
AGENDA ITEM SUMMARY

Subject: Resolution No. 166-20 approving Leechate agreement between City and Floyd, Mitchell, Chickasaw County landfill

Background Summary:

Resolution No. 166-20 approves a three year Leechate agreement with Floyd, Mitchell, Chickasaw County (FMC) Landfill. The agreement allows for up to 12,000 gallons per day or 264,000 gallons per month.

We've confirmed with our plant engineers as well as IDNR that we can handle the leechate and limits on metals are now part of the agreement.

In the resolution we've include a price of 4 cents per gallon to accept the leechate. That price is similar to what FMC is currently paying at Osage and Elma waste water facilities.

CITY OF CHARLES CITY

RESOLUTION NO. 166-20

RESOLUTION APPROVING LEACHATE AGREEMENT WITH FMC LANDFILL

WHEREAS, the Floyd/Mitchell/Chickasaw Landfill has discussed with city staff concerning the disposal of leachate material from the landfill into our wastewater facility, and

WHEREAS, an agreement has been drafted that specifies the amount and type of testing required, fees and amount of product we will be able to handle; and

WHEREAS, a rate of four (4) cents per gallon rate has been established,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charles City, Iowa, meeting in regular session on the 21st day of September, 2020, that the leachate agreement between the City of Charles City and FMC Landfill be approved.

COUNCIL MEMBER moved the adoption of the foregoing Resolution;

COUNCIL MEMBER seconded the motion to adopt, and on roll call the voting was as follows:

AYES:

NAYS:

Passed and approved this 21st day of September, 2020.

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk

City of Charles City Wastewater Department

INDUSTRIAL USER PERMIT

In accordance with the provisions of the City of Charles City Code of Ordinances

Permittee: Floyd Mitchell Chickasaw Solid Waste Management Agency
3354 330th Street
Elma, Iowa 50628

Mailing address: Same

Is hereby authorized to discharge Landfill Leachate from the above identified facility and through the outfalls identified herein into the City of Charles City sewer system in accordance with the 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 pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

The discharge limits contained in this Treatment Agreement are based on the Federal categorical limits for the **Landfill** industry. The effluent limits may be revised at a later date to reflect either the documented actual discharge concentrations from **FMC SWMA** or any local limits adopted by the City to ensure that the wastewater pollutants entering the treatment facility will not pass through, interfere with the facility, or otherwise cause a violation of the City's NPDES permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City of Charles City sewer use ordinance.

This permit shall become effective on the date of issue noted below and shall expire three (3) years thereafter.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of a minimum of 180 days prior to the expiration date.

Issued by the City of Charles City, Iowa, this (21st day of September, 2020)

By: Steven T. Diers _____
Name

City Administrator
Title

(signed)

Accepted by:FMC SWMA

By: Joel Voaklander

Title

(signed)

PART 1- WASTEWATER DISCHARGE LIMITATIONS

- A. During the effective period of this permit the permittee is authorized to discharge wastewater to the City of Charles City sewer system from the outfalls listed below.

Description of outfalls:

001 **City Sewer Manhole away from WRRF** (discussion that will lead to location)

- B. During the effective period of this permit the discharge from outfall 001 shall not exceed the following effluent limitations.

Parameter		Discharge Limitations
See IDNR Form 542-3221 (Attachment A to this permit) for specific limitations		

- C. All discharges shall comply with all applicable laws, regulations, standards, and requirements contained in Chapters 95 through 99 of the Charles City Code of Ordinances or any amendments there to, and any applicable State and Federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

PART 2 - MONITORING REQUIREMENTS

- A. During the effective period of this permit, the permittee shall be responsible for monitoring of its discharges in accordance with City ordinances and as noted below:
 1. At permittee's expense, permittee shall install and properly maintain a suitable monitoring manhole on each outfall sewer, together with such necessary meters, samplers, and appurtenances, to enable the City to observe, measure, and record the rate and volume of flows being discharged and to collect routine and special samples of the wastewater being discharged.
 2. The City shall inspect outfall manhole periodically and notify the permittee of any inadequacies, and permittee shall remedy such inadequacies within 15 days of receipt of notification.
 3. The City's costs of collecting and analyzing samples will be considered special costs of operation and will be assessed to the permittee.
 4. Collected sludge derived from this process will not be allowed to be dumped at the City WRRF Plant without agreement.

5. Upon request by the permittee, the City will provide a split sample for the permittee's use.
6. If periodic measurements indicate possible non-compliance with pH requirements, permittee shall take action for pH adjustment.
7. For purposes of billing and monitoring compliance, wastewater shall be sampled and analyzed for the regulated parameters as scheduled and wastewater discharge flow data shall be provided for each day. Additional samples and analyses will be required at the start of discharge in order to establish that there is a consistent range of results which are in compliance with the limits. Reduction of sampling of the permitted parameters will be at the City's discretion. (See Sample Frequency -Attachment B).

