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PLN-080240-5506
Rev. 0

Water Management Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project

**U.S. Army Corps of Engineers
Buffalo District, Buffalo, New York**

Applicability: Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project	Effective Date: 11/11/2021	Owner: [REDACTED] Project Manager
		Signature: [REDACTED]



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COMPLETION OF INDEPENDENT TECHNICAL REVIEW

This document has been produced within the framework of the North Wind Portage (NWP) quality management system. As such, an independent technical review (ITR), appropriate to the level of risk and complexity inherent in the project, has been conducted. This included review of assumptions (methods, procedures, and material used in analyses), alternatives evaluated; the appropriateness of data used and level of data obtained; and reasonableness of the results, including whether the product meets the project objectives. Comments and concerns resulting from review of the document have been addressed and corrected as necessary.

Document: Water Management Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project

Developed by: [REDACTED]

Title: Project Engineer

Company: North Wind Portage, Inc.

ITR performed by: [REDACTED]

Title: Deputy PM

Company: North Wind Portage, Inc.

Signature: [REDACTED]

Date: 10/05/2021



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History of Revisions

Revision	Issue Date	Action	Description
0	11/11/2021	New document	Initial issue.



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ACRONYMS AND ABBREVIATIONS

AEC	Atomic Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
COC	constituent of concern
CQCP	contractor quality control plan
EPA	Environmental Protection Agency (U.S.)
FUSRAP	Formerly Utilized Sites Remedial Action Program
gpm	gallons per minute
ITR	independent technical review
NPDES	National Pollutant Discharge Elimination System
NWP	North Wind Portage, Inc.
OAC	Ohio Administrative Code
POTW	publicly owned treatment works
SAP	quality assurance project plan/sampling and analysis plan
SOP	site operations plan
SWPPP	stormwater pollution prevention plan
TSDF	treatment, storage, and disposal facility
USACE	United States Army Corps of Engineers
USFWS	United States Fish & Wildlife Service
WMP	water management plan
WMTDP	waste management, transportation, and disposal plan

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1. INTRODUCTION

This water management plan (WMP) addresses stormwater and wastewater management during environmental remediation at the Luckey Formerly Utilized Sites Remedial Action Program (FUSRAP) Site. The United States Army Corps of Engineers (USACE), Buffalo District, has selected North Wind Portage (NWP), under Contract Number W912P421C0014, to remediate the Luckey Site. Remediation is taking place under FUSRAP, which was established to identify, investigate, and clean up or control sites previously used by the Atomic Energy Commission (AEC) and its predecessor, the Manhattan Engineer District. The Luckey Site has been identified as having materials contaminated with FUSRAP-related constituents of concern (COCs), including beryllium, lead, radium-226, thorium-230, uranium-234, and uranium-238.

Water management includes collecting, storing, treating, and discharging potentially contaminated water generated during site operations and controlling discharge of sediment and other site pollutants to waters of the United States. Site background information, objectives, and requirements; procedures, roles, and responsibilities; health and safety; quality control; and reporting requirements are discussed below.

The *Stormwater Pollution Prevention Plan* (SWPPP) is provided as PLN-080240-5511 (USACE 2021a). The SWPPP describes the practices implemented to control surface water run-on and run-off from remediation areas. This includes measures to divert non-contaminated run-off around active remediation work areas in order to minimize the amount of water that requires off-site disposal. The SWPPP contains specifications on these measures, as well as drawings depicting the locations of installed measures.

Site activities are performed in phases. This WMP and the SWPPP present the means and methods NWP is following to manage stormwater and wastewater on the Luckey Site during the remediation phase of the project. The WMP provides information required by the *Performance Work Statement, Remediation of Soils Operable Unit, Luckey Site* (PWS; USACE 2021b). This WMP is modified as necessary to reflect revised activities necessitated by changed conditions at the site and/or to reflect changes in the means and methods utilized for water management as additional work progresses to new work areas, including changes in treatment technologies/processes to address the changed conditions.

1.1 Site Features

Drainage features at the Luckey Site (as shown in Figure 1-1) include several outfalls, and drainage ditches. Discharge from on-site sources (e.g., stormwater) flows into two main channels: the main drainage ditch and the western drainage ditch. These drainage ditches ultimately empty into Toussaint Creek, north of the Luckey Site. Toussaint Creek eventually empties into Lake Erie, approximately 25 miles downstream.



