included in the calculation of the average monthly effluent value.
 - d. Should an excursion allowance be utilized by the permittee, said allowance must be reported as an attachment to the Discharge Monitoring Report. This attachment should state that (1) an excursion allowance was taken in accordance with the conditions outlined above, (2) the total number of allowances taken to date during the term of this permit, and (3) the total number of allowances remaining during the term of this permit. The permittee shall maintain an on-site record of the excursion allowances utilized during the term of the permit.

Section C - Other Requirements

16. The permittee shall be required to test the sewage treatment plant's influent in order to calculate the percent (%) removal parameters for BOD5 and TSS contained in Section A.001 and A.003 of this permit. Influent sampling requirements include:
 - a. Percent removal shall be defined as a percentage expression of the removal efficiency across the wastewater treatment plant for a given pollutant parameter, as determined from the thirty day average values of the influent concentrations to the facility and the thirty day average effluent pollutant concentrations. Only influent and effluent samples taken concurrently as specified below shall be used for reporting.
 - b. Influent BOD5 and TSS samples shall be collected using the permittee's established sampling schedule at least one times per year (1/year) for the wastewater treatment facility.
 - c. The permittee shall collect representative BOD5 and TSS influent samples using their established sampling procedures over an eight (8) hour period.
 - d. Influent BOD5 and TSS sampling shall be performed over the same eight (8) hour time period as the effluent BOD5 and TSS sampling.
17. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee should use actual analytical results when these results are greater than or equal to the MDL and should use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee should use the actual MDL in the calculation for averaging and report the result as less than the average calculation.

18. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If a MDL is not sensitive enough to confirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.
19. The permittee shall not use alternate DMRs without prior approval from this Agency.
20. Available sampling methods for total residual chlorine (TRC) are currently not sensitive enough to confirm compliance with the permit limitations imposed for the new treatment plant. Total residual chlorine (TRC) samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136. Because the permittee does not operate a certified wastewater laboratory at the plant site but still must comply with the instantaneous sample-type requirements, the permittee shall use an EPA Approved Method with at least a method detection level (MDL) of 100 ug/l (0.1 mg/l). Any TRC sampling result reported as less than the MDL stated above shall be assumed to confirm compliance for purposes of permit compliance. Should a more sensitive EPA approved method become available for field analysis of TRC, the permittee shall perform TRC self-monitoring in accordance with the new method. If the new method is not sensitive enough to determine compliance with specified TRC limits, analytical results reported as "not detected" at the MDL of the new method will be deemed compliant for purposes of permit compliance.
21. Unless otherwise authorized under Section A of this permit, any discharge from any point other than a permitted treatment outfall or permitted combined sewer system is expressly prohibited. In the event there is a prohibited discharge from a sewer conveyance system, the permittee shall follow the reporting requirements contained in Appendix A, Part IV, Section 2.

Section C - Other Requirements

22. In accordance with the Chesapeake Bay TMDL, no additional loading of the appropriate pollutants can be introduced into the Chesapeake Bay. Therefore, any future expansion of the Bayard, Gormanian, or Elk Garden wastewater treatment plant beyond the existing design flow of 0.05 million gallons per day for Bayard or Elk Garden and beyond the existing design flow of 0.01 million gallons per day for Gormanian shall require the permittee to obtain offsets. Said offsets shall be submitted to the Director for approval, and the permit subsequently modified prior to any expansion. At present, no trading or offset program has been established by the state. Proposals will continue to be evaluated on a case-by-case basis until a trading and/or offset program has been established.