PART 3-REPORTING REQUIREMENTS

A. Monthly Monitoring Reports

1. The permittee shall provide the City with the results of the routine and special monitoring on a monthly basis. A monthly report shall be provided to the WRRF Supt. by the following 14th of the month for previous month.

B. Accidental Discharge Report

1. The permittee shall notify the City immediately upon the occurrence of an accidental discharge of any prohibited substances or any slug loads or spills that may enter the public sewer. During normal hours of operation, the City should be notified by telephone at 641-257-6318. At all other times, the City should be notified by telephone at 641-228-3366. The notification shall include location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State, or Federal laws. Within five days following an accidental discharge, the permittee shall submit to the City a detailed written report. The report shall specify:
 - a. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
 - b. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
 - c. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

PART 4-USER CHARGES

- A. The City shall charge permittee a user charge adequate to pay permittee's proportional share of costs of annual operation and maintenance, including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works. The user charge shall be calculated in accordance with the City's User Charge Ordinance.

- B. Billing and Payment. The City shall deliver to the permittee, by the 10th day of each month a detailed billing statement showing the basis of charges for the preceding month, including the flow and load quantities used for calculating the charges. Bills for combined service accounts shall be due and payable at the office of the City Clerk by the 6th day of the month next following the month in which the bill is mailed. Such bill will be deemed paid only upon receipt of full payment (including applicable fees and service charges) in the Clerk's office. Bills shall be considered delinquent when not paid in full on or before the due date, and balances remaining unpaid on the 6th day of that month shall be assessed a service charge equal to 1.5% of the delinquent balance.

PART 5 SPECIAL CONDITIONS

A. Special Monitoring and Information

1. If determined necessary by City, and upon City request, permittee shall conduct bio-monitoring or other toxicity testing to determine the toxicity of permittee's discharge.
2. Permittee may be required to conduct additional monitoring of pollutants in response to noncompliance with discharge limitations or ordinance requirements.
3. Ninety days prior to initiating discharge, permittee shall provide the City with a detailed description of all wastewater pretreatment facilities it intends to install and operate.

B. Reopening of Permit

1. This permit may be reopened and modified to incorporate any new or revised requirements that:
 - a. are contained in state or federal pretreatment standards,
 - b. result from the City's reevaluation of its local limits or wastewater treatment facility capabilities, or
 - c. are developed by the City as necessary to ensure compliance with applicable treatment requirements promulgated by USEPA or IDNR.

C. Revocation of Permit -Failure by the permittee to remedy noncompliance with the conditions of this permit in a timely manner may be cause for revocation of the permit.

D. Transfer or Assignment of Permit

1. Permittee may not assign or otherwise transfer this permit to any other party without prior written consent of the City.
2. Nothing in this permit shall be construed as to create any right of ownership or marketable asset, either tangible or intangible, with regard to wastewater treatment capacity in the City's facilities.
3. Ninety days prior to initiating discharge, permittee shall provide the City with a detailed description of all wastewater pretreatment facilities it intends to install and operate.

PART 6-TERM OF PERMIT

- A. This permit shall commence immediately upon written issuance and acceptance and shall be in effect for a period of 3 years thereafter.
- B. If the User wishes to renew this agreement with the City, written notification must be given the City at least 180-days prior to the expiration date of this agreement.

PART 7 - OTHER CONDITIONS

- A. Iowa Department of Natural Resources Form 542-3221 is attached to and incorporated by reference into this permit. Refer to Attachment A.
- B. The Standard Conditions for Permits attached as Appendix F shall apply to this permit.

**IOWA DEPARTMENT OF NATURAL RESOURCES
OPERATION PERMIT APPLICATION
TREATMENT AGREEMENT**

Attachment – A

DNR USE
IOWA FACILITY NO. _____
IND. CONT. AGREEMENT NO. _____
REPLACES AGREEMENT NO. _____

NOTICE

A properly executed Treatment Agreement must be submitted by the contributor not less than one hundred eighty (180) days before the new major contributing industry proposes to discharge into a wastewater disposal system. Any proposed expansion, production increase or process modification that may result in any change to a previous Treatment Agreement requires execution of a new Treatment Agreement.

