



west virginia department of environmental protection

Division of Water and Waste Management
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Harold D. Ward, Cabinet Secretary
dep.wv.gov

**CONSENT ORDER
ISSUED UNDER THE
WATER POLLUTION CONTROL ACT
WEST VIRGINIA CODE CHAPTER 22, ARTICLE 11**

TO: Town of Athens
Honorable Tim Pike
PO Box 458
202 State St.
Athens, WV 24712

DATE: March 23, 2026

ORDER NO.: 10425

INTRODUCTION

This Consent Order is issued by the Director of the Division of Water and Waste Management (hereinafter “Director”), under the authority of West Virginia Code 22-11-1 et seq. to the Town of Athens (hereinafter “Athens”).

FINDINGS OF FACT

In support of this Order, the Director hereby finds the following:

1. Athens operates a wastewater collection and treatment system located in Athens, Mercer County, West Virginia. Athens was reissued WV/NPDES Water Pollution Control Permit No. WV0020338 on October 16, 2018 and September 6, 2023.
2. On October 6, 2025, West Virginia Department of Environmental Protection (WVDEP) personnel and representatives of Athens met to discuss the schedule outlined in Section B.1 of the WV/NPDES permit, which requires compliance with final effluent limits for Total Recoverable Copper at Outlet No. 001 by November 1, 2025.
3. On October 29, 2025, Athens’ representative submitted correspondence to WVDEP which discussed difficulties related to achieving compliance with the requirements of WV/NPDES Permit Section B.1 by November 1, 2025. In the correspondence, Athens’ representative detailed actions that had already been taken by Athens in an effort to

Promoting a healthy environment.

achieve compliance with the WV/NPDES permitted limits. Although these actions reduced Total Recoverable Copper levels, the improvements were not sufficient for consistently meeting WV/NPDES permitted effluent limits. Athens' representative stated that steps are still being pursued to meet the WV/NPDES permitted effluent limits, and preliminary sampling indicates that the copper biotic ligand model may be a viable option for achieving compliance. In the correspondence, Athens' representative requested entrance into an administrative consent order which would extend the compliance schedule, thereby allowing additional time for Athens to complete more robust sampling and implement additional options for achieving compliance with WV/NPDES permitted effluent limits for Total Recoverable Copper at Outlet No. 001.

4. On March 5, 2026, WVDEP approved Athens' "Work Plan for the Development of Copper Biotic Ligand Model" (attached), which includes detailed provisions for collecting and analyzing at least one (1) BLM sample and one (1) confirmation sample per month for a minimum of twelve (12) months.
5. On March 12, 2026, WVDEP personnel conducted a review of facility records from the time period of September 1, 2023 through January 31, 2026. During this review, the following violations of the terms and conditions of Athens' WV/NPDES permit were observed:
 - a. Section A.001 – Forty-three (43) exceedances of Athens' permitted effluent limits for Total Recoverable Copper were observed and documented (Table 1). These exceedances can be further defined as:
 - i. Minor violations-Eighteen (18)
 - ii. Moderate violations-Twenty-two (22)
 - iii. Major violations-Three (3)

ORDER FOR COMPLIANCE

Now, therefore, in accordance with West Virginia State Code 22-11-1 et seq., it is hereby agreed between the parties, and ORDERED by the Director:

1. Athens shall immediately take all measures to initiate compliance with all terms and conditions of its WV/NPDES permit.
2. Upon the effective date of this Order, Athens shall adhere to the requirements of the "Work Plan for the Development of Copper Biotic Ligand Model," as approved by WVDEP on March 5, 2026. Failure to adhere to the "Work Plan for the Development of Copper Biotic Ligand Model" is a violation of this Order.
3. On or before the effective date of this Order, Athens shall commence monthly sampling, in accordance with the protocol described in the "Work Plan for the Development of Copper Biotic Ligand Model," as approved by WVDEP on March 5, 2026.
4. On or before October 1, 2026, Athens shall submit a Status Report detailing its current progress under the approved "Work Plan for the Development of Copper Biotic Ligand

Model” and shall further indicate whether the model is producing results that may result in achieving compliance with the permitted final effluent limits for Total Recoverable Copper.