23. Permit monitoring requirements are continuing to be implemented for total nitrogen and total phosphorous. The monitoring requirements shall be attained in accordance with the following:

- a. The Division recognizes there is not an EPA approved method to directly test for Total Nitrogen. The Total Nitrogen value to be reported on the permittee's Discharge Monitoring Reports (DMRs) shall be the sum of the following parameters; Total Kjeldahl Nitrogen, Nitrate, and Nitrite.
 - 1) If all three (3) constituents of total nitrogen are not detected at its method detection limit (MDL), the permittee shall sum the actual MDLs for each constituent and report the result as less than the calculation.
 - 2) When calculating the sum of the constituents for total nitrogen, the permittee shall use actual analytical results when these results are greater than or equal to the MDL for a particular constituent and should use zero (0) for a constituent if one (1) or two (2) of the constituents are less than the MDL.
- b. Effluent monitoring for the following pollutants shall be conducted using the most sensitive methods and detection levels commercially available and economically feasible. The following methods and detection levels are recommended to be used unless the permittee desires to use an EPA Approved Method with a lower detection level:

Parameter	EPA Method No.	Method Detection Limit (mg/l)
-----	-----	-----
Total Kjeldahl Nitrogen	351.2	0.05
Nitrate Nitrogen	300.0	0.002
Nitrite Nitrogen	300.0	0.004
Total Phosphorous	365.4	0.01

Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used (See Section 2.a for nitrogen). The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

- c. The permittee shall collect eight (8) hour composite samples for total phosphorous and for each constituent of total nitrogen. All sampling shall be collected concurrently and shall be representative of normal operations.
24. The Total Hardness sample(s) as provided for in Section A.003 are to be collected from the receiving stream at a point immediately downstream of, and after mixing with, the effluent discharge.
25. All effluent limitations contained in Section A.003 apply at all times unless specified otherwise in this section. Real time (tiered) water quality limitations have been granted for TKN, copper, and zinc in Section A.003 of the permit. The limitations for TKN, copper, and zinc imposed in Section A.003 only apply when there is no receiving stream flow in the unnamed tributary that Outlet 003 discharges into. If there is flow in the unnamed tributary that Outlet 003 discharges into, then the permittee must achieve all limitations contained in Section A.003 as well as the following more stringent limitations for TKN, copper, and zinc contained in Section C.25.a. Continued discharge under the specified limitations is contingent upon the requirements in this section.

Section C - Other Requirements

25. a. Alternate Limitations at Outlet 003 if Flow Exists in Unnamed Tributary

Pollutant	Average Monthly Mass (lbs/day)	Max Daily Mass (lbs/day)	Average Monthly Concentration (mg/l)	Max Daily Concentration (mg/l)
TKN	3.2	6.3	7.6	15.2
Zinc	N/A	N/A	0.111	0.215
Copper	N/A	N/A	0.014	0.027

- b. A daily stream flow monitoring log (log is attached to permit) shall be maintained by the facility and attached to its monthly Discharge Monitoring Reports (DMRs). The log shall, at a minimum, include: a daily record (minimum of five days per calendar week) of whether or not there was any stream flow in the unnamed tributary that Outlet 003 discharges into; whether or not a sample was collected that day; and whether or not that sample was compliant with Section C.25 of the permit. Please note that a visible inspection is required to validate whether or not stream flow exists.
- c. If the permittee collects a TKN, copper, or zinc sample during a particular monthly monitoring period and it is compliant with the limitations noted in Section C.25.a above, no further testing is necessary for the monthly monitoring period regardless of the flow conditions of the receiving stream.

If the permittee collects a TKN, copper, or zinc sample during a monthly monitoring period that is compliant with the Section A.003 limitations/conditions but not compliant with the limitations/conditions prescribed in Section C.25.a, no additional sampling is necessary for the month for these pollutants so long as there is no stream flow for the entire monthly monitoring period.

If the permittee collects a TKN, copper, or zinc sample during a monthly monitoring period that is compliant with the Section A.003 limitations/conditions but not compliant with the limitations/conditions prescribed in Section C.25.a AND there is flow in the unnamed tributary during the same monthly monitoring period, additional sampling is required (as soon as practically possible - i.e. within 24 hours of the stream flow record) during the month when stream flow in the unnamed tributary exists. Please note that any sample collected to show compliance with Section C.25.a must be compared to the limitations contained in Section C.25.a even if it is collected on the following day and there is no stream flow at the time of collection.