MAJOR INDUSTRIAL CONTRIBUTOR		SYSTEM RECEIVING WASTE	
NAME FLOYD MITCHELL CHICKASAW SOLID WASTE MANAGEMENT AGENCY (FMC SWMA)		NAME CITY OF CHARLES CITY	
MAILING ADDRESS 3354 330 TH STREET ELMA, IOWA 50628		MAILING ADDRESS 105 MILWAUKEE MALL CHARLES CITY, IOWA 50616	
AUTHORIZED REPRESENTATIVE JOEL VOAKLANDER	PHONE NO. 641-982-4288	AUTHORIZED REPRESENTATIVE DAN RIMROD	PHONE NO. 641-257-6318

CERTIFICATION OF CONTRIBUTING INDUSTRY

I am the duly authorized representative for the major industrial contributor identified above and state that the proposed discharge to the system receiving waste identified above shall not exceed the quantities listed on page two of this form after

EFFECTIVE DATE 10/1/20	EXPERATION DATE 10/1/23
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I further assure that notice of any anticipated increase in pollutants contributed shall be given to the owner of the system identified above sufficiently in advance of such increase to allow this contributor to submit a new treatment agreement to the Department of Natural Resources not later than sixty days in advance of the increase or change.

TYPED OR PRINTED NAME	TITLE	SIGNATURE	DATE
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CERTIFICATION OF SYSTEM RECEIVING WASTE

I am the duly authorized representative for the facility owner named above and state that the owner agrees to accept the discharge described on page two from the contractor identified above, and accepts responsibility for providing treatment of the volume and quantities described on the reverse in accordance with the provisions of Chapter 455B, Code of Iowa, and the rules of the Department of Natural Resources. This agreement is conditioned on the industrial contributor complying with all applicable standards and requirements of the Department of Natural Resources and the United State Environmental Protection Agency. This agreement is entered for the purpose of identifying pollutants contributed and limiting the quantity contributed, and shall not otherwise be construed to affect local ordinances, sewer service agreements or fee systems entered into between the parties.

This agreement may be modified or terminated by the owner of the disposal system if additional pollutants or additional quantities or volumes of pollutants are contributed other than identified on the reverse, or because of any condition that requires either a temporary or permanent reduction or elimination of the accepted contribution.

TYPED OR PRINTED NAME	TITLE WRRF SUPERINTENDENT	SIGNATURE	DATE
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1. PROCESS DESCRIPTION

SPECIFIC MANUFACTURING PROCESS FMC SWMA LANDFILL	SIC CODE 4953
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CONSUMPTION		PRODUCTION	
PRINCIPAL RAW MATERIAL	AMOUNT CONSUMED PER DAY	PRINCIPAL PRODUCTS	AMOUNT PRODUCED PER DAY
MUNICIPAL SOLID WASTE	30,000 TONS/YEAR MSW	SLF LEACHATE	AVG. 2,500 GPD PEAK 32,000 GPD

2. HOURLY MAXIMUM FLOW CONTRIBUTION NA	3. DAYS OF OPERATION PER WEEK 5.5	4. HOURS OF OPERATION DURING PEAK DAY OF OPERATION 8	5. RANGE OF pH LEVEL IN CONTRIBUTION	
			MINIMUM	MAXIMUM
			6.5	9.0

6. DESCRIPTION OF PRETREATMENT PROVIDED

NONE, LEACHATE IS STORED IN A 1 MILLION GALLON LAGOON

7. DESCRIPTION OF ANY BATCH OR PERIODIC DISCHARGES
ALL LEACHATE WILL BE TRANSPORTED IN TANKER TRUCKS NOT TO EXCEED 12,000 GALLONS/DAY AVERAGE. THE FMC SWMA SHALL PROVIDE A MONTHLY TALLY OF LOADS OF LEACHATE DELIVERED TO THE CITY'S WRRF SYSTEM DOCUMENTING THE DATES, NUMBER OF LOADS AND TOTAL GALLONS OF LEACHATE DELIVERED EACH DAY.

8. COMPATIBLE WASTE IN CONTRIBUTION

WASTEWATER PARAMETER	AVERAGE	MAXIMUM	WASTEWATER PARAMETER	AVERAGE	MAXIMUM
Flow (MGD)	.012	.018	Ammonia Nitrogen (lbs/day)	60	85
BOD ₅ (lbs/day)	60	100	Oil and Grease (mg/l)	25	45
Total Suspended Solids (lbs/day)	20	40			
Total Kjeldahl Nitrogen (lbs/day)	60	80			

