



**STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
601 57th Street SE
Charleston, WV 25304-2345**

**FACT SHEET, INFORMATION, AND RATIONALE FOR
WV/NPDES GENERAL PERMIT
DISPOSAL OF SEWAGE (50,000 GPD or Less)**

1. NAME AND ADDRESS OF APPLICANT:

Any owner/operator of the sewage disposal system, except those systems serving mine bathhouses and individual residences, in the State who will be regulated under the terms of this proposed General Permit.

2. GENERAL WV/NPDES PERMIT NO.: WV0103110

3. COUNTY: Any WV County **RECEIVING STREAM:** Any WV Stream

4. PUBLIC COMMENT PERIOD August 3, 2020 – September 6, 2020

5. DESCRIPTION OF APPLICANT'S FACILITY OR ACTIVITY:

Operations of sewage disposal systems discharging 50,000 gallons per day or less; excluding mine bathhouses and individual residences.

6. GENERAL INFORMATION:

The current General WV/NPDES Water Pollution Control Permit No. WV0103110, reissued on the 1st day of October 2015, regulates sewage disposal systems with design flows of 50,000 gallons per day and less. The purpose of this general permit was to establish a more simple and efficient procedure for the small flow dischargers to gain coverage for their sewage treatment systems. This general permit has been successful in streamlining the Division of Water and Waste Management (DWWM) WV/NPDES permitting process for small flow dischargers.

The DWWM is proposing reissuance of this General Permit to regulate sewage disposal systems with capacity of 50,000 gallons per day and less. Any owner/operator of the sewage disposal system in the State who can be regulated under the terms of the proposed General Permit will be eligible. The Director has the authority to require any owner/operator to apply for and obtain an individual permit. This authority will be exercised when the Director determines that such a permit will better protect the receiving water.

The universe of existing facilities which are eligible for regulation under the general permit numbers approximately 740. Currently permitted facilities wishing to continue discharging under the new general permit will be required to submit a completed site registration application form.

Proposed treatment facilities are also eligible for coverage under the General Permit. However, each proposed facility must meet the public notice and public comment requirements. Existing procedures established for proposed facilities under the DWWM and Bureau for Public Health inter-agency agreement will be used. An applicant for a new facility must obtain a wasteload allocation and must receive a Bureau for Public Health Permit to Construct.

Facilities proposing a new or expanded discharge (above current permitted flow) within the Chesapeake Bay drainage area must obtain an individual permit. This applies to discharges located in the following counties: Berkeley; Grant; Hampshire; Hardy; Jefferson; Mineral; Morgan and Pendleton. Also, part of eastern Preston and a small section of Tucker (north of Thomas) are included.

Permittees with existing individual WV/NPDES Permits that may be eligible for coverage under this general permit will continue to operate under that permit until its expiration date. Prior to the expiration date of the existing permit, the permittee will be required to submit a completed application for registration which includes a wasteload allocation form, a general permit registration form and an application fee in order to gain coverage under the new General Permit.

Those facilities to be regulated under the terms of this General Permit will be required to provide adequate treatment technologies to satisfy the assigned treatment category operating under the allowed maximum daily flow requirement.

7. **DESCRIPTION OF DISCHARGES:**

Discharges from regulated facilities will be typical of treated sewage wastewater facilities and will have expected effluent qualities, depending upon Treatment Category assigned, as described in Sections A.1 thru A.3A of the General Permit.

8. **PROPOSED DISCHARGE LIMITATIONS, MONITORING, & TREATMENT REQUIREMENTS:**

Facilities that are covered under the current general permit, facilities with complete and approvable pending general permit registration/applications, and facilities with complete and approvable pending applications for individual WV/NPDES permits will be covered upon issuance of this general permit. Based upon the most recent wasteload allocation calculations, the facility will be assigned a treatment category and a maximum flow limitation. The assigned treatment category will be the one that most closely approximates the wasteload allocation; however, in no case will the limitations of the assigned category be less stringent than the limitations of the wasteload allocation. Completion of a registration form will be required. Please refer to effluent limitations and monitoring requirements for each category, Sections A.1 thru A.3A of the General Permit.