Section D - Sewage Sludge Management Requirements

01. The permittee shall remove sewage sludge from its system only by a septage hauler certified and registered under either General Permit No. WVSG10000 for land application of sewage sludge or General Permit No. WVSG20000 for disposal of sewage sludge at a wastewater treatment facility.
02. Should the permittee choose to use any sewage sludge disposal method other than the method listed in Section D.01 above, they must obtain prior approval of that method from the Director of this Division.
03. Upon authorization of coverage under this permit, the permittee shall have fulfilled the requirements of Appendix A, Part II, Section 5, of this Permit, with respect to the sludge generated by the wastewater treatment facilities permitted herein and compliance with the terms and conditions of the approved Sewage Sludge Management Practices shall become incorporated herewith.
04. The permittee shall monitor and report annually on the enclosed Sewage Sludge Management Report form the quantity of sewage sludge produced. The required report shall be received by the agency no later than 25 days following the end of the reporting period and in accordance with the following requirements.

- a. The agency is now requiring the permittee to utilize our electronic DMR (eDMR) system which is now mandatory.
- b. The permittee is not required to submit hard copies of the DMRs to the addresses listed below when using eDMR. Special circumstances may result in the agency granting an exemption to eDMR and are considered on case by case basis. If the permittee was exempted by the agency from using the eDMR system, then the permittee is required to send hard copies to the addresses below. The permittee may contact the agency for more information about the eDMR system and potential exemptions from using it.

Director
Division of Water and Waste Management
601 57th Street SE
Charleston, West Virginia 25304-2345
Attention: Permitting Program

Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, West Virginia 26757

- c. Regardless, in accordance with Appendix A, Section III.6 of this permit, the permittee shall maintain copies of DMRs (either hard copies or electronic copies) at the plant site and the DMRs shall be made readily available upon request from DEP personnel.

05. The permittee shall submit the Sewage Sludge Management Report form for each monitoring period listed below according to the following due dates:

Monitoring Period	Sewage Sludge Management Report Due Dates
January 1 - December 31	January 25

06. In conjunction with all other reporting requirements of this permit, copies of all future correspondence regarding this permit will be forwarded to the Environmental Inspector and Environmental Inspector Supervisor at the following address:

Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, West Virginia 26757

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

The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0101524; with the plan of maintenance and method of operation thereof submitted with such application(s); and with any applicable rules and regulations promulgated by the Environmental Quality Board and the Secretary of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0101524; and with the plan of maintenance and method of operation thereof submitted with such application(s) shall constitute grounds for the revocation or suspension of this permit and the invocation of all the enforcement procedures set forth in Chapter 22, Article 11, or 15 of the Code of West Virginia.

This permit is issued in accordance with the provisions of Chapter 22, Article 11 and 12 and/or 15 of the Code of West Virginia and is transferable under the terms of Section 11 of Article 11.



Kathryn Emery, P.E., Director

Appendix A

I. MANAGEMENT CONDITIONS:

1. Duty to Comply

- a) The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the CWA and State Act and is grounds for enforcement action; for permit modification, revocation and reissuance, suspension or revocation; or for denial of a permit renewal application.
- b) The permittee shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

2. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit at least 180 days prior to expiration of the permit.

3. Duty to Mitigate

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

4. Permit Actions

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

5. Property Rights

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

6. Signatory Requirements

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

7. Transfers

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

8. Duty to Provide Information

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

9. Other Information

Where the permittee becomes aware that 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 Director, it shall promptly submit such facts or information.

10. Inspection and Entry

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

- a) Enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;
- b) Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the State Act, any substances or parameters at any location.

11. Permit Modification

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

12. Water Quality

This discharge shall not cause or materially contribute to: distinctly visible floating or settable solids, suspended solids, scum, foam or oily slicks; deposits or sludge bank on the bottom; odors in the vicinity of the waters; taste or odor that would adversely affect the designated uses of the affected waters; distinctly visible color which may impair or interfere with the designated uses of the affected waters; and shall not cause a fish or mussel kill. The limitations and conditions in this permit for the discharges identified in this permit are limitations and conditions that are necessary to meet applicable West Virginia water quality standards, Requirements Governing Water Quality Standards 47 CSR 2.

13. Outlet Markers

A permanent marker at the establishment shall be posted in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.