9. INCOMPATIBLE WASTE IN CONTRIBUTION

WASTEWATER PARAMETER	AVERAGE		MAXIMUM	
	mg/l	lbs/day	mg/l	lbs/day
PHOSPHORUS (MONITOR TO BE DETERMINED)				
ARSENIC, TOTAL (as AS)		.0052		.0078
CADMIUM, TOTAL (as CD)		.00037		.000555
CHROMIUM, TOTAL (as CR)		.01103		.016545
COPPER, TOTAL (as CU)		.00042		.00063
CYANIDE, TOTAL (as CN(T))		.00483		.007245
LEAD, TOTAL (as PB)		.000378		.000567
MERCURY, TOTAL (as HG)		.00020		.0003
NICKEL, TOTAL (as NI)		.014817		.022226
SELENIUM, TOTAL (as SE)		.00041		.000615
SILVER, TOTAL (as AG)		.01502		.02253
ZINC, TOTAL (as ZN)		.010824		.016236

INSTRUCTIONS FOR COMPLETION OF PAGE 2

ITEM 1

A) Enter the industry's Standard Industrial Classification Code Number (SIC Code). The 1982 edition of the "Standard Industrial Classification Manual" or the current "Directory of Iowa Manufacturers" contains SIC code numbers and their descriptions.

B) Specify the principal product(s) or the principal raw material(s) and the maximum quantity produced or consumed in any day. Quantities are to be reported in units of measurement found in "Table III (Units of Measurement by SIC Code)". Other industrial SIC categories not included in Table III should be listed in units of measurement normally used by the industry. Table III is available from the Department on request.

ITEM 2

Hourly Maximum is the maximum discharge during any single hour in the peak period of operation.

ITEM 6

Describe all pretreatment of waste prior to discharge to municipal collection system.

ITEM 7

Describe any occasional or intermittent discharge and include the frequency of discharges and the amount. Such discharges could upset a treatment plant because of the shock effect of a sudden change in influent loading.

ITEM 8

Compatible Waste in Contribution means any waste parameter discharged that the receiving treatment works was designed to treat and does remove to a significant degree. Average is to represent the maximum 30-day average likely to occur in any year. Days when no discharge occurs should not be included in the average. Maximum is the maximum single-day contribution during a peak period of operation.

ITEM 9

Incompatible Waste in Contribution means any waste not qualifying within the definition of Item 8. List all such waste parameters that are contributed in concentrations greater than that present in the raw water supply.

***NOTE:** A "Major Contributing Industry" means an industrial user of a treatment works that:

- a. Has a flow of 50,000 gallons or more per average work day;
- b. Has a flow greater than five percent of the treatment works receiving the waste;
- c. Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307a of the Clean Water Act and adopted by reference in 567--62.5 of the Iowa Administrative Code; or
- d. Is found by the Department of Natural Resources to have a significant impact, either singly or in combination with other contributing industries, on that treatment works or on the quality of effluent from that treatment works.

STANDARD UNITS OF MEASUREMENT BY SIC CODE

<u>SIC CODE</u>	<u>CODE</u>	<u>UNITS OF MEASUREMENT</u>	<u>INDUSTRY</u>
201; 2077	A-1	Pounds live weight killed (meatpacking in slaughterhouse or packinghouse; poultry processing)	Meat products
	A-2	Pound product (slaughtering & rendering; processing)	
	A-3	Pound raw material (rendering in offsite plant)	
202; 5143	B-1	1,000 lb. milk equivalent	Dairy products
2033; 2034; 2037; 2038	C-1	Ton raw material	Canned and preserved fruits and vegetables
204	D-1	1,000 bu. processed	Grain mill products
2061	E-1	Ton sugar cane processed	Raw cane sugar
2062	E-2	Ton raw sugar processed	Cane sugar refining
2063	E-3	Ton beets sliced	Beet sugar
2077		See SIC 201	
2084	F-1	Ton grapes pressed	Wine, brandy, and brandy spirits
	F-2	1,000 gallon wine (table wine for process season only)	
2085	F-3	1,000 bu. grain processed	Distilled liquor, except brandy
2086	F-4	1,000 standard cases	Bottled and canned soft drinks
2091; 2092	G-1	Ton raw material	Seafoods
22	H-1	1,000 lb. raw material	Textile mill products
	H-2	or 1,000 lb. product	
2421	I-1	1,000 fbm	Sawmills and planing mills
2435; 2436	I-2	1,000 ft ² on three-eighths inch basis	Veneer and plywood
2491	I-3	1,000 ft ³ treated	Wood preserving
2492	I-4	1,000 ft ² on three-fourths inch basis	Particle board
26	J-1	Ton product	Paper and allied products
2812; 2816; 2819	K-1	Ton product	Inorganic chemicals
2821; 2823; 2824; 2891; 3079	L-1	1,000 lb. product	Plastic material and synthetics industry
2822	M-1	1,000 lb. rubber produced	Synthetic rubber (vulcanizable elastomers)
283	N-1	1,000 lb. raw material	Drugs and pharmaceuticals
2481	O-1	1,000 lb. product	Soap and detergent
	O-2	or 1,000 gallon product	
2865; 2869	P-1	1,000 lb. product	Organic chemicals
2873; 2874; 2875	Q-1	1,000 ton product	Fertilizer industry
2879	R-1	1,000 lb. product	Agricultural chemicals and pesticides
2891		See SIC 2821	
2911	S-1	1,000 bbl. crude or partially refined feed stock (stream day)	Petroleum refining
3011; 3021; 3031; 3041; 3069	T-1	1,000 lb. raw material	Rubber products
3111	U-1	1,000 lb. green salted hides or pickled skins	Leather tanning and finishing
3211; 3231	V-1	1,000 ton product	Flat glass and glass products made; purchased glass
	V-2	or 1,000 ft ² mirrored surface (for mirrored glass only)	
3241	V-3	1,000 bbl. product	Hydraulic cement
327	V-4	1,000 ton product	Concrete, gypsum and plastic products
3292	V-5	1,000 ton asbestos used	Asbestos products
331	W-1	Ton dry coal	Coke making
	W-2	Ton hot metal	Blast furnaces
	W-3	Ton liquid steel	Steelworks
	W-4	Ton hot formed steel	Hot forming
	W-5	Ton processed steel	Rolling and finishing mills
332	W-6	Ton metal cast	Iron and steel foundries
333	X-1	1,000 lb. metal product	Primary smelting and refining of nonferrous metals
334	X-2	1,000 lb. metal product	Secondary smelting and refining of nonferrous metals
335	X-3	1,000 lb. metal processed	Rolling, drawing, and extruding of nonferrous metals
336	X-4	1,000 lb. metal cast	Nonferrous foundries
3465; 3711; 3714	Y-1	Unit production	Automobile manufacturing
	Y-2	or square feet	
4911; 4931	Z-1	1,000 MWh generated	Electric power services
4961	Z-1	1 million lb. steam produced	Steam supply

