

**LEHIGH COUNTY AUTHORITY
WASTEWATER PRETREATMENT PLANT
SPECIAL WASTE GENERATOR PERMIT**

GENERATOR PERMIT ID: _____

Permit Effective Date: _____ **Permit Expiration Date:** _____

The below-named Generator, hereinafter referred to as Permittee, is issued this Special Waste Generator Permit under Authority of the Lehigh County Authority (LCA) Rules and Regulations. The Special Waste Generator Permit Application, analytical testing results, documents, and information submitted on behalf of this Permit is hereby incorporated by reference, and are filed with and considered part of this Special Waste Generator Permit.

Generator Company Name _____
Phone _____
Pick-up Address _____
City, State, Zip _____

In accordance with the provisions of the LCA Hauled Waste Program, the Permittee is hereby authorized to discharge Special Waste to the LCA Wastewater Pretreatment Plant (Pretreatment Plant) in accordance with the limitations, reporting requirements, and other conditions set forth in this Permit. Compliance with this Permit does not relieve the Permittee of its obligation to comply with any or all applicable local, state, and/or federal regulations, standards, requirements, and/or laws that may become effective during the term of this Permit. This Permit applies only to Special Wastes, as defined on page 6 of this document.

Non-compliance with any term or condition of this Permit shall constitute a violation of the LCA Rules and Regulations. This Permit is non-transferable and authorizes only the above listed Permittee to discharge Special Waste to the Pretreatment Plant which has been *approved in writing* by LCA. This Permit shall not be sold, traded, assigned, or subleased by the Permittee.

If the Permittee plans to continue to discharge after the expiration date of this Permit, an Application must be filed for permit renewal with appropriate fees, a minimum of (sixty) 60 calendar days prior to the expiration date.

This approval is granted by:

_____ LCA Representative	_____ Date
_____ Printed Name	_____ Title

For information, contact:

Administrator - Lehigh County Authority
Wastewater Pretreatment Plant
7676 Industrial Boulevard, Allentown, Pa. 18106
Phone: 610-395-9782, Ext. 210
Email: NERLEHWasteAdmin@ch2m.com

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LCA uses an independent contractor to operate the Pretreatment Plant (the "Operator"), which Operator will be involved in and assigned certain LCA responsibilities.

Special Waste Permit Conditions

Section 1 - Permit Duration, Modifications and Revocation

This Permit shall be in duration from the Permit Effective Date through the Permit Expiration Date. The Permit may be renewed at LCA's discretion upon receipt of an appropriate Special Waste Application and fee(s) from the Generator. LCA shall also have the right to amend, modify, limit, suspend and/or revoke this Permit at any time at the discretion of LCA for reasons including, but not limited to: unacceptable individual or cumulative impact of waste discharges on the Pretreatment Plant operation; non-compliance with Permit conditions; falsifying manifests/permit applications/documents; non-payment of LCA invoices by Waste Hauler; manipulating samples; falsifying flow or load capacity; determination by LCA that the discharge results in an unacceptable legal, regulatory or financial burden; and other reasons of convenience. Permittee shall only be afforded advance notice of at least 60 days prior to revoking the Permit for convenience; other LCA actions related to the Permit may be immediate. LCA shall not be held liable for any damages including actual damages, or loss of revenue, profit, business opportunity, etc. or other consequential or incidental damages for the impact of modification, amendment, limitation and/or revocation of this Permit.

Section 2 – Authorization to Discharge

The Permittee is authorized to discharge waste at the Pretreatment Plant from Waste Haulers permitted to haul waste by LCA. No other vehicles are authorized to discharge Special Waste to the Pretreatment Plant.

LCA shall have the right to collect samples and/or observe sample collection from the Waste Hauler vehicle hauling Special Waste under this Permit. It is the responsibility of the Permittee to ensure that their Waste Haulers know what they are hauling.