14. Liabilities

- a) Any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, 308 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.
- b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- c) Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- d) Nothing in I.14 a), b), and c) shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11.

II. OPERATION AND MAINTENANCE:

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit. For domestic waste treatment facilities, waste treatment operators as classified by the WV Bureau of Public Health Laws, W. Va. Code Chapter 16-1, will be required except that in circumstances where the domestic waste treatment facility is receiving any type of industrial waste, the Director may require a more highly skilled operator.

2. Need to Halt or Reduce Activity Not a Defense

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

3. Bypass

- a) Definitions
 - (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility; and
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of II.3.c) and II.3.d) of this permit.
- c)
 - (1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass;
 - (2) If the permittee does not know in advance of the need for bypass, notice shall be submitted as required in IV.2.b) of this permit.
- d) Prohibition of bypass
 - (1) Bypass is permitted only under the following conditions, and the Director may take enforcement action against a permittee for a bypass, unless;
 - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (C) The permittee submitted notices as required under II.3.c) of this permit.
 - (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in II.3.d.(1) of this permit.

4. Upset

- a) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitation if the requirements of II.4.c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in IV.2.b) of this permit.
 - (4) The permittee complied with any remedial measures required under I.3. of this permit.
- d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances

Where removed substances are not otherwise covered by the terms and conditions of this permit or other existing permit by the Director, any solids, sludges, filter backwash or other pollutants (removed in the course of treatment or control of wastewaters) and which are intended for disposal within the State, shall be disposed of only in a manner and at a site subject to the approval by the Director. If such substances are intended for disposal outside the State or for reuse, i.e., as a material used for making another product, which in turn has another use, the permittee shall notify the Director in writing of the proposed disposal or use of such substances, the identity of the prospective disposer or users, and the intended place of disposal or use, as appropriate.

III. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Reporting

- a) Permittee shall submit, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration, and/or quantities, the values of the constituents listed in Part A analytically determined to be in the plant effluent(s). DMR submissions shall be made in accordance with the terms contained in Section C of this permit.
- b) Enter reported average and maximum values under "Quantity" and "Concentration" in the units specified for each parameter, as appropriate.
- c) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled "N.E." (i.e., number exceeding).
- d) Specify frequency of analysis for each parameter as number of analyses/specified period (e.g., 3/month is equivalent to 3 analyses performed every calendar month). If continuous, enter "Cont.". The frequency listed on format is the minimum required.

3. Test Procedures

Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless other test procedures have been specified elsewhere in this permit.

4. Recording of Results

For each measurement or sample taken pursuant to the permit, the permittee shall record the following information.

- a) The date, exact place, and time of sampling or measurement;
- b) The date(s) analyses were performed;
- c) The individual(s) who performed the sampling or measurement;
- d) The individual(s) who performed the analyses; if a commercial laboratory is used, the name and address of the laboratory;
- e) The analytical techniques or methods used, and
- f) The results of such analyses. Information not required by the DMR form is not to be submitted to this agency, but is to be retained as required in III.6.

5. Additional Monitoring by Permittee

If the permittee monitors any pollutant at any monitoring point specified in this permit more frequently than required by this permit, using approved test procedures or others as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

6. Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

7. Definitions

- a) "Daily discharge" means the discharge of a pollutant measured during a calendar day or within any specified period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.
- b) "Average monthly discharge limitation" means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
- c) "Maximum daily discharge limitation" means the highest allowable daily discharge.
- d) "Composite Sample" is a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite. The maximum time period between individual samples shall be two hours.
- e) "Grab Sample" is an individual sample collected in less than 15 minutes.
- f) "is" = immersion stabilization - a calibrated device is immersed in the effluent stream until the reading is stabilized.
- g) The "daily average temperature" means the arithmetic average of temperature measurements made on an hourly basis, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar month, or during the operating month if flows are of shorter duration.
- h) The "daily maximum temperature" means the highest arithmetic average of the temperatures observed for any two (2) consecutive hours during a 24 hour day, or during the operating day if flows are of shorter duration.
- i) The "monthly average fecal coliform" bacteria is the geometric average of all samples collected during the month.
- j) "Measured Flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or which a relationship to absolute volume has been obtained.
- k) "Estimate" means to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to pump capabilities, water meters and batch discharge volumes.
- l) "Non-contact cooling water" means the water that is contained in a leak-free system, i.e., no contact with any gas, liquid, or solid other than the container for transport; the water shall have no net poundage addition of any pollutant over intake water levels, exclusive of approved anti-fouling agents.