Facility Name: Charles City, City of STP

Attachment "B"

Permit Number: 3405001

FMC SWMA LANDFILL				
Outfall	Wastewater Parameter	Sample Frequency	Sample Type	Monitoring Location
<i>The following monitoring requirements shall be in effect the duration of the permit</i>				
001	Flow	1 EVERY LOAD	ESTIMATE	PRIOR TO DISCHARGE TO CITY SEWER
001	BIOCHEMICAL OXYGEN DEMAND (BOD5)	1 EVERY BATCH	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	TOTAL SUSPENDED SOLIDS	1 EVERY BATCH	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	PH	1 EVERY BATCH	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	TOTAL KJELDAHL NITROGEN (TKN)	1 EVERY BATCH	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	AMMONIA NITROGEN	1 EVERY BATCH	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	OIL AND GREASE	1 EVERY BATCH	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	TOTAL PHOSPHORUS (As P)	1 EVERY BATCH	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	ARSENIC, TOTAL (as AS)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	CADMIUM, TOTAL (as CD)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	CHROMIUM, TOTAL (as CR)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	COPPER, TOTAL (as CU)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	CYANIDE, TOTAL (as CN(T))	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	LEAD, TOTAL (as PB)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	MERCURY, TOTAL (as HG)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	NICKEL, TOTAL (as NI)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	SELENIUM, TOTAL (as SE)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	SILVER, TOTAL (as AG)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	ZINC, TOTAL (as ZN)	2 TIMES/YEAR	GRAB	PRIOR TO DISCHARGE TO CITY SEWER
001	SANITARY LANDFILL LEACHATE	1 EVERY 12 MONTHS	GRAB	PRIOR TO DISCHARGE TO CITY SEWER

Note: A BATCH ONLY CONSISTS FOR A MONTH TERM. ANYTHING PAST 30 DAYS WILL BE CONSIDERED A NEW BATCH

For purposes of billing and monitoring compliance, wastewater shall be sampled and analyzed for the regulated parameters required on facility discharge permit and sampling schedule form and wastewater flow data shall be provided for every load.

Additional samples and analyses may be required at the start-up of the process treatment and discharge in order to establish that there is a consistent range of results which are in compliance with the limits.

Permittee may be required to conduct additional monitoring of pollutants in response to noncompliance with discharge limitations or ordinance requirements. The city wastewater supt. will have authority to increase sampling frequency for protection of the wastewater plant or wide variations in monitoring results.

SANITARY LANDFILL LEACHATE- Volatile Organic Compounds, Base/Neutral/Acid Extractable Compounds, Organochlorine Insecticides & PCBs, Conventional Chemistry Parameters.