Section 3 - Generator Prohibitions and Limitations

General Prohibitions - No Special Waste shall be accepted which will interfere with the operation or performance of the Pretreatment Plant. General Prohibitions are part of National Standards that apply to all non-domestic dischargers, which are being extended to the LCA Hauled Waste program. These General Prohibitions apply to all *non-domestic sources* of Special Waste, whether or not the generators are subject to National Categorical Pretreatment Standards.

Waste transported from a Generator subject to National Categorical Pretreatment Standards must meet the applicable Federal Categorical Standards. The Generator shall provide proof to LCA of such compliance. Prior to delivery of Categorical Waste, the Generator shall also apply for and obtain, if applicable, an Industrial Pretreatment Permit (IPP) issued by LCA, in addition to this Special Waste

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Specific Prohibitions - The following Special Waste shall not be discharged at the Pretreatment Plant.

- a. Any material considered a RCRA hazardous waste as defined in 40 CFR Part 261;
- b. Pollutants that will create a fire or explosion hazard;
- c. Pollutants that will cause corrosive structural damage, but in no case discharges with a pH lower than 4.0 or higher than 11.0 standard units;
- d. Solid or viscous pollutants in amounts that will cause obstruction to flow;
- e. Any other pollutant discharged at a concentration or volume that will cause interference with operation of the Pretreatment Plant;
- f. Heat in amounts that will inhibit biological activity; in no case should discharges cause the Pretreatment Plant influent to exceed 104 degrees F;
- g. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference¹ or pass through²;
- h. Pollutants that result in the presence of toxic gases, vapors, or fumes in a quantity that may cause acute worker health and safety problems;
- i. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life;
- j. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
- k. Medical wastes, except as specifically authorized by LCA;
- l. Detergents, surface-active agents, or other substances which may cause excessive foaming in the Pretreatment Plant or its discharge;
- m. Fats, oils, greases or waxes of animal or vegetable origin in amounts which cause interference with the Pretreatment Plant, including physical obstructions;

¹ *Interference* is a discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the Pretreatment Plant, its treatment processes or operations or its biosolids processes, use or disposal; and therefore, is a cause of a violation of the Pretreatment Plant Permit with the City of Allentown or of the prevention of biosolids use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State biosolids management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act

² *Pass Through* is a discharge which exits the Pretreatment Plant into the Kline's Island Wastewater Treatment Plant in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Pretreatment Plant's permit or Kline's Island Wastewater Treatment Plant, including an increase in the magnitude or duration of a violation.

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- n. Fracking wastewater;
- o. Any wastewater with objectionable color that will pass through;
- p. Any other type of waste that may not be treatable by the Pretreatment Plant, or will interfere with the operation of the Pretreatment Plant, or which results in contamination of the Pretreatment Plant biosolids (biosolids pollutant standards presented in 271.914 (b)(3) *Table 3*, PA Municipal Waste); and
- q. Any waste that would result in the Pretreatment Plant or Kline's Island Wastewater Treatment Plant effluent violating any local, state or federal regulation, permit, or requirement, or to cause interference or pass through.

Specific Limitations

In addition to the Prohibitions described herein, LCA reserves the right to impose specific limitations on any Special Waste Generator to protect the Pretreatment Plant and the Kline's Island Wastewater Treatment Plant from interference or pass-through, and/or changing the use of treatment plant biosolids. Table 2 includes **Specific Limits for pH applicable to all Hauled Waste**. Table 3 includes Specific Limits for Metals that are applicable to Special Waste.