IV. OTHER REPORTING

1. Reporting Spills and Accidental Discharges

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

2. Immediate Reporting

- a) The permittee shall report any noncompliance which may endanger health or the environment immediately after becoming aware of the circumstances by using the Agency's designated spill alert telephone number. A written submission shall be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- b) The following shall also be reported immediately:
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
 - (2) Any upset which exceeds any effluent limitation in the permit; and
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit shall be reported immediately. This list shall include any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance.
- c) The Director may waive the written report on a case-by-case basis if the oral report has been received in accordance with the above.
- d) Compliance with the requirements of IV.2 of this section, shall not relieve a person of compliance with Title 47, Series 11, Section 2.

3. Reporting Requirements

- a) Planned changes. The permittee shall give notice to the Director of any planned physical alterations or additions to the permitted facility which may affect the nature or quantity of the discharge. Notice is required when:
 - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Section 13.7.b of Series 10, Title 47; or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under IV.2 of this section.
- b) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- c) In addition to the above reporting requirements, all existing manufacturing, commercial, and silvicultural discharges must notify the Director in writing as soon as they know or have reason to believe:
 - (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, or any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) One hundred micrograms per liter (100 ug/l);
 - (B) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitro phenol; and for 2-methyl 4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (C) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.9 of Series 10, Title 47.
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47;
 - (2) That any activity has occurred or will occur which would result in any discharge (on a non-routine or infrequent basis) of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) Five hundred micrograms per liter (500 ug/l);
 - (B) One milligram per liter (1 mg/l) for antimony;
 - (C) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.7 of Series 10, Title 47;
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47.
 - (3) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a routine or frequent basis of that toxic pollutant at levels which exceed five times the detection limit for that pollutant under approved analytical procedure.
 - (4) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a non-routine or infrequent basis of that toxic pollutant at levels which exceed ten times the detection limit for that pollutant under approved analytical procedure.

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain the information listed in IV.2.a). Should other applicable noncompliance reporting be required, these terms and conditions will be found in Section C of this permit.

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 001

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-A	Reported								N/A	mgd			
Flow,in Conduit or thru plant	Permit Limits	N/A	N/A			N/A	Rpt Only	Rpt Only				Continuous	measured
Year Round						Avg. Monthly	Max. Daily						
00310 (ML-B) RF-A	Reported			Lbs/Day					N/A	mg/l			
BOD, 5-Day 20 Deg.C	Permit Limits	12.5	25			N/A	30	60				1/month	8 hr comp
Year Round		Avg. Monthly	Max. Daily			Avg. Monthly	Max. Daily						
00530 (ML-A) RF-A	Reported			Lbs/Day					N/A	mg/l			
Total Suspended Solids	Permit Limits	12.5	25			N/A	30	60				1/month	8 hr comp
Year Round		Avg. Monthly	Max. Daily			Avg. Monthly	Max. Daily						
81010 (ML-K) RF-D	Reported								N/A	Percent			
BOD, % Removal	Permit Limits	N/A	N/A			85	N/A	N/A				1/year	Calculated
Year Round						Month. Avg. Min.							
81011 (ML-K) RF-D	Reported								N/A	Percent			
Suspended Solids, % Removal	Permit Limits	N/A	N/A			85	N/A	N/A				1/year	Calculated
Year Round						Month. Avg. Min.							
74055 (ML-A) RF-A	Reported								N/A	Cnts/100m			
Coliform, Fecal	Permit Limits	N/A	N/A			N/A	200	400				1/month	Grab
Year Round						Mon. Geo. Mean	Max. Daily						