APPENDIX F

Standard Conditions for Permits

Disclaimer

The U.S. Environmental Protection Agency (EPA), Office of Wastewater Management, Water Permits Division has prepared these sample standard conditions for permits as a guide for Control Authorities in developing their own standard conditions for use in the permitting process. The Control Authority may choose to develop its own standard conditions or use a modified version of the EPA standard conditions. If the Control Authority chooses to model its standard conditions on the sample, the Control Authority will want to tailor its standard conditions to reflect conditions at a publicly owned treatment works (POTW) and applicable state and local law requirements. As an aid to the Control Authority, the sample contains blanks or brackets to identify areas that might need modification to reflect circumstances at the POTW. The sample has additional bracketed notes that explain issues the Control Authority should consider when developing standard conditions for use in its permitting process.

**APPENDIX F.
STANDARD CONDITIONS FOR PERMITS**

SECTION A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, will not be affected thereby and will continue in full force and effect.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

The Waste Water Treatment Plant (WWTP) Superintendent may modify the permit for good cause, including but not limited to, the following reasons:

- a. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
- b. To address significant alterations or additions to the permittee's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
- c. A change in any process or discharge condition in either the Industrial User or the WWTP that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, WWTP personnel or the receiving waters;
- e. Violation of any terms or conditions of the permit;

- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting;
- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13;
- h. To correct typographical or other errors in the permit;
- i. To reflect transfer of the facility ownership and/or operation to a new owner or operator; or
- j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. Permit Termination

This permit may be terminated for the following reasons:

- a. Failure to notify the WWTP Superintendent of significant changes to the wastewater before the changed discharge;
- b. Failure to provide prior notification to the WWTP Superintendent of changed conditions;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports or certification statements;
- e. Tampering with monitoring equipment;
- f. Refusing to allow timely access to the facility premises and records;
- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide advance notice of the transfer of business ownership of a permitted facility;
or

- m. Violation of any Pretreatment Standard or Requirement including required best management practices, or any terms of the wastewater discharge permit or the sewer use ordinance.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within 30 days of the notice.

This petition must be in writing; failure to submit a timely petition for review will be deemed to be a waiver of the administrative appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The effectiveness of this permit will not be stayed pending the appeal. If the WWTP Superintendent fails to act within 30 days, a request for reconsideration will be deemed to be denied. Decisions not to reconsider a permit, not to issue a permit, or not to modify a permit will be considered final administrative actions for purposes of judicial review.

The permittee seeking judicial review of the final administrative permit decision must do so by filing a petition with the Iowa District Court for Floyd County within the time frame set forth in Iowa Code Section 17A.19(3).

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of federal, state, or local laws or regulations.

8. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner or operator with prior approval of the Superintendent and the following items occur:

- a. The permittee must give at least 30 days advance notice to the WWTP Superintendent.
- b. The notice to the WWTP Superintendent must include a written certification by the new owner or operator that does the following:
 - (i) States that the new owner or operator has no immediate intent to change the facility's operations and processes;
 - (ii) Identifies the specific date on which the transfer is to occur; and
 - (iii) Acknowledges full responsibility for complying with the existing permit.
- c. The WWTP Superintendent approves the permit transfer.

9. Duty to Reapply

The permittee must apply for permit reissuance by submitting a complete permit application, in accordance with Charles City Code of Ordinances – “Building Sewers and Connections” Chapter **96.01-Permit**, a minimum of 30 days

before the expiration of the existing permit.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if

- a) The permittee has submitted a complete permit application at least 60 days prior to the expiration date of the user's existing permit.
- b) The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

11. Dilution

A permittee must not ever increase the use of potable or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The WWTP Superintendent may impose mass limitations on permittee's who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

12. Definitions

- a) *Composite Sample*—A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample will be composited as a time composite sample composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow.
- b) *Daily Maximum*—The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
- c) *Daily Maximum Limit*—The maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- d) *Grab Sample*—An individual sample collected in less than 15 minutes, without regard for flow or time.
- e) *Instantaneous Maximum Concentration*— The maximum limit allowable concentration of a pollutant determined from the analysis of any discrete or composited sample collected independent of the industrial flow rate and the duration of the sampling event.

- f) *Cooling Water*
 - i. Uncontaminated—Water used for cooling purposes only that has no direct contact with any raw material, intermediate, or final product and that does not contain a level of contaminants detectably higher than that of the intake water.
 - ii. Contaminated—Water used for cooling purposes only that might become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials or wastewater.
- g) *Monthly Average*—The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30-day period (as opposed to a rolling 30-day window).
- h) *Weekly Average*—The arithmetic mean of the values for effluent samples collected over a period of 7 consecutive days.
- i) *Bi-Weekly*—Once every other week.
- j) *Bi-Monthly*—Once every other month.
- k) *Upset*—An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.
- l) *Bypass*—The intentional diversion of wastes from any portion of a treatment facility.