5. On or before December 1, 2026, if the results included within Athens’ Status Report indicate that the model is not likely to result in compliance, Athens shall submit for WVDEP’s review an alternative Plan of Corrective Action (POCA). The POCA shall outline alternative action items and completion dates for achieving compliance with the permitted final effluent limits for Total Recoverable Copper. Upon approval, the POCA shall be incorporated into and become part of this Order, as if fully set forth herein. If required by the conditions of this paragraph, failure to submit an approvable alternative POCA or failure to adhere to the approved alternative POCA is a violation of this Order.
6. On or before September 30, 2027, if an alternative POCA was not already submitted to fulfill the requirement described in Order for Compliance Item No. Five (5), Athens shall submit a Final Report detailing all results and providing a determination as to whether the Copper Biotic Ligand Model was successful for achieving compliance with permitted final effluent limits for Total Recoverable Copper. If the results indicate that the Copper Biotic Ligand Model was not successful, the Final Report shall include for WVDEP’s review an alternative POCA. The POCA shall outline alternative action items and completion dates for achieving compliance with the permitted final effluent limits for Total Recoverable Copper. Upon approval, the POCA shall be incorporated into and become part of this Order, as if fully set forth herein. If required by the conditions of this paragraph, failure to submit an approvable alternative POCA or failure to adhere to the approved alternative POCA is a violation of this Order.
7. Upon the effective date of this Order, Athens shall be placed on the following alternate interim limits until the expiration date of September 30, 2027. All other parameter limits contained within its WV/NPDES permit shall remain in full force and effect. Beginning October 1, 2027, Athens shall achieve compliance with all limits as detailed within the WV/NPDES permit.

Parameter	Interim Average Monthly Limit	Interim Max Daily Limit
Total Recoverable Copper	Report Only	0.0241 mg/L

All documents required by this Order shall make reference to WV/NPDES Permit No. WV0020338 and Order No. 10425. All documents required by this Order shall be submitted to:

Chief Inspector
Environmental Enforcement - Mail Code #031328
WVDEP
601 57th Street SE
Charleston, WV 25304

OTHER PROVISIONS

1. Athens hereby waives its right to appeal this Order under the provisions of West Virginia State Code 22-11-21. Under this Order, Athens agrees to take all actions required by the terms and conditions of this Order and consents to and will not contest the Director's jurisdiction regarding this Order. However, Athens does not admit to any factual and legal determinations made by the Director and reserves all rights and defenses available regarding liability or responsibility in any proceedings regarding Athens other than proceedings, administrative or civil, to enforce this Order.
2. The Director reserves the right to take further action if compliance with the terms and conditions of this Order does not adequately address the violations noted herein and reserves all rights and defenses which he may have pursuant to any legal authority, as well as the right to raise, as a basis for supporting such legal authority or defenses, facts other than those contained in the Findings of Fact.
3. If any event occurs which causes delay in the achievement of the requirements of this Order, Athens shall have the burden of proving that the delay was caused by circumstances beyond its reasonable control which could not have been overcome by due diligence (i.e., force majeure). Force majeure shall not include delays caused or contributed to by the lack of sufficient funding. Within three (3) working days after Athens becomes aware of such a delay, notification shall be provided to the Director/Chief Inspector and Athens shall, within ten (10) working days of initial notification, submit a detailed written explanation of the anticipated length and cause of the delay, the measures taken and/or to be taken to prevent or minimize the delay, and a timetable by which Athens intends to implement these measures. If the Director agrees that the delay has been or will be caused by circumstances beyond the reasonable control of Athens (i.e., force majeure), the time for performance hereunder shall be extended for a period of time equal to the delay resulting from such circumstances. A force majeure amendment granted by the Director shall be considered a binding extension of this Order and of the requirements herein. The determination of the Director shall be final and not subject to appeal.
4. Compliance with the terms and conditions of this Order shall not in any way be construed as relieving Athens of the obligation to comply with any applicable law, permit, other order, or any other requirement otherwise applicable. Violations of the terms and conditions of this Order may subject Athens to additional penalties and injunctive relief in accordance with the applicable law.
5. The provisions of this Order are severable and should a court or board of competent jurisdiction declare any provisions to be invalid or unenforceable, all other provisions shall remain in full force and effect.
6. This Order is binding on Athens, its successors and assigns.