* CEL = Compliance Evaluation Level

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

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 001

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
00400 (ML-A) RF-A pH Year Round	Reported												
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.	N/A	S.U.		1/month	Grab
00300 (ML-A) RF-A Dissolved Oxygen Year Round	Reported												
	Permit Limits	N/A	N/A			5 Inst. Min.	N/A	N/A	N/A	mg/l		1/month	Grab
00625 (ML-A) RF-A Nitrogen, Kjeldahl Total Year Round	Reported												
	Permit Limits	7.5 Avg. Monthly	15 Max. Daily	Lbs/Day		N/A	18 Avg. Monthly	36 Max. Daily	N/A	mg/l		1/month	8 hr comp
00600 (ML-A) RF-B Nitrogen, Total (as N) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	8 hr comp
00665 (ML-A) RF-B Phosphorus, Total Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	8 hr comp
50060 (ML-A) RF-A Chlorine, Total Residual Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0 Avg. Monthly	0 Max. Daily	0.1	mg/l		1/month	Grab

* CEL = Compliance Evaluation Level

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

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 001

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
01119 (ML-A) RF-B Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	8 hr comp
01114 (ML-A) RF-D Lead, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/year	8 hr comp
01094 (ML-A) RF-D Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/year	8 hr comp

* CEL = Compliance Evaluation Level

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

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 002

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL*	Units	N.E.		
50050 (ML-1) RF-B	Reported												
Flow, in Conduit or thru plant	Permit Limits	N/A	N/A			N/A	Rpt Only	Rpt Only	N/A	mgd		Continuous	measured
Year Round							Avg. Monthly	Max. Daily					
00310 (ML-B) RF-B	Reported												
BOD, 5-Day 20 Deg.C	Permit Limits	2.5	5	Lbs/Day		N/A	30	60	N/A	mg/l		1/quarter	8 hr comp
Year Round		Avg. Monthly	Max. Daily				Avg. Monthly	Max. Daily					
00530 (ML-A) RF-B	Reported												
Total Suspended Solids	Permit Limits	2.5	5	Lbs/Day		N/A	30	60	N/A	mg/l		1/quarter	8 hr comp
Year Round		Avg. Monthly	Max. Daily				Avg. Monthly	Max. Daily					
74055 (ML-A) RF-B	Reported												
Coliform, Fecal	Permit Limits	N/A	N/A			N/A	200	400	N/A	Cnts/100m		1/quarter	Grab
Year Round							Mon. Geo. Mean	Max. Daily					
00400 (ML-A) RF-B	Reported												
pH	Permit Limits	N/A	N/A			6	N/A	9	N/A	S.U.		1/quarter	Grab
Year Round						Inst. Min.		Inst. Max.					
00300 (ML-A) RF-B	Reported												
Dissolved Oxygen	Permit Limits	N/A	N/A			5	N/A	N/A	N/A	mg/l		1/quarter	Grab
Year Round						Inst. Min.							

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		Signature of Principal Executive Officer or Authorized Agent	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 002

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
00625 (ML-A) RF-B Nitrogen, Kjeldahl Total Year Round	Reported			Lbs/Day					N/A	mg/l		1/quarter	8 hr comp
	Permit Limits	1.5 Avg. Monthly	3 Max. Daily			N/A	18 Avg. Monthly	36 Max. Daily					
00600 (ML-A) RF-B Nitrogen, Total (as N) Year Round	Reported								N/A	mg/l		1/quarter	8 hr comp
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily					
00665 (ML-A) RF-B Phosphorus, Total Year Round	Reported								N/A	mg/l		1/quarter	8 hr comp
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily					
50060 (ML-A) RF-B Chlorine, Total Residual Year Round	Reported								0.1	mg/l		1/quarter	Grab
	Permit Limits	N/A	N/A			N/A	0 Avg. Monthly	0 Max. Daily					