13. General Prohibitive Standards

The permittee must comply with all the general prohibitive discharge standards in Charles City Code of Ordinances – **Chapter 97.04 –Restricted Discharges**. Namely, the industrial user must not discharge:

- a) Wastewater having a temperature greater than [150 degrees F (65 degrees C)], or that will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater that causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
- b) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/L;
- c) Pollutants that create a fire or explosion hazard in the WWTP, including wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees C) using the test methods specified in 40 CFR 261.21;
- d) Wastewater causing two reading on an explosion hazard meter at the point of discharge into the WWTP, or at any point in the WWTP, of more than four percent (4%).

- e) Solid or viscous substances in amounts that will cause obstruction of the flow in the WWTP resulting in Interference [but in no case solids greater than one-half inch (.5")
;
- f) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
- g) Wastewater having a pH lower than 5.0 or higher than 11.0, or otherwise causing corrosive structural damage to the POTW or equipment;
- h) Pollutants that result in the presence of toxic gases, vapors, or fumes within the WWTP in a quantity that could cause acute worker health and safety problems;
- i) Noxious or malodorous liquids, gases, solids, or other wastewater that, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life, or to prevent entry into the sewers for maintenance or repair;
- j) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- k) Any substance that could affect the treatment plant's effluent and cause violation of the National Pollutant Discharge Elimination System permit requirements;
- l) Any substance that would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the Clean Water Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or other regulations or criteria for sludge management and disposal as required by the state;
- m) Wastewater that imparts color that cannot be removed by the treatment process, such as dye wastes and vegetable tanning solutions that consequently imparts color to the treatment plant's effluent, thereby violating Charles City, IA National Pollutant Discharge Elimination System permit;
- n) Medical wastes, except as specifically authorized by the WWTP Superintendent in a permit;
- o) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the WWTP Superintendent;
- p) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
- q) Detergents, surface-active agents, or other substances that that might cause excessive foaming in the WWTP;
- r) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations; or

- s) Pollutants, including oxygen-demanding pollutants (BOD, and the like) released in a discharge at a flow rate or pollutant concentration that, either singly or by interaction with other pollutants, will cause Interference with the WWTP.

14. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, state and federal Pretreatment Standards and requirements including any such standards or requirements that might become effective during the term of this permit.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes the following: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee must, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. Such a requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It will not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit.

3. Bypass of Treatment Facilities

Bypass is prohibited

- a) Unless the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage.
- b) Unless there were no feasible alternatives, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance.
- c) The permittee may allow bypass to occur if it does not cause effluent limitations to be exceeded but only if it is also for essential maintenance to assure efficient operation.

d) Notification of bypass

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it must submit prior written notice, at least 10 days before the date of the bypass, to the City of Charles City.
- (2) Unanticipated bypass. The permittee must notify the City of Charles City within 24 hours from the time it becomes aware of an unanticipated bypass and submit a written notice to the WWTP within 5 days. This report must specify:
 - (i) A description of the bypass, and its cause, including its duration with exact dates and times;
 - (ii) Whether the bypass has been corrected and if the bypass has not been corrected, the anticipated time it is expected to continue; and
 - (iii) The steps being taken or to be taken to reduce, eliminate, and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points must not be changed without notification to and the approval of the City of Charles City.

2. Flow Measurements

If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices must be selected and used to ensure the accuracy and reliability of measurement of the volume of monitored discharges. The devices must be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. The devices selected must be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit must be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

4. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified in Section C.3, the results of this monitoring must be included in the permittee's self-monitoring reports.

5. Inspection and Entry

The permittee must allow the City of Charles City, or an authorized representative or federal and state personnel, upon the presentation of proper identification, to do the following:

- a) Enter the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
- b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
- d) Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e) Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.

6. Retention of Records

- a) The permittee must retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application.

This period may be extended by request of the City of Charles City at any time.

- b) The permittee must retain and preserve all records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City of Charles City until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling and analyses must include the following:

- a) The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures;
- b) Who performed the sampling or measurement;
- c) The date(s) analyses were performed;
- d) Who performed the analyses;
- e) The analytical techniques or methods used; and
- f) The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanction or civil penalties or both.

SECTION D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee must give notice to the City of Charles City 90 days before any facility expansion, production increase, or process modifications that results in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Noncompliance

The permittee must give advance notice to the City of Charles City of any planned changes in the permitted facility or activity that could result in noncompliance with permit requirements.

3. Automatic Resampling

If the results of the permittee's wastewater analysis indicates a violation has occurred, the permittee must notify the City of Charles City, within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit, in writing, the results of that repeat analysis within 30 days after becoming aware of the violation.

