

**Part B:**

**General Conditions for Industrial  
Wastewater Discharge Permits**

## **I. PROHIBITED DISCHARGES**

- A. In accordance with Article III of the Rules and Regulations, the following shall not be introduced into the Sanitary Sewer System:
1. Wastewater constituents that cause pass-through (pursuant to Sections 3.01(d), 3.01(f), and 3.01(g)).
  2. Wastewater constituents that cause interference (pursuant to Sections 3.01(b), 3.01(d), 3.01(i), and 3.01(j)), including solid or viscous pollutants in amounts which will cause obstruction to the flow in the treatment works.
  3. Wastewater that has the potential to create a fire or explosion hazard in the publicly-owned treatment works (POTW), including wastewater having a closed-cup flashpoint less than 140°F (pursuant to Section 3.01(a)).
  4. Wastewater that has a pH less than 5.5 or greater than 10.5 S.U. (pursuant to Section 3.01(c)).
  5. Wastewater constituents that result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems (pursuant to Sections 3.01(a), 3.01(d), and 3.01(e)).
  6. Batch discharges of unpermitted materials without prior written approval from the Commissioner. Any request to discharge such wastewater must be submitted in writing to this office and is subject to approval on a case-by-case basis (see Section XV.B.4).
  7. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case ~~W~~wastewater that has a temperature greater than 150°F or in a quantity such that the temperature at the headworks of the POTW exceeds 104°F (pursuant to Section 3.01 (1)).
  8. Non-contact cooling water and other unpolluted wastewater (pursuant to Section 3.02) other than those explicitly permitted.
  9. Wastewater that will subject the receiving POTW to reporting and permitting regulations of the Resource Conservation and Recovery Act (40 CFR 270.1(c) and 270.60(c)).
  10. Any pollutant, including sulfides and oxygen demanding pollutants (BOD etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
  11. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
  12. Any trucked or hauled pollutants, except at discharge points designated by OCDWEP.
  - ~~13.~~ Any other wastewater that is prohibited by the Rules and Regulations.
- B. In addition to the above prohibitions, dilution shall not be used as a substitute for pretreatment.
- C. Wastewater discharges are prohibited which are sufficient in quantity or concentration to cause an exceedance of any parameter limitation established for the discharge from the County's Treatment Plants under SPDES permits or any modification or revision thereto, established by

NYSDEC or USEPA. In the event that the Department determines that the permittee's discharges caused or were the major contributing factor to such an exceedance, the permittee shall become liable to reimburse the Department costs associated with the Department's violation of said limits, including the payment of applicable stipulated penalties. Nothing contained herein shall prohibit the permittee from contesting any determination by the Department that the permittee is the cause and/or major contributing factor to any such exceedance.

## **II. OCDWEP EFFLUENT LIMITATIONS AND PRETREATMENT STANDARDS**

A. The permittee's discharge shall comply with the following effluent limitations at the point where the discharge enters the Sanitary Sewer System.

**Table 1: OCDWEP Effluent Limitations**

Parameter	Discharge Limitation	
	Daily Allowable (mg/l) <sup>1</sup>	Instantaneous Allowable (mg/l) <sup>2</sup>
Total Cadmium (Cd)	2.0	3.0
Total Chromium (Cr)	8.0	12.0
Hexavalent Chromium (Hex-Cr)	4.0	6.0
Total Copper (Cu)	5.0	7.5
Total Lead (Pb)	1.0	1.5
Total Mercury (Hg)	0.004	0.006
Total Cyanide (T-CN)	*****	3.0
Total Nickel (Ni)	5.0	7.5
Total Zinc (Zn)	5.0	7.5
Total Silver (Ag)	1.0	1.5
Total Phenolic Compounds	*****	4.5
Total Oil and Grease (O&G)	*****	150
pH	*****	5.5 – 10.5 S.U.
Temperature	*****	150°F
5-Day Biochemical Oxygen Demand (BOD <sub>5</sub> )	3	3
Total Suspended Solids (TSS)	3	3
Total Kjeldahl Nitrogen (TKN)	3	3
Total Phosphorus (TP)	3	3

<sup>1</sup> As determined by a composite sample (as defined by Article II, Section 2.02 of the Rules and Regulations) of the permittee's daily discharge over the operational and/or production period.