* CEL = Compliance Evaluation Level

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

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 003

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-A	Reported												
Flow, in Conduit or thru plant	Permit Limits	N/A	N/A			N/A	Rpt Only	Rpt Only	N/A	mgd		Continuous	measured
Year Round							Avg. Monthly	Max. Daily					
00310 (ML-B) RF-A	Reported												
BOD, 5-Day 20 Deg.C	Permit Limits	12.5	25	Lbs/Day		N/A	30	60	N/A	mg/l		1/month	8 hr comp
Year Round		Avg. Monthly	Max. Daily				Avg. Monthly	Max. Daily					
00530 (ML-A) RF-A	Reported												
Total Suspended Solids	Permit Limits	12.5	25	Lbs/Day		N/A	30	60	N/A	mg/l		1/month	8 hr comp
Year Round		Avg. Monthly	Max. Daily				Avg. Monthly	Max. Daily					
81010 (ML-K) RF-D	Reported												
BOD, % Removal	Permit Limits	N/A	N/A			85	N/A	N/A	N/A	Percent		1/year	Calculated
Year Round						Month. Avg. Min.							
81011 (ML-K) RF-D	Reported												
Suspended Solids, % Removal	Permit Limits	N/A	N/A			85	N/A	N/A	N/A	Percent		1/year	Calculated
Year Round						Month. Avg. Min.							
74055 (ML-A) RF-A	Reported												
Coliform, Fecal	Permit Limits	N/A	N/A			N/A	200	400	N/A	Cnts/100m		1/month	Grab
Year Round							Mon. Geo. Mean	Max. Daily					

* CEL = Compliance Evaluation Level

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

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 003

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
00400 (ML-A) RF-A pH Year Round	Reported												
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.	N/A	S.U.		1/month	Grab
00300 (ML-A) RF-A Dissolved Oxygen Year Round	Reported												
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	N/A	N/A	mg/l		1/month	Grab
00625 (ML-A) RF-A Nitrogen, Kjeldahl Total Year Round	Reported												
	Permit Limits	7.5 Avg. Monthly	15 Max. Daily	Lbs/Day		N/A	18 Avg. Monthly	36 Max. Daily	N/A	mg/l		1/month	8 hr comp
00600 (ML-1) RF-B Nitrogen, Total (as N) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	8 hr comp
00665 (ML-1) RF-B Phosphorus, Total Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	8 hr comp
50060 (ML-A) RF-A Chlorine, Total Residual Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0.009 Avg. Monthly	0.018 Max. Daily	0.1	mg/l		1/month	Grab

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

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (BAYARD, GORMANIA, & ELK GARDEN) MOUNTAIN TOP PSD

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: MOUNT STORM; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0101524 003

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
01119 (ML-A) RF-A Copper, Total Recoverable Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/month	8 hr comp
01114 (ML-A) RF-D Lead, Total Recoverable Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/year	8 hr comp
01094 (ML-A) RF-A Zinc, Total Recoverable Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/month	8 hr comp
00900 (ML-6) RF-C Hardness, Total (as CaCO3) Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/6 months	Grab

* CEL = Compliance Evaluation Level

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

WV/NPDES Permit No. WV0101524

Outlet 003

Daily Flow Log - Unnamed Tributary of North Branch of Potomac River

Month: _____

Year: _____

Day	Any Flow in Stream?	Sample Collected?	Sample Compliant with Section C.25 of Permit?
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			

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

Signature: _____

Date Completed: _____

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
SEWAGE SLUDGE MANAGEMENT REPORT

FACILITY NAME: (Town of Bayard)MOUNTAIN TOP PSD DESIGN FLOW: 50,000 gpd
ADDRESS: Box 236, Mount Storm, WV 26739 YEAR: _____
PERMIT NUMBER: WV0101524

Liquid Sludge

Amount Removed this Year (Gallons): _____ Frequency of Removal(Occurrences per Year): _____
Liquid Sludge Removed By: _____

I certify under penalty of law that all sewage sludge disposed from this facility during this period is reckoned and accounted for in this sewage sludge management report. This determination has been made under my supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate information used to compile this report. I also certify that this document and all the attachments were prepared under my direction or supervision, and that the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are penalties for false certification including the possibility of fine and imprisonment.