7. This Order shall terminate upon Athens's notification of full compliance with the "Order for Compliance" and verification of this notification by WVDEP.



Honorable Tim Pike
Town of Athens

3/23/26

Date

Public Notice begin:

Date

Public Notice end:

Date

Jeremy W. Bandy, Director
Division of Water and Waste Management

Date

DMR Exceedance Summary: Total Recoverable Copper
Responsible Party: Town of Athens

Date Range: From: 9/1/2023 To: 1/31/2026

AVG. MONTHLY							Degree of non-compliance		
Date	Outlet	Parameter	Units	Permitted avg. monthly	Reported avg. monthly	% Exceedance	Min	Mod	Maj
Sep-23	001	Total Recoverable Copper	mg/L	0.007	0.009	29%	X	-	-
Oct-23	001	Total Recoverable Copper	mg/L	0.007	0.018	157%	-	X	-
Nov-23	001	Total Recoverable Copper	mg/L	0.007	0.021	200%	-	X	-
Dec-23	001	Total Recoverable Copper	mg/L	0.007	0.025	257%	-	X	-
Jan-24	001	Total Recoverable Copper	mg/L	0.007	0.022	214%	-	X	-
Feb-24	001	Total Recoverable Copper	mg/L	0.007	0.01	43%	-	X	-
Mar-24	001	Total Recoverable Copper	mg/L	0.007	0.017	143%	-	X	-
Apr-24	001	Total Recoverable Copper	mg/L	0.007	0.018	157%	-	X	-
May-24	001	Total Recoverable Copper	mg/L	0.007	0.014	100%	-	X	-
Jun-24	001	Total Recoverable Copper	mg/L	0.007	0.016	129%	-	X	-
Aug-24	001	Total Recoverable Copper	mg/L	0.007	0.01	43%	-	X	-
Sep-24	001	Total Recoverable Copper	mg/L	0.007	0.01	43%	-	X	-
Oct-24	001	Total Recoverable Copper	mg/L	0.007	0.009	29%	X	-	-
Nov-24	001	Total Recoverable Copper	mg/L	0.007	0.01	43%	-	X	-
Dec-24	001	Total Recoverable Copper	mg/L	0.007	0.039	457%	-	-	X
Jan-25	001	Total Recoverable Copper	mg/L	0.007	0.016	129%	-	X	-
Feb-25	001	Total Recoverable Copper	mg/L	0.007	0.0184	163%	-	X	-
Mar-25	001	Total Recoverable Copper	mg/L	0.007	0.035	400%	-	-	X
Apr-25	001	Total Recoverable Copper	mg/L	0.007	0.015	114%	-	X	-
May-25	001	Total Recoverable Copper	mg/L	0.007	0.008	14%	X	-	-
Jun-25	001	Total Recoverable Copper	mg/L	0.007	0.008	14%	X	-	-
Jul-25	001	Total Recoverable Copper	mg/L	0.007	0.011	57%	-	X	-
Aug-25	001	Total Recoverable Copper	mg/L	0.007	0.009	29%	X	-	-
Sep-25	001	Total Recoverable Copper	mg/L	0.007	0.016	129%	-	X	-
Oct-25	001	Total Recoverable Copper	mg/L	0.007	0.015	114%	-	X	-
Dec-25	001	Total Recoverable Copper	mg/L	0.005	0.019	280%	-	X	-
Jan-26	001	Total Recoverable Copper	mg/L	0.005	0.021	320%	-	-	X