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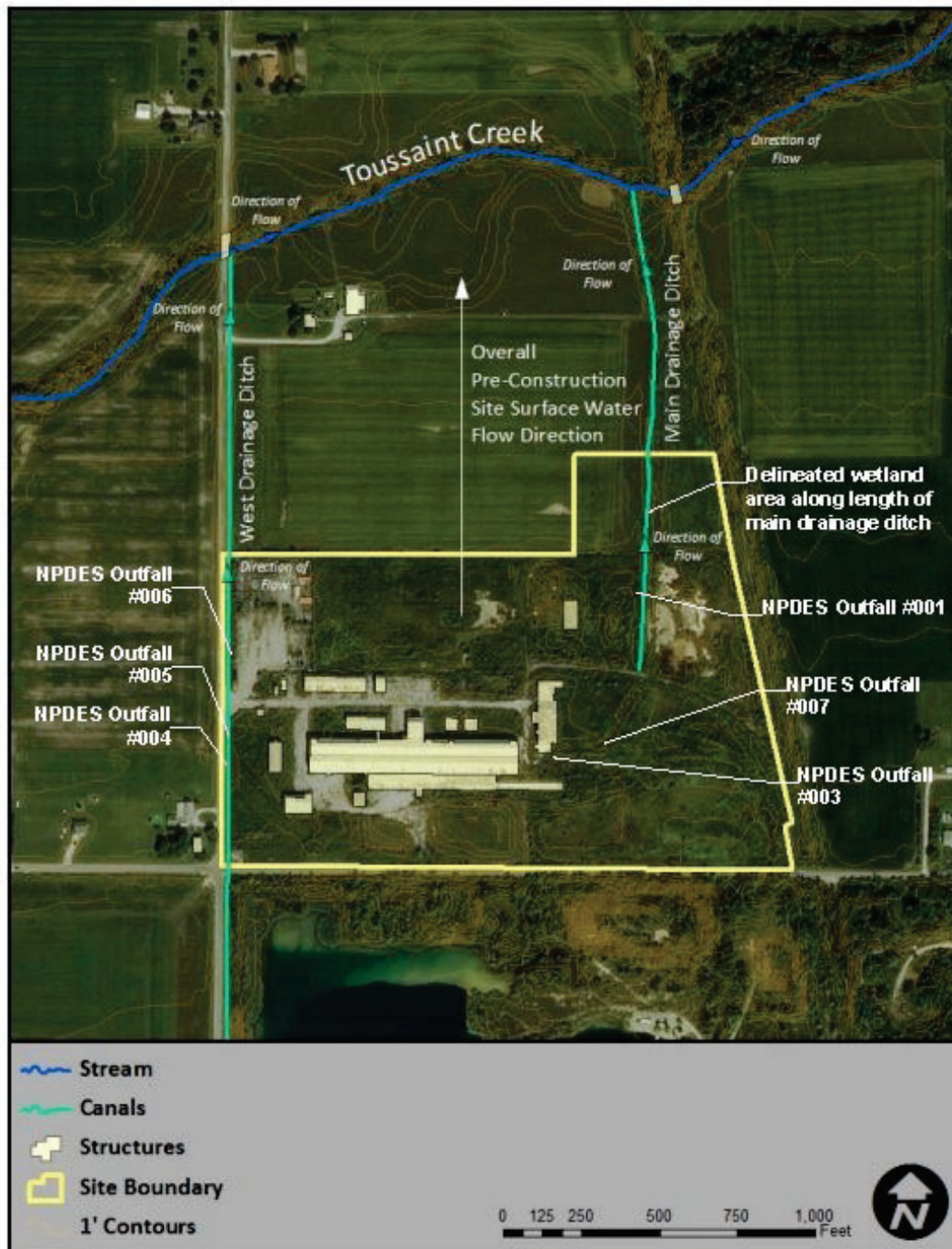


Figure 1-1. Luckey Site Surface Drainage Features



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The main drainage ditch originates southeast of the annex to the production building and converges just east of Lagoon D. The on-site reach of the main drainage ditch is approximately 10 feet wide and 395 feet long. The flow is northward across the site and an agricultural field before emptying into Toussaint Creek. Runoff from former building slabs and areas in the northeast corner of the site that have not been remediated discharges to the main drainage ditch. Sanitary drains once conveyed wastewater from the on-site buildings to the sewage treatment plant when the plant was operating. Treated effluent was discharged to the main drainage ditch at a National Pollutant Discharge Elimination System (NPDES) outfall near the filter beds.