<sup>2</sup> As determined by a grab sample (as defined by Article II, Section 2.02 of the Rules and Regulations) of the permittee's discharge at any time during the daily operational and/or production period.

<sup>3</sup> In accordance with the modifications to the Onondaga County Rules and Regulations (Section 3.07, Special Conditions) approved by the USEPA in February 1998, concentration-based limits will not be established for BOD<sub>5</sub>, TSS, TP, TKN. An Industrial Wastewater Surcharge will be assessed based upon the pre-established loading charge rates in excess of the threshold concentrations for these parameters in order to recover costs incurred by the POTW for treatment of the wastewater constituents (refer to Article V of the Rules and Regulations). The Commissioner reserves the right to place concentration-based or mass-based limitations upon the discharge of the above wastewater constituents if deemed necessary.



### III. NOTIFICATION REQUIREMENTS

<p><b><u>III.A Permit Limit Exceedance Repeat Sampling</u></b> 40 CFR 403.12(g)(2)</p>	<p>If sampling performed by the permittee indicates a violation, the permittee shall notify OCDWEP within 24 hours of becoming aware of the violation. The permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to OCDWEP within 30 days after becoming aware of the violation. Where OCDWEP has performed the sampling and analysis in lieu of the permittee, OCDWEP must perform the repeat sampling and analysis unless it notifies the permittee of the violation and requires the permittee to perform the repeat analysis. Resampling is not required if: 1) OCDWEP performs sampling at the Industrial User at a frequency of at least once per month; or 2) OCDWEP performs sampling at the permittee between the time when the initial sampling was conducted and the time when the permittee or OCDWEP receives the results of this sampling.</p> <p><b><u>Corrective action report required:</u></b> A report indicating the cause of the violation and corrective actions to prevent recurrence of the violation must be submitted within 30 days for any sample that meets any of the following criteria: 1) Oil &amp; Grease &gt;140 mg/l, 2) pH &lt;4.8 or pH&gt;11.2, 3) any other parameter that exceeds a permit limit by 20% or more.</p>
<p><b><u>III.B Changed Condition</u></b> 40 CFR 403.12(i)</p>	<p>The permittee must notify OCDWEP of any substantial change of conditions in the permittee's operations, facility, production, volumes, raw materials, chemicals, treatment or character of pollutants of its discharge at least thirty (30) days prior to the change. Flow/production changes of &gt;20% are considered substantial.</p>
<p><b><u>III.C Hazardous Waste</u></b> 40 CFR 403.12(i) 40 CFR 403.12(p)(1)</p>	<p>The permittee shall notify OCDWEP, the EPA Regional Waste Management Division Director, and New York State DEC Bureau of Hazardous Waste and Radiation in writing of any discharge into OCDWEP's treatment works of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. The permittee shall also notify OCDWEP of any change in the listed or characteristic hazardous wastes for which the permittee previously notified OCDWEP</p>
<p><b><u>III.D Slug Discharge Upset Bypass</u></b> 40 CFR 403.12(f) R&amp;R Article IV, Section 4.10</p>	<p>The permittee shall immediately notify OCDWEP of any discharge that could cause injury to persons, damage to the environment, or damage, upset or interference in OCDWEP's collection system or treatment works. Such discharges include, but are not limited to, accidental discharges/spills, upsets, bypass and non-customary batch discharges. The notification shall include the location of the discharge, type of waste, volume, concentration and corrective actions taken by the permittee.</p> <p><b><u>5-day Report Required:</u></b> Within five (5) days of such discharge, the permittee shall submit to OCDWEP a detailed written report describing: the nature and cause of the discharge, the dates and times of the discharge, anticipated duration of discharge, corrective actions being implemented to reduce, eliminate and prevent recurrence of the discharge.</p>
<p><b><u>III.E Transfer of Ownership</u></b> 40 CFR 403.8(f)(1)(iii)(B)(2)</p>	<p>The permittee shall notify OCDWEP at least thirty (30) days prior to transfer of ownership of the permitted facility and shall comply with all requirements of Part B section V of this permit.</p>
<p><b><u>III.F Change Affecting Potential for Slug</u></b> 40 CFR 403.8(f)(2)(vi)</p>	<p>The permittee shall notify OCDWEP immediately of any changes at its facility affecting potential for a Slug Discharge.</p>