MAX. DAILY							Degree of non-compliance		
Date	Outlet	Parameter	Units	Permitted max. daily	Reported max. daily	% Exceedance	Min	Mod	Maj
Oct-23	001	Total Recoverable Copper	mg/L	0.014	0.018	29%	X	-	-
Nov-23	001	Total Recoverable Copper	mg/L	0.014	0.021	50%	X	-	-
Dec-23	001	Total Recoverable Copper	mg/L	0.014	0.025	79%	X	-	-
Jan-24	001	Total Recoverable Copper	mg/L	0.014	0.022	57%	X	-	-
Mar-24	001	Total Recoverable Copper	mg/L	0.014	0.017	21%	X	-	-
Apr-24	001	Total Recoverable Copper	mg/L	0.014	0.018	29%	X	-	-
Jun-24	001	Total Recoverable Copper	mg/L	0.014	0.016	14%	X	-	-
Dec-24	001	Total Recoverable Copper	mg/L	0.014	0.039	179%	-	X	-
Jan-25	001	Total Recoverable Copper	mg/L	0.014	0.02	43%	X	-	-
Feb-25	001	Total Recoverable Copper	mg/L	0.014	0.0184	31%	X	-	-
Mar-25	001	Total Recoverable Copper	mg/L	0.014	0.035	150%	-	X	-
Apr-25	001	Total Recoverable Copper	mg/L	0.014	0.015	7%	X	-	-
Sep-25	001	Total Recoverable Copper	mg/L	0.014	0.016	14%	X	-	-
Oct-25	001	Total Recoverable Copper	mg/L	0.014	0.015	7%	X	-	-
Dec-25	001	Total Recoverable Copper	mg/L	0.01	0.019	90%	X	-	-
Jan-26	001	Total Recoverable Copper	mg/L	0.01	0.021	110%	-	X	-

Totals:	Degree of non-compliance		
	Min	Mod	Maj
	18	22	3

WORK PLAN FOR THE DEVELOPMENT OF COPPER BIOTIC LIGAND MODEL

I. Introduction

This Work Plan is submitted on behalf of Town of Athens, (the "Town") for the development of a biotic ligand model for copper for Outlet 001 of WV/NPDES Permit No. WV0020338 (the "Permit"). Outlet 001 discharges to Laurel Creek of Brush Run in Athens, Mercer County, West Virginia.

II. Technical Background

West Virginia's water quality criteria for copper are set forth in 47 CSR 2, *Requirements Governing Water Quality Standards*. The chronic and acute copper criteria for warmwater streams are dependent on hardness. The effluent limits for Outlet 001 are calculated based on a hardness of 67 mg/l for the receiving stream. However, both the United States United States Environmental Protection Agency ("EPA") and the West Virginia Department of Environmental Protection ("WVDEP") allow for the development of site-specific copper criteria using a biotic ligand model ("BLM"). These translators take into account the local stream chemistry where permitted discharges occur.

In January 2026, WVDEP issued *Implementation Procedures for the Site-Specific Application of Copper Biotic Ligand Model (BLM) Pursuant to 47 CSR 2.8.5.a.* (the BLM Guidance). In accordance with Section 3.0 of the BLM Guidance, Town has prepared a Work Plan for WVDEP's review and consideration.

III. Facility Description

The Town operates a municipal wastewater treatment plant (WWTP) located approximately 1.3 miles to the northeast of the Town of Athens Mayor's Office near the intersection of Hinton Road and Pump House Road. The Athens WWTP has a design flow of 0.5 MGD with a Sequential Batch Reactor (SBR) system. The existing SBR system is comprised of a mechanical bar screen, a grit chamber, two aeration chambers with a total volume of 900,000 gallons and function as an integral clarifier, an ultraviolet disinfection unit, a 100,000-gallon post aeration unit, one 300,000-gallon aerated sludge thickener, a sludge dewatering belt press, and all necessary appurtenances. The Athens WWTP discharges in 20,000 gallon batches, typically once every four hours.

The facility is designed to serve approximately 5,000 persons, including Concord University. Because of the University schedule, daily influent flows for the Athens WWTP can vary considerably, particularly during times when the University is closed for Thanksgiving (one week in November), Christmas (mid-December to mid-January), and summer break (four weeks in May and two weeks in early August).

The Permit contains copper final effluent limits of 0.005 mg/l (average monthly) and 0.010 mg/l (maximum daily). The Town has been unable to identify a treatment method capable of meeting the copper final effluent limitations for Outlet 001. To date, the Town has performed the following activities to reduce copper concentrations in the facility's effluent:

- Installation of silicon carbide membranes tabletop temporary unit at the Town's water treatment plant to evaluate copper removal.
- Installation of silicon carbide membranes tabletop temporary unit at wastewater treatment facility to specifically address and tailor copper removal at the wastewater treatment facility.
- Use of a metal reducing chemical additive (sulfate-based) at wastewater treatment facility.
- Evaluation of discharge and availability of a copper translator study.
- Evaluation of whether relocation of the discharge to a stream with a better flow is viable for use in mixing/translator studies.