The western drainage ditch (also known as the Luckey Road ditch) runs along Luckey Road at the western property boundary, flows northward, and also empties into Toussaint Creek. Runoff from on-site drainage features discharges to the ditch at three locations. The southernmost point, NPDES Outfall #004, received stormwater from roof drains at the former laboratory building and the annex. This flow was conveyed to the western drainage ditch in an open concrete-lined ditch. A second discharge point, NPDES Outfall #005, is located between Outfall #004 and the plant entrance. This outfall received stormwater runoff from asphalt driveways and possibly from the roof drains of the main office building via another concrete-lined ditch. The northernmost outfall was a drainage pipe from a former lime pit, which emptied into the ditch near the northern property boundary.

Toussaint Creek is impaired by phosphorus and sediment. A total maximum daily load was established for phosphorus by the Ohio Environmental Protection Agency (EPA) in the *Total Maximum Daily Loads for the Toussaint River Watershed* (Ohio EPA 2006).

A survey performed by the United States Fish & Wildlife Service (USFWS 2009) indicated the presence of one wetland subject to federal jurisdiction under Section 404 of the Clean Water Act. This shallow emergent wetland extends inside of the main drainage ditch running north to Toussaint Creek. This wetland is connected to navigable waters, and as such, remains subject to requirements of Section 404 of the Clean Water Act.

2. SCOPE OF WORK

The scope of work addressed in this WMP includes:

- Collecting, storing, characterizing, filtering and dispositioning wastewater accumulated on-site through dewatering and decontamination practices.
- Recordkeeping and reporting as specifically related to water management activities.

The SWPPP (USACE 2021a) contains additional water management requirements for the project. These requirements relate to waters that are not considered potentially contaminated.



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3. REQUIREMENTS

Contractual and regulatory requirements relevant to the scope of work are referenced below.

- Contractual requirements reflected in the PWS (USACE 2021b):
 - Section 7.2.1, Sampling Surface Water/Groundwater/Liquid Waste – 331XX0205.
 - Section 7.2.3, Surface Water Collection and Control – 331XX05.
 - Section 7.2.5, Liquids/Sediments/Sludges Collection and Containment – 331XX09.
- OAC 3745-1, “Water Quality Standards, Antidegradation” (OAC 2009).
- Unified Facilities Guide Specification 01 57 23, “Temporary Storm Water Pollution Control.”
- Permit to Discharge, City of Toledo Department of Public Utilities, issued August 6, 2021, letter (see Appendix A).
- Federal Motor Carrier Safety Administration and other U.S. Department of Transportation regulations.
- Environmental and Protection Agency and Occupational Safety and Health Administration standards and regulations.
- Applicable State of Ohio and local standards and regulations.

4. WASTEWATER MANAGEMENT PLAN

This WMP identifies procedures to collect, store, treat, test, reuse, and discharge water coming in contact with FUSRAP-contaminated areas and excavations. These waters are considered potentially contaminated. Sources include:

- Direct precipitation.
- Naturally occurring groundwater.
- Run-on accumulation within the excavations.
- Water collected from the concrete soil staging/processing pads.
- Water collected from decontamination activities.
- Water collected from the laboratory/personnel showers.
- Water collected in frac tank containment skirts.



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Stormwater not coming into contact with these areas is not considered potentially contaminated and is managed as described in the SWPPP (USACE 2021a). This includes water contained within excavations that have been demonstrated to meet site cleanup goals and have been authorized for backfill activity. This water is pumped to a suitable location and discharged utilizing a suitable erosion and sediment control measure in accordance with the SWPPP.

4.1 Wastewater Collection

The loadout pad, staging pad, decontamination pad, and the Rubb® Building pad each have concrete pads sloped to direct water to trench drains that are integral to the pad. From there, the water flows by gravity through underground piping to the respective underground concrete sump structure. A grinder pump located in each of the sumps pumps the collected water to the Modutank storage tank. As-built information regarding the Civil Site features for these facilities and the Process and Instrumentation Diagrams for these facilities are on record with the USACE.

Water collected within the excavation areas is removed from the excavation with a transfer pump and a combination of above-ground hoses and below-ground piping. This water is directed to the Modutank storage tank for storage prior to disposition. Needs for additional storage tanks and storage capacity, such as portable storage tanks near the excavation area, are evaluated as each phase of work proceeds.