Table 2. Specific Limits for pH

Parameter	Units	Lower Limit	Upper Limit	Method Number
pH	Standard Units (S.U.)	4.0	11.0	SM 4500-H+B
Surfactants	µL	Monitor only		MBAS

Table 3. Specific Limits for Metals

Parameter	Units	Limit	Method Number
Arsenic	mg/L	0.44	EPA 200.7/200.8
Cadmium	mg/L	0.56	EPA 200.7/200.8
Chromium	mg/L	24.00	EPA 200.7/200.8
Copper	mg/L	23.15	EPA 200.7/200.8
Lead	mg/L	4.26	EPA 200.7/200.8
Mercury	mg/L	0.24	EPA 1631
Molybdenum	mg/L	2.36	EPA 200.7/200.8
Nickel	mg/L	2.55	EPA 200.7/200.8
Selenium	mg/L	1.42	EPA 200.7/200.8
Silver	mg/L	8.51	EPA 200.7/200.8
Zinc	mg/L	33.67	EPA 200.7/200.8

Specific limits for any Hauler or Hauled Waste:

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Section 4 – Discharge Requirements

Use of Waste Manifest System - The Permittee shall use the Pretreatment Plant Manifest form to record every source of origin of every load that is delivered to the Pretreatment Plant. Failure to accurately record every source of every load, falsification of data, or **failure to sign the manifest form** for the Operator review and processing prior to discharge, may result in rejection of the load and/or revocation of this Permit and hold the Permittee liable to LCA, the Pretreatment Plant Operator, and the Kline's Island Wastewater Treatment Plant for any resulting damage to any of their respective facilities, as well as additional costs, contributed to by lack of such Generator compliance.

Section 5 – Sampling, Monitoring, and Reporting

Before discharging Special Waste into the plant, the Waste Hauler will be required to provide a sample to the Operator to ensure compliance with Discharge Limitations and Pretreatment Plant requirements. LCA reserves the right to refuse permission to any Waste Hauler to discharge any load.

LCA may collect and analyze samples of the contents of any vehicle used by the Permittee to determine compliance and to examine the manifests required to be maintained in connection therewith. Permittees and their employees shall cooperate with and assist such authorized LCA personnel in obtaining samples and examining records.

The Permittee may be required to suspend further discharge of a Special Waste until sampling and analysis have been completed. LCA reserves the right to refuse permission to discharge any load to the Pretreatment Plant.

The Permittee is required to retain copies of the data required as part of the permit application and forms and data required under this permit for a period of at least three (3) years from the date of the sample collection, form, or application.

The Permittee shall retain all records that pertain to matters that are the subject of directives or other enforcement or litigation activities until all enforcement actions have concluded and all periods of limitation with respect to any and all appeals have expired.

Mixing waste streams – Mixing of Special Waste with other Special Waste is NOT permitted, unless a detailed request with sufficient documentation is made in writing to LCA, and written approval is provided by LCA.

Section 6 – Responsibilities and Limitations

Indemnification - The Permittee indemnifies and holds harmless LCA, its officers, officials, employees, contractors and appointed personnel, of and from any claim and/or liability arising out of

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the activities of the Permittee. The Permittee also holds harmless the City of Allentown (as the owner of the Kline's Island Wastewater Treatment Plant receiving discharges from LCA) and the Operator, its officers, officials, employees, contractors and appointed personnel, of and from any claim and/or liability arising out of the activities of the Permittee. The Permittee agrees to accept full legal responsibility for all damages, direct or indirect, arising out of the activities authorized by the Permit.

Insurance - The Permittee shall maintain General Commercial Liability Insurance in the amount of \$1,000,000 per occurrence on combined single limit coverage. Insurance coverage must remain in full force throughout the duration of this Permit. Nothing herein shall in any manner preclude the Permittee from obtaining additional insurance coverage as may be deemed necessary for his or her own protection.

All insurance coverage shall include LCA, the City of Allentown, and the current Operator as named additional insureds on the policies and Certificates of Insurance. A proper Certificate of Insurance shall be submitted to LCA as a condition of issuance of the Special Waste Generator Permit. Should coverage afforded under the policy be canceled, non-renewed, materially changed, or allowed to expire, Permittee shall provide LCA with 30 days prior written notice.