While the Town did see improvement in its copper concentrations with the addition of the metal reducing chemical additive, none of these compliance options proved viable for achieving the copper final effluent limits.

The Town also evaluated source reduction as a compliance alternative. The Town is hindered in its ability to achieve compliance with the copper final effluent limitations due to: (1) the makeup of the WWTP's discharge and (2) the presence of copper within the Town's drinking water (including both the reservoir and the pipes). The Town's discharge essentially comprises the bulk of the receiving stream flow, as the Town's discharge is below the reservoir used for drinking water. Therefore, both the reservoir and the WWTP contribute to instream copper concentrations.

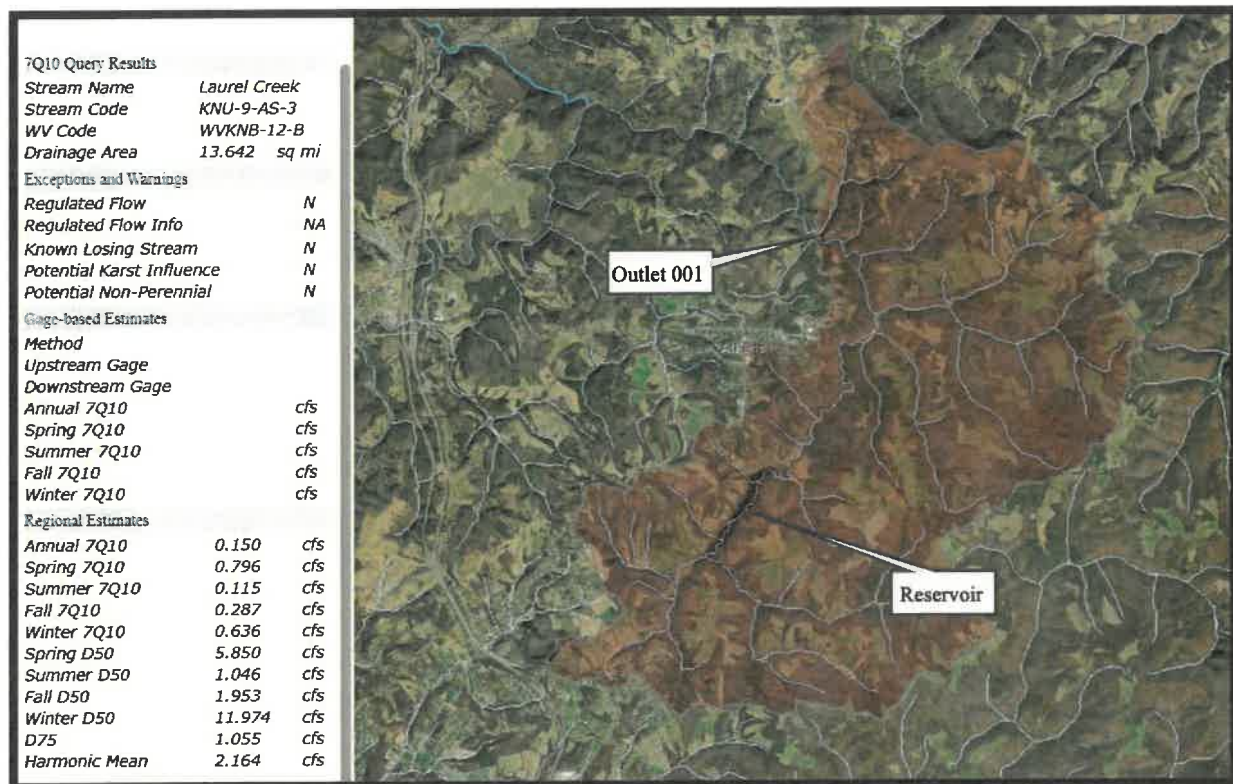
In May 2025, the Town started to analyze whether the copper BLM is a viable option for copper compliance. Preliminary sampling indicates that the copper BLM may be a viable compliance alternative. The Town intends to pursue a full-scale modeling effort following the Guidance requirements.