Gray water from the on-site laboratory, generated mainly by glassware cleaning and emergency shower use, and gray water from the personnel decontamination showers, is collected in an underground storage sump. The sump pump contained within the sump transfers gray water to the Modutank for storage prior to disposition.

Potentially contaminated water that accumulates in other areas, such as tank containment skirts or non-remediation activity excavations, including stormwater and groundwater, is removed using hoses, transfer pumps, and or temporary storage totes. The water is transferred to the Modutank for storage prior to disposition.

4.2 Wastewater Storage

The Modutank storage tank is located west of the east production well and is the primary means of receiving wastewater that has been collected and transferred by the systems identified in Section 4.1. The Modutank storage tank is 41 feet 9 inches × 135 feet 6 inches × 6 feet (interior dimensions) with a usable capacity of 243,313 gallons when allowing for 3 inches of freeboard space. This storage tank allows for surge storage capacity within the system, such as those caused by rainfall events. The Modutank storage tank is outfitted with a secondary containment liner (i.e., dual-wall system), visual leak detection system for monitoring purposes, and a 60-



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gallon-per-minute (gpm) skid-mounted recirculation heater for freeze protection. The Modutank also contains a four-pod aeration system to provide additional means for freeze protection.

4.2.1 System Controls

The Modutank storage tank is outfitted with a level transmitter to monitor fill level and to prevent overflow. Pumps within the system are outfitted with a combination of pressure switches and flow switches to monitor their operation. The sump systems are also outfitted with level switches, pressure switches, and flow switches to control the pumps within them. When transferring wastewaters directly to the Modutank, care will be taken using direct visual oversight, not to overfill the tank. The same approach will be taken when filling portable water tanks, tanker trucks, and water truck vessels.

4.3 Disposition Paths for Wastewaters

At the time of publication of this WMP, it is anticipated that all wastewater will be disposed of off-site. After future modifications are made to the existing wastewater treatment plant, this WMP will be revised to reflect those changes. Collected wastewaters will ultimately be transferred to the Modutank, sampled, filtered, and sent to the proper disposition path. Gravity settling will reduce suspended solids. Filtering is generally performed as water is transferred from the Modutank to water tankers or water trucks used to transport wastewaters off-site.

The preferred disposition path is discharge to the City of Toledo, Ohio, publicly owned treatment works (POTW), via the Northwest Sewer District's sanitary sewer system under the site's Permit to Discharge (Appendix A). The alternate disposition path is discharge to the City of Oregon, Ohio Wastewater Treatment Plant, under the site's Permit to Discharge (Appendix B). If wastewaters exceed the City of Toledo's discharge criteria, wastewaters will be sent for treatment and disposal at a USACE-approved off-site commercial treatment, storage, and disposal facility (TSDF). In such cases, the TSDF would utilize a wastewater treatment system. Compliance with the CERCLA Off-site Rule (40 Code of Federal Regulations [CFR] 300.440) would apply to wastewaters, because they will be contaminated with one or more site-specific FUSRAP constituents of concern (i.e., uranium-234, uranium-238, thorium-230, radium-226, lead, or beryllium).

4.4 Secondary Waste Management

Secondary waste handling, conditioning, packaging, transport, and dispositioning requirements are provided in the *Waste Management, Transportation, and Disposal Plan* (WMTDP; USACE 2021c). Secondary wastewater-related waste will all be in solid physical form. Therefore, the waste management processes prescribed in the WMTDP for the project apply to these waste streams.



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Secondary wastes resulting from water management will include:

- Sediment solids (sludge) accumulated through settling in the Modutank. Note: Mechanical filtration prior to transfer of wastewater to the ModuTank will minimize the accumulation of sediment in the Modutank.
- Spent bag filters, hoses, broken pumps, personal protective equipment, wipes, and miscellaneous water transfer wastes.
- Maintenance and demobilization waste: geofabric, plastics, wattles, absorbent socks, portable water tanks, and silt fencing.

These secondary waste streams are all in solid physical form, except for some sediment/sludges.

4.5 Characterization of Wastewater and Related Secondary Waste Streams

Waste characterization methodologies are prescribed in the sampling and analysis requirements and procedures provided in the *Uniform Federal Policy Quality Assurance Project Plan Sampling and Analysis Plan* (SAP; USACE 2021d). Each waste stream will be characterized to identify physical, chemical, and radiological properties prior to dispositioning. Sampling and analysis will be used primarily to support waste characterization.