OFFICIAL _____ TITLE _____
SIGNATURE _____ DATE _____

Additional Comments or Explanation:

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
SEWAGE SLUDGE MANAGEMENT REPORT

FACILITY NAME: (Town of Gorman)MOUNTAIN TOP PSD DESIGN FLOW: 10,000 gpd
ADDRESS: Box 236, Mount Storm, WV 26739 YEAR: _____
PERMIT NUMBER: WV0101524

Liquid Sludge

Amount Removed this Year (Gallons): _____ Frequency of Removal(Occurrences per Year): _____
Liquid Sludge Removed By: _____

I certify under penalty of law that all sewage sludge disposed from this facility during this period is reckoned and accounted for in this sewage sludge management report. This determination has been made under my supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate information used to compile this report. I also certify that this document and all the attachments were prepared under my direction or supervision, and that the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are penalties for false certification including the possibility of fine and imprisonment.

OFFICIAL _____ TITLE _____
SIGNATURE _____ DATE _____

Additional Comments or Explanation:

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
SEWAGE SLUDGE MANAGEMENT REPORT

FACILITY NAME: (Town of Elk Garden)MOUNTAIN TOP PSD DESIGN FLOW: 50,000 gpd
ADDRESS: Box 236, Mount Storm, WV 26739 YEAR: _____
PERMIT NUMBER: WV0101524

Liquid Sludge

Amount Removed this Year (Gallons): _____ Frequency of Removal(Occurrences per Year): _____
Liquid Sludge Removed By: _____

I certify under penalty of law that all sewage sludge disposed from this facility during this period is reckoned and accounted for in this sewage sludge management report. This determination has been made under my supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate information used to compile this report. I also certify that this document and all the attachments were prepared under my direction or supervision, and that the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are penalties for false certification including the possibility of fine and imprisonment.

OFFICIAL _____ TITLE _____
SIGNATURE _____ DATE _____

Additional Comments or Explanation:

**EMERGENCY RESPONSE SPILL ALERT SYSTEM
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

REQUIREMENTS:

Title 47, Series 11, Section 2 of the West Virginia Legislative Rules, Environmental Protection, Water Resources - Waste Management, Effective July 1, 1994.

RESPONSIBILITY FOR REPORTING:

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

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

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

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

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

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

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

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

WHO TO CONTACT:

Notify the following number: **1-800-642-3074**

INFORMATION NEEDED:

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

NOTICE TO PERMITTEES

The 1999 regular session of the West Virginia legislature revised the Water Pollution Control Act, Chapter 22, Article 11, Section 10 of the Code of West Virginia relating to fees associated with permits. This section of the Code requires all holders of a State water pollution control permit or a national pollutant discharge elimination system permit to be assessed an annual permit fee, based upon rules promulgated by the Secretary of the Department of Environmental Protection. The Secretary has promulgated a final rule in accordance with the code revision to this effect and these rules were effective May 4, 2000. The rules establish an annual permit fee based upon the relative potential to degrade the waters of the State which, in most instances, relate to volume of discharge. However, for sewage facilities, the annual permit fee is based upon the number of customers served by the facility. You may contact the Secretary of State's Office, State Capitol Building, Charleston, WV 25305, to obtain a copy of the rules. The reference is Title 47, Legislative Rules, Department of Environmental Protection, Division of Water Resources, Series 26 Water Pollution Control Permit Fee Schedules.

Based upon the volume of discharge for which your facility is currently permitted, the number of customers served by your facility or for the category you fall within, pursuant to Section 7 of Title 47, Series 26, your annual permit fee is **\$100.00**. This fee is due no later than the anniversary date of permit issuance in each year of the term of the permit or in the case of coverage under a general permit, the fee is due no later than the anniversary date of your coverage under the general permit. **You will be invoiced by this agency at the appropriate time for the fee.** Failure to submit the annual fee within ninety(90) days of the due date will render your permit void upon the date you are mailed a certified written notice to that effect.

RIGHT OF APPEAL

Notice is hereby given of your right to appeal the terms and conditions of this permit which you are aggrieved by to the Environmental Quality Board by filing a NOTICE OF APPEAL on the form prescribed by such Board for this purpose, with the Board, in accordance with the provisions of Section 21, Article 11, Chapter 22 of the Code of West Virginia within thirty (30) days after the date of receipt of the above permit.