9. **RATIONALE FOR PROPOSED DISCHARGE LIMITATIONS, MONITORING AND TREATMENT REQUIREMENTS:**

A. **Discharge Limitations:**

Treatment Category I

BOD5, TSS, and pH limitations are equal to secondary treatment standards. The Fecal Coliform limitation is imposed to protect the State water quality standard for that parameter.

Treatment Category IA

Treatment Category IA limitations are assigned when the discharge is into a trout stream. The sole difference between Treatment Category I and IA is a more stringent limitation on Total Residual Chlorine (TRC) that is imposed to protect the water quality standard for trout waters. A TRC limitation of zero is imposed on

discharges to trout streams. Therefore, if chlorine is used as a disinfection method then dechlorination shall be required. BOD5, TSS, and pH limitations are equal to secondary treatment standards. The Fecal Coliform limitation is imposed to protect the water quality standard established for that parameter.

Treatment Category II

The TSS and pH limitations are equal to the secondary treatment standard. BOD5 and Ammonia Nitrogen limits are water quality based and are imposed to protect the Dissolved Oxygen water quality standard. The effluent limitations for Dissolved Oxygen are imposed for the same reason. The Fecal Coliform limitation is imposed to protect the water quality standard for this parameter. Winter limitations for BOD5 and Ammonia Nitrogen (applicable November 1 - April 30) have been incorporated into these categories. Winter limitations will protect water quality standards during the winter months while recognizing reduced treatment efficiencies are commonly experienced during winter months.

Treatment Category IIA

Treatment Category IIA limitations are assigned when the discharge is into a trout stream. The sole difference between Treatment Category II and IIA is a more stringent limitation on Total Residual Chlorine (TRC) that is imposed to protect the water quality standard for trout waters. A TRC limitation of zero is imposed on discharges to trout streams. Therefore, if chlorine is used as a disinfection method then dechlorination shall be required. The TSS and pH limitations are equal to the secondary treatment standard. BOD5 and Ammonia Nitrogen limits are water quality based and are imposed to protect the Dissolved Oxygen water quality standard. The effluent limitations for Dissolved Oxygen are imposed for the same reason. The Fecal Coliform limitation is imposed to protect the water quality standard established for that parameter. Winter limitations for BOD5 and Ammonia Nitrogen (applicable November 1 - April 30) have been incorporated into these categories. Winter limitations will protect water quality standards during these months while recognizing reduced treatment efficiencies are commonly experienced during winter months.

Treatment Category III

The TSS and pH limitations are equal to the secondary treatment standard. BOD5 and Ammonia Nitrogen limits are water quality based and are imposed to protect the Dissolved Oxygen water quality standard. The effluent limitations for Dissolved Oxygen are imposed for the same reason. The Fecal Coliform limitation is imposed to protect the water quality standard for this parameter. Winter limitations for BOD5 and Ammonia Nitrogen (applicable November 1 - April 30) have been incorporated into these categories. Winter limitations will protect water quality standards during the winter months while recognizing reduced treatment efficiencies are commonly experienced during winter months.

Treatment Category IIIA

Treatment Category IIIA limitations are assigned when the discharge is into a trout stream. The sole difference between Treatment Category III and IIIA is a more stringent limitation on Total Residual Chlorine (TRC) that is imposed to protect the water quality standard for trout waters. A TRC limitation of zero is imposed on discharges to trout streams. Therefore, if chlorine is used as a disinfection method then dechlorination shall be required. The TSS and pH limitations are equal to the secondary treatment standard. BOD and Ammonia Nitrogen limits are water quality based and are imposed to protect the Dissolved Oxygen water quality standard. The effluent limitations for Dissolved Oxygen are imposed for the same reason. The Fecal Coliform limitation is imposed to protect the water quality standard established for that parameter. Winter limitations for BOD5 and Ammonia Nitrogen (applicable November 1 - April 30) have been incorporated into these categories. Winter limitations will protect water quality standards during these months while recognizing reduced treatment efficiencies are commonly experienced during winter months.

