

The universe of existing facilities which are eligible for regulation under the general permit numbers approximately 678, down from 740 facilities in 2020. 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 an approved wasteload allocation (WLA) that meets one of the General Permit Limitation Categories (Section A.1 thru Section A.3A, and must receive a Bureau for Public Health Permit to Construct and Install.

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. Due to this restriction, the number of facilities covered by this Sewage General Permit in the Chesapeake Bay watershed has decreased from over 200 to 73 since 2010, and shall continue to trend lower as facilities connect to Public Sewers or close down, since no new facilities can be covered under the Sewage General Permit in the Chesapeake Bay watershed.

Permittees with existing individual WV/NPDES Permits that may be eligible for coverage under this general permit will continue to operate under that individual WV/NPDES 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 listed on the facility's permit registration approval.

**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, as they have been the same since the original Sewage General Permit issued in 1988. Similar Sewage General Permits in other states, such as Ohio EPA OHS000005 have the same monitoring frequency of once/quarter with similar pollutant limits, and the majority of individual WV/NPDES permits under 50,000 gallons per day, with similar and/or more stringent permit pollutant limitations, also have the same once/quarter monitoring frequency.

Individual General Permit Registrations are evaluated during the reissuance process and enforcement inspections for compliance to permit requirements. Facilities not meeting permit limits can be required to upgrade sewage treatment systems, or be required to be covered under an Individual WV/NPDES permit.

**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 DWWP 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 This paragraph describes the permit application process for new and reissued permits, utilizing WVDEP Electronic Submission System (ESS)
- B.2 Description of electronic reporting requirements for Discharge Monitoring Reports (DMR's).
- B.3 This explains the monitoring requirements and reporting due dates for all facilities.
- B.4 This section is to notify permittees of requirements to connect to public sewer systems, established in WV Code §8-18-22.
- B.5 This paragraph describes requirements for permitted facilities to be protected by adequate fencing.
- B.6 Description of requirement for treatment facility to be operated by a Class S WV certified wastewater treatment operator.
- B.7 Requirements for facilities to be protected from flood levels.
- B.8 This paragraph describes types of wastewater, domestic sewage, that this general permit will cover.
- B.9 This paragraph is to state that DWWM may require permittee(s) to attend training courses on proper maintenance and operation of their systems, and possibly require additional treatment systems to be installed to achieve compliance.
- B.10 No sewage connections allowed beyond what is approved in the permit registration.
- B.11 Director may require a facility to obtain an Individual NPDES permit, instead of allowing coverage under this General Permit.
- 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 Requirement to contact US Fish and Wildlife Service if discharge is to stream covered under Federal Endangered Species Act.
- 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 Describes that only chlorine tablets for wastewater disinfection shall be used.
- B.21 Standard re-opener clause if effluent standard or limitation(s) are added/changed.
- B.22 Wiring and electrical connections must meet manufacturer's recommendations.
- B.23 Describes WVDEP can change or add permit limitations and requirements to maintain state Water Quality standards.
- B.24 No unauthorized pollutant discharge allowed.
- B.25 Permit authorization does not relieve permittee of liability for damages to state waters.
- 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.
- B.29 Only discharges from permitted outfall are allowed.
- C.1 Required sludge removal from the treatment system be done by a certified septage hauler.
- C.2 Alternative sludge disposal must obtain prior approval.
- C.3 Requirements of proper sludge removal.
- C.4 Requirement to submit annual Sludge Management Report.
- C.5 Annual Sludge Management Report due date.
- C.6 Records retention requirement.

## 11. ANTIDegradation Considerations

Of the approximate 678 current permittees, those with no new or expanded discharges will be provided reissued coverage without going through a Tier 2 antidegradation review, but will go through a Tier 1 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 minimis 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 57<sup>th</sup> St., S.E.  
Charleston, WV 25304-2345  
Attention: Pamela S Houston  
(304) 926-0499, extension 43864  
Fax: (304) 926-0463  
e-mail: [Pamela.S.Houston@wv.gov](mailto:Pamela.S.Houston@wv.gov)**

If the division receives substantive 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 57<sup>th</sup> 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 Pamela Houston at (304) 926-0499, extension 43864 or via email at [Pamela.S.Houston@wv.gov](mailto:Pamela.S.Houston@wv.gov)