<p><b>III.G Change in Signatory</b> 40 CFR 403.12(l)(4)</p>	<p>Notification of a change in a duly authorized signatory must be made to OCDWEP and accompanied by a new authorization satisfying the requirements of 40 CFR 403.12(l)(3) prior to or together with any documents signed by the authorized signatory.</p>
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For immediate notifications, the permittee shall call 315-884-0574. If not answered immediately the permittee shall call 315-435-3142 or 315-435-3182. Nothing in this section of the permit shall be construed to relieve the permittee from the penalties for noncompliance with this permit or the Rules and Regulations (Article VII Enforcement and Penalties).

**III. NOTICE OF SLUG OR ACCIDENTAL DISCHARGE**

A. In accordance with Article IV, Section 4.10 of the Rules and Regulations, the permittee shall, at its own expense, provide protection from slug or accidental discharge of prohibited materials to the Sanitary Sewer System as defined in Part B Section I of this permit and Article III of the Rules and Regulations.

B. Any wastewater released in accordance with the following conditions shall require the permittee to provide notification in accordance with Part B Section III.C of this permit:

- 1. Breakdown of industrial waste pretreatment equipment;
- 2. Accident caused by human error or mechanical failure; and
- 3. Other causes, such as acts of nature.

C. Notification Procedures

- 1. In the event of any slug or accidental discharge (as defined above), the permittee shall **immediately** notify the Commissioner by telephoning pretreatment program personnel at **315-435-2260** between the hours of 8:00 a.m. - 4:30 p.m. weekdays or the operator of the Metropolitan Syracuse Wastewater Treatment Facility at **315-435-3142 or 315-435-3182** between the hours of 4:30 p.m. - 8:00 a.m. weekdays or all day on weekends and holidays.
- 2. In accordance with Article IV, Section 4.10, of the Rules and Regulations, following the telephone notification, the Commissioner shall be notified **in writing** within five business days. The written notification shall include the following information.
  - a. The cause of the slug or accidental discharge;
  - b. A description of the slug or accidental discharge;
  - c. Anticipated time the condition is expected to continue, or if such condition has been corrected, the duration of the period of slug or accidental discharge;
  - d. Steps taken by the permittee to reduce and/or eliminate the discharge; and

e. ~~Steps to be taken by the permittee to prevent recurrence of the condition which caused the slug or accidental discharge.~~

D. ~~Nothing in this section of the permit shall be construed to relieve the permittee from the penalties for noncompliance with this permit or the Rules and Regulations (Article VII Enforcement and Penalties).~~

#### **IV. GENERAL REQUIREMENTS**

<p><b><u>IV.A Slug Discharge Control Plan</u></b> 40 CFR 403.8(f)(iii)(B)(6) 403.8(f)(2)(vi)</p>	<p><u>OCDWEP may require the permittee to develop and implement a slug control plan that shall contain, at a minimum, the following elements: 1) A description of discharge practices including non-routine batch discharges, 2) A description of stored chemicals, raw materials and products, 3) Procedures for immediately notifying the POTW of Slug Discharges, including any Discharge that would violate a prohibition under 40 CFR 403.5(b) with procedures for follow-up written notification within five days and 4) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.</u></p>
<p><b><u>IV.B Compliance Schedule</u></b> 40 CFR 403.8(f)(1)(iv) 40 CFR 403.12(c)</p>	<p><u>OCDWEP may require the permittee to develop and implement a compliance schedule for the installation of technology required to meet applicable Pretreatment Standards and Requirements. Compliance schedules shall include increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the Industrial User to meet the applicable categorical Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.), and shall also include dates for submission of progress reports to OCDWEP.</u></p>
<p><b><u>IV.C Civil and Criminal Penalties</u></b> 40 CFR 403.8(f)(1)(iii)(B)(5)</p>	<p><u>Civil and criminal penalties shall be determined and assessed in accordance with OCDWEP's Uniform Enforcement Response Plan and Rules and Regulations which provide for a penalty assessment of up to \$1,000 per violation per day. OCDWEP may also revoke this permit and/or enjoin the permittee from violating any provision of the permit, Rules &amp; Regulations or order. Willful violations shall be referred for criminal prosecution.</u></p>