B. Monitoring Requirements:

Self-monitoring and reporting requirements are identical for all permittees regulated under the General Permit. The Legislative Rules of the West Virginia Department of Environmental Protection requires that each permit

have monitoring requirements to assure compliance with permit limitations. The monitoring requirements in this permit are reasonable for sewage treatment systems of this size.

C. **Treatment Requirements:**

All permittees must provide adequate treatment technologies in order to comply with the established effluent limitations of their assigned treatment category. The DWWM has addressed minimum treatment unit requirements for each category as follows:

Treatment Category I

Facilities subject to Treatment Category I are required to provide secondary treatment technology such as an extended aeration "package" sewage treatment plant or a sewage stabilization pond or constructed subsurface wetland or equivalent secondary technology. Bacteria disinfection shall be accomplished through the use of chlorine or an ultraviolet disinfection system. However, if a chlorine disinfection system is utilized, a dechlorination unit must be provided.

Treatment Category IA

Facilities subject to Treatment Category IA are required to provide secondary treatment technology such as an extended aeration "package" sewage treatment plant or a sewage stabilization pond or constructed subsurface wetland or equivalent secondary technology. Bacteria disinfection shall be accomplished through the use of chlorine or an ultraviolet disinfection system. However, if a chlorine disinfection system is utilized, a dechlorination unit must be provided.

Treatment Category II

Facilities subject to Treatment Category II are required to provide secondary treatment technology followed by additional treatment such as an alternating surface sand filter or a rapid sand filter or a polishing pond or equivalent tertiary technology and a chlorine or an ultraviolet bacteria disinfection system; however, if a chlorine disinfection system is utilized, a dechlorination unit must be provided. If a polishing pond is not provided, post aeration of the final effluent may be required. Also acceptable is a recirculating sand filter preceded by primary or secondary treatment technology.

Treatment Category IIA

Facilities subject to Treatment Category IIA are required to provide secondary treatment technology followed by additional treatment such as an alternating surface sand filter or a rapid sand filter or a polishing pond or equivalent tertiary technology and a chlorine or an ultraviolet bacteria disinfection system; however, if a chlorine disinfection system is utilized, a dechlorination unit must be provided. If a polishing pond is not provided, post aeration of the final effluent may be required. Also acceptable is a recirculating sand filter preceded by primary or secondary treatment technology.

Treatment Category III

Facilities subject to Treatment Category IIIA are required to provide secondary treatment technology followed by additional treatment such as an alternating surface sand filter or a rapid sand filter or a polishing pond or equivalent tertiary technology and a chlorine or an ultraviolet bacteria disinfection system; however, if a chlorine disinfection system is utilized, a dechlorination unit must be provided. If a polishing pond is not provided, post aeration of the final effluent may be required. Also acceptable is a recirculating sand filter preceded by primary or secondary treatment technology.

Treatment Category IIIA

Facilities subject to Treatment Category IIIA are required to provide secondary treatment technology followed by additional treatment such as an alternating surface sand filter or a rapid sand filter or a polishing pond or

equivalent tertiary technology and a chlorine or an ultraviolet bacteria disinfection system; however, if a chlorine disinfection system is utilized, a dechlorination unit must be provided. If a polishing pond is not provided, post aeration of the final effluent may be required. Also acceptable is a recirculating sand filter preceded by primary or secondary treatment technology.