IV. Sampling Plan

A. Design Flows for Receiving Stream

Outlet 001 discharges into Laurel Creek of Brush Creek near Athens. As depicted in Figure 1, Laurel Creek has a drainage area of 13.64 square miles and a 7Q10 flow of 0.150 cfs (67 gpm) immediately upstream of Outlet 001. However, flow in Laurel Creek is affected by the presence of the Town's drinking water reservoir, which is located in Laurel Creek approximately one mile upstream from Outlet 001. The Town controls flow from the reservoir, resulting in actual low flow values that are significantly lower than the calculated 7Q10 for the stream.

Figure 1
Flow Characteristics of Laurel Creek



B. Route of Discharge Flow and Site Boundaries

Outlet 001 discharges directly to Laurel Creek. The flow regime in Laurel Creek below Outlet 001 is affected by the presence of shoals immediately downstream of the discharge pipe. The shoals cause the effluent to back up upstream of the discharge pipe. In addition, an unnamed tributary and two springs flow into Laurel Creek within 300 feet upstream of Outlet 001. For this reason, a

suitable upstream sampling location demonstrating water quality above Outlet 001 is not readily available. The location of Outlet 001 is depicted on Figure 2.

Figure 2
Outlet 001 and BLM Sampling Locations



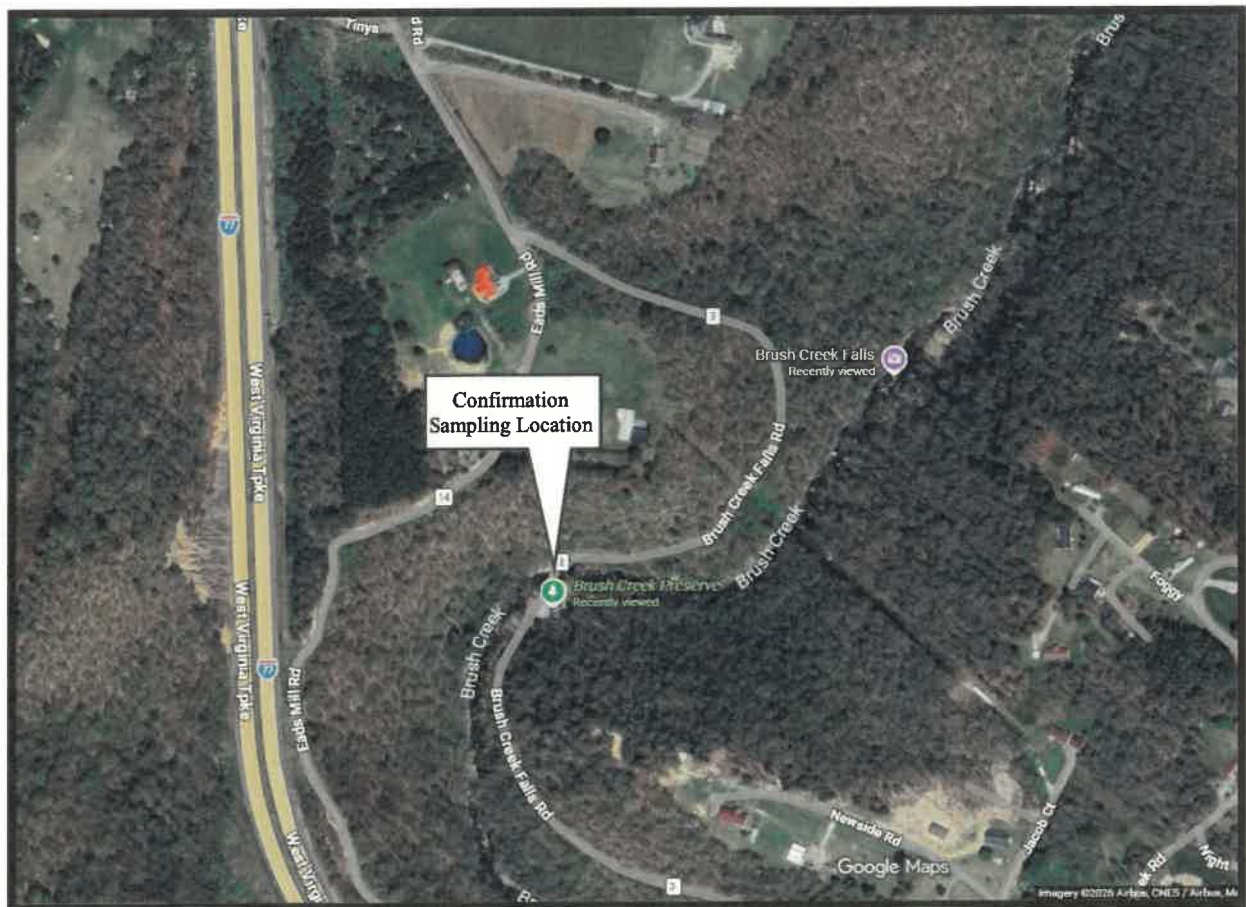
The Town is unaware of any other significant dischargers prior to the confluence of Laurel Creek with Brush Creek, approximately 2.6 miles downstream. Accordingly, the Town proposes the following language to define the Site once a copper BLM is developed:

In Laurel Creek (KNU-9-AS-3) from its upstream confluence with an unnamed tributary of Laurel Creek at RM 2.67 (KNU-9-AS-3-F) to its downstream confluence with Brush Creek (KNU-9-AS), a site-specific copper criterion of ____ shall apply.

Because Laurel Creek is dominated with flow from Outlet 001 and the Reservoir, both of which are known copper sources, the Town proposes a single BLM sampling location in Laurel Creek approximately 142 feet downstream of the confluence of Outlet 001 with Laurel Creek. The proposed sampling location represents complete mixing of Outlet 001 with Laurel Creek due to its position immediately downstream of the shoals. This location is desirable due to availability of access from the Town's property. The proposed BLM sampling location is presented on Figure 2.

In addition, the Town proposes a confirmation sampling location to demonstrate compliance with the instream copper water quality standards downstream of the Site. Laurel Creek is located largely on private land downstream of the WWTP with no available access from public roadways. Accordingly, the Town will collect confirmation samples in Brush Creek once per month concurrently with the BLM sampling in Laurel Creek.¹ The samples will be collected at Brush Creek RM 1.1, which is located at the Brush Creek Falls Road bridge crossing and is accessible from Brush Creek Falls Preserve. The confirmation sampling location is presented on Figure 3.

Figure 3
Confirmation Sampling Location



¹ The requirement for “concurrent” sampling will be satisfied by collection of the confirmation sample on the same calendar day as each BLM sampling event.

C. Sampling Protocol

The Town will collect at least one BLM sample and one confirmation sample per month for twelve months. The samples will be timed to represent normal operating conditions when carbonaceous biochemical oxygen demand and suspended solids concentrations are within permit limits. Rainfall records (rain gauge) located at Athens will be maintained throughout the study period. Sampling will occur on days with no rainfall in the prior 24 hours and no more than 0.1 inches of rainfall in the 72 hours prior to the sampling event. Sampling frequency may be increased to ensure collection of an adequate number of samples. Should field conditions prevent sampling during one of the planned sampling events, appropriate comments will be recorded in the field notebook.

For each sampling event, grab samples will be collected, with pH and temperature measured on site at the time of sampling. The Town will obtain a sufficient volume so that an additional aliquot can be stored for additional testing or analyses if unusual results are obtained. Samples will be stored at 0 to 4°C in the dark with no air space in the sample container. The Town will maintain documentation regarding sample collection and handling and will make it available to WVDEP on request. Chain-of-custody procedures will be followed for all samples.

The Guidance requires stream flow data at the nearest relevant gaging station. No gaging station is available for Laurel Creek. Instead, stream flow will be estimated based on the Outlet 001 flow plus a stream flow measurement collected upstream of the pooling created by Outlet 001.