#### **IV. CHANGE IN WASTEWATER DISCHARGE**

- ~~A. In accordance with Article III Section 3.12 of the Rules and Regulations, the permittee shall notify the POTW in advance of any change in the volume or characteristics of wastewater discharge practices not explicitly permitted under Part A Section II.~~
- ~~B. All discharges authorized herein shall comply with the terms and conditions of this permit.~~
- ~~C. Any industrial facility expansions, production increases or process modifications which result in new, different or increased discharges of pollutants must be reported by submission of a new industrial waste disposal questionnaire pursuant to Article IV, Section 4.02, of the Rules and Regulations.~~
- ~~D. This permit may be modified to specify and limit any new or increased pollutant discharges.~~

#### **V. TRANSFER OF OWNERSHIP CONTROL**

- A. At least 30 days prior to any change in the ownership of the industrial facilities (including pretreatment facilities) from which the authorized discharges emanate, the permittee must notify ~~this office~~ OCDWEP in writing of the ~~pending~~ proposed transfer.
- B. The current owner shall then notify the succeeding owner or controller of the existence of this permit by letter, with a copy of the permit enclosed. In addition, notification of the ~~impending~~ proposed transfer must be made to ~~this office~~ OCDWEP by a copy of the letter.
- C. The new owner must acknowledge receipt of the letter and the conditions and provisions of the discharge permit in writing to the previous owner and to this Department.
- D. Once ~~this office~~ OCDWEP is notified of the transfer of the title, the Commissioner will provide written permitting procedures for the new owners.

#### **VI. RIGHT OF ENTRY**

- A. In accordance with Article IV, Section 4.08, of the Rules and Regulations, the permittee shall allow duly authorized employees or representatives of the County to enter the permittee's premises at all times for the purpose of inspection, observation, flow measurement, sampling and testing.
- B. In accordance with Article VII, Section 7.05 of the Rules and Regulations, the permittee shall allow duly authorized employees of the County to enter the permittee's premises without delay for purposes of investigating any condition or activity which in the Commissioner's (or his/her designee's) judgment presents an imminent danger to the public health, safety or welfare, or to the environment, or is likely to result in damage to the Public Sewer System.

## **VII. MONITORING WAIVER FOR CATEGORICAL POLLUTANTS (40 CFR 403.12(e)(2))**

A. OCDWEP may authorize the permittee subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the permittee has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the permittee. This authorization is subject to the following conditions:

1. OCDWEP may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
2. The monitoring waiver is valid only for the duration of the effective period of this permit, but in no case longer than 5 years. The permittee must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism.
3. In making a demonstration that a pollutant is not present, the permittee must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes. The request for a monitoring waiver must be signed by the designated signatory authority for the permittee. Non-detectable sample results may only be used as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
4. Any grant of the monitoring waiver by OCDWEP shall be included as a condition in the permittee's permit. The reasons supporting the waiver and any information submitted by the permittee in its request for the waiver shall be maintained by the OCDWEP for 3 years after expiration of the waiver.
5. Upon approval of the monitoring waiver and revision of the permittee's permit by OCDWEP, the permittee must certify on each report with the statement below, that there has been no increase in the pollutant in its wastestream due to activities of the permittee:  
  
Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR \_\_\_\_\_ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of \_\_\_\_\_ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under 40 CFR 403.12(e)(1).
6. In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the permittee's operations, the permittee must immediately: Comply with the monitoring requirements of part A.III of this permit and notify OCDWEP.
7. This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