10. RATIONALE OF OTHER REQUIREMENTS

- B.1 Description of electronic reporting requirements for Discharge Monitoring Reports.
- B.2 This explains the frequency of monitoring requirements and reporting due dates for all facilities.
- B.3 Self-explanatory.
- B.4 This paragraph describes requirements for permitted facilities to connect to any municipal sewage collection system upon availability.
- B.5 Self-explanatory.
- B.6 Description of requirement for treatment facility to be operated by a WV certified wastewater treatment operator.
- B.7 Self-explanatory.
- B.8 This paragraph describes types of wastewater treatment that this general permit will cover.
- B.9 Self-explanatory.
- B.10 Self-explanatory.
- B.11 Self-explanatory.
- B.12 Describes requirement for new/proposed facilities to adhere to WV BPH Permit to Construct.
- B.13 This identifies situations in which the Director may require a facility covered by this permit to be covered by an individual permit or when such facility may approach the Director on its own initiative to obtain coverage by an individual permit.
- B.14 This paragraph delineates the requirements for discharge to a stream for which a TMDL has been developed.
- B.15 Self-explanatory.
- B.16 This paragraph delineates the requirements for TRC sampling and analysis.
- B.17 Description of agency policy of not allowing multiple HAU's in new development, in place of a more appropriate, larger sewage treatment system.
- B.18 This paragraph explains that any proposed new or expanded discharge within Chesapeake Bay drainage shall not be covered with this General Permit, and must obtain an individual NPDES discharge permit.
- B.19 Describes requirement to disinfect effluent discharges. In order to comply with the requirements of WVLR 47 CSR 2.8.32.1, which states "No chlorinated discharge allowed" in trout waters, de-chlorination

of the effluent is necessary.

- B.20 Self-explanatory.
- B.21 Self-explanatory.
- B.22 Self-explanatory.
- B.23 Self-explanatory.
- B.24 Self-explanatory.
- B.25 Self-explanatory.
- B.26 This describes extra requirements for treatment systems with Steel Tanks.
- B.27 This paragraph contains the standard reopener clause for development of effluent limitations under the Clean Water Act subsequent to reissuance of the general permit .
- B.28 This paragraph was added to clarify requirements for new systems, and that existing systems that are compliant to permit effluent limitations will not be required to upgrade.
- C.1 Self-explanatory.
- C.2 Self-explanatory.
- C.3 Self-explanatory.
- C.4 Self-explanatory.
- C.5 Self-explanatory.
- C.6 Self-explanatory.

11. ANTIDegradation CONSIDERATIONS

Of the approximate 740 current permittees, those with no new or expanded discharges will be provided reissued coverage without going through a Tier 2 antidegradation review. New or expanded facilities will be required to obtain an approved Waste Load Allocation showing a D.O. sag < 0.3 mg/l, which shows de minimus impact. These facilities will also go through a public notice period. Facilities with discharges not suitable for coverage under the general permit will be required to obtain an individual WV/NPDES permit.

The existing discharges in the Chesapeake Bay drainage area are consistent with the aggregate WLA requirements of the TMDL, which were further revised in WV's Phase II WIP, Appendix A.4. All of these facilities were existing at the time of the TMDL development and were therefore accounted for in the baseline load for TN and TP. As per Condition B.18, all new or expanding discharges in this drainage area must obtain an individual permit.

The State of West Virginia, Department of Environmental Protection, Division of Water & Waste Management, has made a tentative decision for approval of the State NPDES Permit as listed on this Fact Sheet. In order to provide public participation on the proposed issuance of the required permit, the following information is being supplied in accordance with Title 47, Series 10, Section 11.3.e.2 and 3, of the West Virginia Legislative Rules.

During the public comment period, any interested person may submit written comments on the draft permit. Comments should be submitted and addressed to:

Department of Environmental Protection
Division of Water & Waste Management
601 57th St., S.E.
Charleston, WV 25304-2345
Attention: Mylinda Maddox
(304) 926-0499, extension 43825
Fax: (304) 926-0463
e-mail: Mylinda.A.Maddox@wv.gov

If the division receives sustentative comments during the public comment period, a public hearing for this General Permit will be held at DEP headquarters in Charleston, WV.

If information received during the public comment period appears to raise substantial new questions, the Director may reopen the public comment period.

All applicable information concerning any permit application and the tentative decisions is on file and may be inspected, by appointment, or copies obtained, at a nominal cost, at the Division of Water & Waste Management, 601 57th St., S.E., Charleston, West Virginia 25304-2345, Monday through Friday (except State holidays) between 8:00 a.m. to 4:00 p.m.

Requests for additional information should be directed to Mylinda Maddox at (304) 926-0499, extension 43825 or via email at Mylinda.A.Maddox@wv.gov.