Notification of Change - If the Permittee becomes aware of any changes to an approved Special Waste being accepted at the Pretreatment Plant, LCA shall be contacted and the Special Waste discharge must immediately stop until such Special Waste is re-evaluated and written approval is provided by LCA.

Non-Transferability - This Special Waste Generator Permit is issued to the listed Permittee only, and is not transferable to other generators, or to new owners upon sale or transfer of the Permittees business. In the event of any change in control or ownership, the Permittee shall notify LCA immediately and apply for a new Special Waste Permit to minimize interruption of business or production.

Payment - Payment for discharge services shall be made in the form and by the schedule required by LCA. Failure of the Permittee's Hauler to remit payments within 60 days (based on date of invoice) in their entirety shall result in suspension and/or revocation of discharge privileges, late fees, and other actions by LCA. LCA reserves the right to require payment in advance, payment surety, or other forms of guarantee of payment as a condition of continuance of discharge privileges. LCA also reserves the right to collect payment directly from the Permittee.

Section 7 – Actions for Violation

Failure of the Permittee to comply with any Terms or Conditions of this Special Waste Generator Permit will subject the Permittee to one or more of the following actions:

Cease and Desist - Upon notification of Permit revocation, the Permittee shall cease and desist from discharging until a new Special Waste Permit or other LCA permit has been issued or the matter has

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been resolved by administrative penalty or court action.

Legal Remedies - If any Generator violates any directive of LCA, the Operator, a hearing board or officer, or otherwise fails to comply with any provisions of this Permit; or discharges sewage, industrial wastes, or other wastes, into the Pretreatment Plant contrary to the provisions of this Permit, federal, state, or local pretreatment requirements and/or law, among the courses of action LCA may take is commencement of an action in a court of record (Lehigh County) for appropriate legal and equitable relief. In such action, LCA may recover from the defendant reasonable attorney fees, court costs, deposition and discovery costs, expert witness fees and other expenses of investigation, enforcement action, administrative hearings and litigation, if LCA prevails in the action or settles at the request of the defendant. Any Permittee who violates any of the provisions of this Permit shall become liable to LCA for any expense, loss and/or damages to LCA, or to the Pretreatment Plant, Park Pumping Station, Western Lehigh and Little Lehigh Relief Interceptors, Kline's Island Wastewater Treatment Plant or other appurtenant facilities, occasioned by such violation. In addition, upon proof of willful or intentional falsification, sample tampering or unauthorized discharges, LCA shall be entitled to recover as damages two (2) times the amount of actual damage.

Remedies Cumulative - The remedies provided for in this Special Waste Generator Permit, including recovery of costs, administrative penalties and damages shall be cumulative and in addition to any other penalties, sanctions, fines and remedies that may be imposed. Nothing in this Special Waste Permit shall limit the Permittee's responsibility for adherence to all federal, state and local codes and laws, nor limit any legal action, fines or penalties which may be levied in accordance with said laws and codes.

Acknowledgement

The Permitted Special Waste Generator agrees to comply with the provisions of the Federal Water Pollution Control Act, Federal Resource Conservation and Recovery Act, the LCA Rules and Regulations, and all other federal, state and local requirements. The Permittee shall comply with permit applications, documents, analytical testing results, and other data submitted to LCA in support of this Special Waste Permit, all of which are filed with and considered as part of this Permit. The Permittee agrees to the Conditions and Requirements set forth in this Special Waste Permit. This authorization shall remain in effect as long as the Permittee and Permittee's Hauler maintain and adhere to their respective permits. If the Permittee or Permittee's Hauler violates their permit and any limits set forth above or in such permit, discharge will be immediately suspended.

By signing, I acknowledge that I have read in full and agree to the Terms and Conditions set forth in this Special Waste Generator Permit.

Name of Owner or Authorized Agent (Print)

Title (Print)

Signature of the Owner or Authorized Agent

Date