D. Analytical Protocol

1. BLM Sampling Location

The Town will collect data for the following parameters at the BLM sampling location:

Analysis	Analytical Method	Detection Limit
Temperature, Field	N/A	N/A
pH	SM4500-H B-11	N/A
Alkalinity, Total	EPA 310.2	6.71 mg/l
Total Suspended Solids	USGS I-3765-85	3.0 mg/l
Copper, Total	EPA 200.8	1.05 µg/L
Copper, Dissolved	EPA 200.8	1.05 µg/L
Calcium	EPA 200.7	0.0530 mg/l
Magnesium	EPA 200.7	0.0738 mg/l
Sodium	EPA 200.7	0.0730 mg/l
Potassium	EPA 200.7	0.132 mg/l
Sulfate	EPA 300.0	4.66 mg/l

Analysis	Analytical Method	Detection Limit
Chloride	SM4500-Cl E 11	1.02 mg/l
Sulfur, Total	EPA 6010D	0.036 mg/l
Dissolved Organic Carbon	SM5310B	0.1838 mg/l

Because a laboratory analysis is unavailable, Athens proposes to use a default value of 10% humic acid based on the Guidance and the recommendations of the BLM software developer.

As required by the Guidance, the Town will also measure all effluent parameters that are normally required to be reported in the NPDES Discharge Monitoring Report for Outlet 001. The following additional parameters will be analyzed to comply with this requirement:

Analysis	Analytical Method	Detection Limit
Outlet 001 Flow	Measured	Measured
BOD ₅	SM5210 B-16	3.24 mg/l
Fecal Coliform	SM9222 D-2015	20.0 col/100 ml
Dissolved Oxygen	Field	Field
Ammonia Nitrogen	EPA 350.1	0.322 mg/L
Lead, Total	EPA 200.8	0.520 mg/l
Zinc, Total	EPA 200.8	0.0530 mg/l
Hardness, Total as CaCO ₃	EPA 200.7	N/A
Aluminum, Total	EPA 200.8	0.0207 mg/l
Iron, Total	EPA 200.8	0.302 mg/l

2. Confirmation Sampling Location

The Town will collect data for the following parameters at the confirmation sampling location:

Analysis	Analytical Method	Detection Limit
Copper, Dissolved	EPA 200.8	1.05 µg/L
Hardness, Total as CaCO ₃	EPA 200.7	N/A

3. Laboratory Selection

Samples will be sent for analysis to Analabs in Crab Orchard, WV. Analabs will contract with ALS Environmental in Middletown, PA, for the sulfur and dissolved organic carbon analyses. The laboratory will begin the chemical analysis as soon as is practicable, but no later than the holding time specified in 40 CFR 136 after sample collection.

E. Data Review

At the end of the first year, the Town will assess whether sufficient data is available for development of a reliable BLM using the software described in Section V herein. The Town will determine whether the instantaneous copper criteria have low variability. Low variability is defined as instantaneous copper criteria having a coefficient of variation (CV) less than or equal to 0.53. If the instantaneous copper criteria meet the low variability requirement, then sampling will be concluded. If the criteria do not meet the low variability requirement, then sampling will continue for a total of two years.

V. BLM Preparation

Athens proposes to calculate revised copper criteria using the BLM Freshwater and Marine Version 3.41.2.45 developed by Windward Environmental, LLC. <https://www.windwardenv.com/biotic-ligand-model/> Athens will provide a report of the results of the BLM model along with laboratory reports and a spreadsheet summary of the analytical sample results.

Once the BLM is complete, the Town will submit a final report containing the following information:

- Identity of the samplers and the laboratory;
- Description of the facility;
- Detailed description of the Site using a map with sampling locations clearly indicated;
- Name, location, and description of the discharger; description of the effluent and the receiving water;
- Identification of each sampling station;
- Procedures used to obtain, transport, and store the samples;
- Any pretreatment, such as filtration, of the effluent and site water;
- Results of all chemical and physical measurements on actual water samples including the ten parameters for the BLM model inputs, and/or concentrations of total recoverable or dissolved copper, TSS, etc.
- Upstream flow during each sampling event, either measured directly or estimated from relevant neighboring gages;
- Prior meteorological conditions affecting flow and sampled water quality;
- Measurements of all chemical concentrations and testing methods;
- Summary of all sampling data in an Excel spreadsheet or other format that is compatible with the copper BLM model;

The Town will submit the final report to WVDEP for review and concurrence on the calculated final copper BLM criteria based on the criteria development procedure in Section 7.0 of the Guidance. The Town will also submit a permit modification request to WVDEP to pursue effluent limits based on the BLM-derived criteria.