4. Duty to Provide Information

The permittee must furnish to the City of Charles City, within 30 days any information that the City of Charles City may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The

permittee must also, upon request, furnish to the City of Charles City two copies of any records required to be kept by this permit.

5. Signatory Requirements

All applications, reports, or information submitted to the City of Charles City must contain the following certification statement and be signed as required in Sections (a), (b), (c), or (d) below.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

- a) By a responsible corporate officer, if the Industrial User submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means either of the following:
 - (i) 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
 - (ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that 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 permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b) By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship, respectively.
- c) The principal executive officer or director having responsibility for the overall operation of the discharging facility if the Industrial User submitting the reports is a federal, state, or local governmental entity, or their agents.
- d) By a duly authorized representative of the individual designated in paragraph (a), (b), or (c) of this section if:
 - (i) the authorization is made in writing by the individual described in paragraph (a), (b), or (c);
 - (ii) 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 a well field superintendent,

or a position of equivalent responsibility, or having overall responsibility of environmental matters for the company; and

- (iii) the written authorization is submitted to the City of Charles City.
- e) If an authorization under paragraph (d) 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 the environmental matters for the company, a new authorization satisfying the requirements of paragraph (d) of this section must be submitted to the City of Charles City before or together with any reports to be signed by an authorized representative.

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with Chapter 97 of the Charles City Code of Ordinances must inform the City of Charles City within 24 hours of becoming aware of the upset at 641-257-6318 daytime telephone number or 641-228-3366 night time and weekend telephone number after 5 p.m. Monday–Friday or weekends and holidays.

A written follow-up report of the upset must be filed by the permittee with the City of Charles City within 5 days. The report must specify the following:

- a) Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b) Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
- c) All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset must be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

7. Annual Publication

A list of all industrial users that were in significant noncompliance during the 12 previous months must be annually published by the City of Charles City in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the WWTP. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

8. Civil and Criminal Liability

Nothing in this permit may be construed to relieve the permittee from civil and/or criminal penalties for noncompliance.

A permittee who has violated, or continues to violate, any provision of the City of Charles City sewer use ordinance, a permit or order, or any other Pretreatment Standard or Requirement will be liable to City of Charles City for a maximum civil penalty not to exceed ten thousand dollars per day for each day such violation continues. If a monthly or other long-term average discharge limit is in effect, penalties will accrue for each day during the period of the violation.

The WWTP Superintendent may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City of Charles City.

In determining the amount of civil liability, the Court will take into account all relevant circumstances, including the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the permittee's violation, corrective actions by the permittee, the compliance history of the permittee, and any other factor as justice requires.

Filing a suit for civil penalties will not be a bar against, or a prerequisite for, taking any other action against the permittee.

A permittee that knowingly violates any provision of City of Charles City's ordinance, permit, or any other Pretreatment Standard or Requirement or order will, upon conviction, be guilty of an aggravated misdemeanor, punishable by a fine of not more than ten thousand dollars for each day of violation per violation, per day, or imprisonment for not more than two years, or both.

A permittee that negligently introduces any extremely hazardous substance into the POTW, and who at the time negligently places another person in imminent danger of death or seriously bodily injury shall, upon conviction, be subject to a fine of not more than twenty-five thousand dollars or be subject to imprisonment for not more than one year, or both. This penalty will be in addition to any other cause of action for personal injury or property damage available under state law.

A permittee that knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to the City of Charles City's ordinance, permit, order, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required by the permit will, upon conviction, be punished by a fine of not more than ten thousand dollars per violation, per day, or imprisonment for not more than one year, or both.

If a second conviction occurs, a permittee will be punished by a fine of not more than twenty thousand dollars per violation, per day, or imprisonment for not more than two years, or both.

9. Penalties for Violations of Permit Conditions

The Code of Ordinances of Charles City Chapter 4.02 provides for special civil penalties (A) for a municipal infraction arising from noncompliance with a pretreatment standard or requirement, which is punishable by a penalty of not more than \$1,000.00 for each day a violation exists or continues, and (B) for municipal infraction classified as an environmental violation, which is punishable by a penalty of not more than \$1,000.00 for each occurrence. Further, any permittee who willfully or negligently violates permit conditions may be subject to criminal penalties. The permittee may also be subject to sanctions under state or federal law or both.

10. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or the Code of Ordinances of the City of Charles City or causing damage to or otherwise inhibiting the City of Charles City wastewater disposal system will be liable to the City of Charles City for any expense, loss, or damage caused by such violation or discharge. The City of Charles City may also recover the costs for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs will constitute a separate violation of the Code of Ordinances of the City of Charles City.