## VII. COUNTY MONITORING

- A. ~~The monitoring of each industrial discharge and the recording of quantitative values shall be performed by authorized employees or representatives of the County according to schedules established by this office.~~
- B. ~~The County monitoring effort does not in any way relieve the permittee of any of the self-monitoring requirements contained in Part A – Section III of this permit.~~
- C. ~~Composite and/or grab samples will be collected whenever possible over the production day, including clean-up periods.~~
- D. ~~The flow (in gallons per day) shall be measured during each sampling period. Water use records may be substituted in place of flow measurement.~~
- E. ~~All samples shall be collected in accordance with the procedures set forth by the New York State Department of Health Environmental Laboratory Approval Program (NYSDOH-ELAP) and/or Title 40 Part 136 of the Code of Federal Regulations (40 CFR 136).~~
- F. ~~All analyses shall be performed by a NYSDOH certified laboratory in accordance with USEPA approved analytical methods (40 CFR 136) as stated in the latest approved edition of the following references:~~

~~STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER, American Public Health Association, New York, New York 10019.~~

~~METHODS FOR CHEMICAL ANALYSIS OF WATER AND WASTES, Environmental Monitoring and Support Laboratory, Office of Research and Development, March 1983, Environmental Protection Agency, Cincinnati, Ohio 45268.~~

## VIII. PRETREATMENT FACILITIES

- A. The permittee shall provide and maintain industrial wastewater pretreatment facilities at its expense pursuant to Article IV, Section 4.09, of the Rules and Regulations.
- B. All reports, plans and/or specifications for new or modified pretreatment facilities or changes in method of operation must be approved by the Commissioner or his/her designee prior to implementation.
- C. All reports, engineering plans, design drawings, technical specifications, and operational protocols related to the construction, modification, or upgrade of industrial pretreatment facilities—whether physical, chemical, or biological in nature—must be submitted for formal review and written approval by the Commissioner of the Department of Water Environment Protection, or his/her duly authorized designee, **prior to any implementation or commencement of work.**

This requirement also applies to any proposed changes in the method of operation of an existing pretreatment system that could impact the nature, volume, frequency, or quality of the wastewater discharge to the Publicly Owned Treatment Works (POTW). Examples of such changes include, but are not limited to:

- Alterations to treatment process design or sequence
- Changes in chemical usage or dosage
- Equipment replacements that differ in capacity or performance
- Modifications to flow equalization or waste segregation practices
- Adjustments to standard operating procedures that affect pollutant removal efficiency

Approval must be obtained **prior to initiation of physical changes or operational adjustments**. Failure to secure prior authorization may constitute a violation of the Industrial Wastewater Discharge Permit and may be subject to enforcement action under local, state, or federal regulations.

## **IX. PERMIT MODIFICATIONS**

- A. In accordance with Article IV of the Rules and Regulations this permit may be modified, suspended, or revoked in whole or part during its term for causes including, but not limited to, the following:
1. Promulgation of new or revised pollutant prohibitions, pretreatment standards, limitations or Best Management Practices by United States Environmental Protection Agency, New York State Department of Environmental Conservation or OCDWEP.
  2. New or changed permit conditions included in any permit issued to OCDWEP.
  43. Violation of any of the terms or conditions of this permit, or the Rules and Regulations;
  24. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge;
  35. A pretreatment, effluent, or toxic effluent standard being established under any local, state, or federal law for any pollutant which is present in the permittee's discharge where said standard or prohibition is more stringent than the limitation for the pollutant in this permit or the Rules and Regulations;
  46. Failure to make payments of the Industrial Waste Surcharge; and/or,
  57. Failure to supply information to this office in accordance with Article IV, Section 4.03 (Permit Conditions) of the Rules and Regulations.

## **X. MONITORING FACILITIES**

- A. In accordance with Article IV, Section 4.07, of the Rules and Regulations, if there are inadequate provisions for the collection of representative wastewater samples and accurate discharge flow measurements, this office may require that an adequate monitoring facility be installed by the permittee at its own expense.
- B. The monitoring facility must be approved by this office before installation.
- C. The permittee shall be responsible for all maintenance of sampling manholes and calibration of the monitoring equipment.
- D. The permittee is hereby required to provide a monitoring facility which meets the approval of this office. The monitoring facility shall include provisions for grab and composite sampling as well as continuous flow and pH monitoring by this office.



## **XI. WASTE MATERIAL DISPOSAL**

- A. Any screenings, sludges, solids, waste oils, or other waste materials removed or separated from the permittee's authorized discharge or generated as a result of the wastewater treatment process shall be disposed of in such a manner as to prevent entry of such materials into navigable waters, ground water, storm drains, and the Sanitary Sewer System.
- B. The following information regarding the disposal of waste materials as defined in part A above shall be reported on Form E of the self-monitoring report.
1. List the source(s) of waste materials to be disposed of.
  2. Describe the nature of the waste (hazardous or non-hazardous).
    - a. If nonhazardous, describe the waste and how it is created.
    - b. If hazardous, provide the 40 CFR Part 261, Subpart C designation for the waste removed (i.e. characteristic waste, listed waste or a mixture). If it is listed, provide the F,K,P or U listing for the waste material removed.
    - c. List the facility's hazardous waste generator identification number.
  3. Include the approximate volumes or weights of each waste material disposed of.
  4. Describe the method by which the wastes were removed and transported.
  5. Report the company contracted to remove such materials and the final disposal or recovery location.

## **XII. COMPUTATION AND PAYMENT OF INDUSTRIAL WASTEWATER SURCHARGE**

- A. The permittee shall pay its proportionate share of the cost of operation and maintenance and local debt retirement of the department treatment system.
- B. These charges shall be computed by this office using the formulae in Article V, Section 5.02, of the Rules and Regulations.
- C. Payments shall be made to the County of Onondaga by the permittee no less often than annually unless prior written approval has been granted by the Commissioner.

### **XIII. RECORD KEEPING**

- A. Records of all information resulting from self-monitoring activities as required above, ~~or~~ any other discretionary self-monitoring, and documentation associated with Best Management Practices shall be maintained for a minimum of three years. The required record keeping period may be extended during the course of unresolved litigation or by order of ~~this department~~ OCDWEP or USEPA.
- B. Records shall be made available immediately upon request for inspection and copying by the Department of Water Environment Protection as the Control Authority.

### **XIV. AVAILABILITY OF BUSINESS RECORDS TO DISCLOSURE**

- A. The New York State Freedom of Information Law (FOIL) provides the public with access to government records, as do subpoenas for County records made relative to litigation. Therefore, information submitted to Onondaga County Department of Water Environment Protection (OCDWEP) by a commercial enterprise may be subject to public disclosure unless it falls within a protected category or is otherwise ~~nondisclosable~~ not disclosable pursuant to state or federal law.
- B. Certain business information may be considered confidential if it concerns trade secrets or information which, if disclosed, would injure the competitive position of a business. This information which is obtained by OCDWEP in the course of regulating use of the Sanitary Sewer System may be protected from disclosure via FOIL requests. To do so, an assertion of confidentiality must be made at the time information is received by OCDWEP using OCDWEP guidelines. If no such request is made by a commercial enterprise, all information will be made available to the public by OCDWEP upon receipt of a FOIL request. Guidelines for the assertion of a confidentiality claim may be obtained upon request to OCDWEP.

## **XV. SIGNATORY REQUIREMENTS**

- A. An authorized representative must sign all reports and correspondence submitted by the permittee in accordance with this permit. The authorized representative of the user shall be an individual who is:
1. A responsible corporate officer if the Industrial User submitting the report is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
    - a. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or,
    - b. The manager of one or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  2. A general partner or proprietor if the Industrial User submitting the report is a partnership, or sole proprietorship, respectively.
  3. If the Industrial User is a Federal, State or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- ~~3.4.~~ By a A duly authorized representative of the individual designated in paragraph 1, 2 or ~~23~~ of this section if :
- a. The authorization is made in writing by the individual described in paragraph 1, 2 or ~~23~~ of this section;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
  - c. The written authorization is submitted to the Department.
- 4.5. If an authorization under paragraph ~~34~~ of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph 3 of this section must be submitted to ~~the Control Authority~~ OCDWEP prior to or together with any reports to be signed by an authorized representative.

~~B. The permittee shall notify the Department in writing within three business days of any changes regarding the authorization to sign and certify reports submitted pursuant to this permit~~