The waste manager, or designee, will facilitate wastewater and secondary waste disposal by:

- Characterizing secondary waste streams and specifying appropriate commercial off-site disposition paths – using acceptable knowledge, field measurements, or sampling and analysis data specified by the SAP.
- Specifying appropriate waste conditioning processes and approved absorbent materials as necessary to mitigate any free liquids in solid form secondary waste streams.
- Specifying waste packaging and identifying applicable waste acceptance characterization to certify waste against established waste profiles and in accordance with applicable transportation standards.
- Providing transportation support necessary to classify, identify, and communicate shipping conveyance requirements in accordance with applicable transportation standards.
- Providing shipping papers for off-site shipments in commerce.
- Ensuring that emergency response capabilities are in place and communicated to support any incidents occurring while transporting waste in commerce.



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4.6 Inspections

The SWPPP and other project plans prescribe the type and frequency of inspections performed in relation to water management. Inspections will be performed by qualified/trained personnel using identified criteria. In general, the inspections will ensure that water management controls are established as specified. All deficiencies identified in these inspections or identified by project personnel will be corrected in a timely manner.

5. ORGANIZATION

The Luckey FUSRAP Remediation Project organization is described in the *Site Operations Plan* (SOP; USACE 2021e). Management and oversight are provided by various members of the project staff with support from specialized subcontractors.

The project manager is responsible for the overall management and execution of the project.

The project engineer and NWP's subcontractor, Civil & Environmental Consultants, Inc., maintain the SWPPP. The project engineer also has primary responsibility for the design and specification of water collection areas, such as levees, or bermed areas to capture runoff waters at appropriate locations in support of the project.

The project waste manager, or designee (e.g., waste management specialist), maintains the WMTDP, and is responsible for the management and dispositioning of wastewaters, and secondary waste streams resulting from water control management activities. These personnel also provide oversight of Motor Carriers to ensure safe and compliant transportation operations.

NWP's subcontractor I.C.E Services provides bulk waste containers, motor vehicles, and transportation services to support off-site shipments of wastewater and related secondary waste streams in accordance with Federal Motor Carrier Safety Administration/DOT, Ohio Department of Transportation, and other applicable standards and regulatory requirements.

The site superintendent is responsible for supervising field activities, including workers under his supervision. Field activities associated with water management include: establishing controls, pumping accumulated wastewaters to the Modutank or to specified temporary wastewater holding tanks, repairing water management control systems, supporting field sampling, and supporting waste operations (e.g., downsizing, amending high-moisture waste with approved absorbents, waste packaging).

The contractor quality control system manager provides field oversight related to quality assurance/quality control.



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North Wind corporate environmental safety and health personnel specify health and safety requirements on the project and provide oversight and guidance to the project in areas related to health and safety.

The project team as a whole develops and implements work instructions and work controls required to execute water management–related activities.

6. SCHEDULE

The overall Luckey FUSRAP Remediation Project schedule is provided in the SOP (USACE 2021e). Updates are provided monthly to the USACE through the USACE Resident Management System.

7. HEALTH AND SAFETY

Luckey FUSRAP Remediation Project health and safety procedures are provided in the *Accident Prevention Plan/Site Safety and Health Plan* (USACE 2021f).

8. QUALITY ASSURANCE/QUALITY CONTROL

Luckey FUSRAP Remediation Project quality assurance/quality control procedures are provided in the *Contractor Quality Control Plan* (CQCP; USACE 2021g).

9. RECORDKEEPING AND REPORTING

Luckey FUSRAP Remediation Project recordkeeping and reporting requirements and procedures are identified in the PWS (USACE 2021b), the SAP (USACE 2021d), and the CQCP (USACE 2021g).



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10. REFERENCES

OAC, 2009, "Generic numerical standards," Ohio Administrative Code, Rule OAC 3745-300-08, <http://epa.ohio.gov/Portals/30/rules/2012/Rule%203745-300-08.pdf>.

Ohio EPA, 2006, *Total Maximum Daily Loads for the Toussaint River Watershed*, State of Ohio Environmental Protection Agency, Division of Surface Water, July 21, 2006.

USACE, 2021a, *Stormwater Pollution Prevention Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project*, PLN-080240-5511, Rev. 0, U.S. Army Corps of Engineers, Buffalo District, Buffalo, New York.

USACE, 2021b, *Performance Work Statement, Remediation of Soils Operable Unit, Luckey Site*, U.S. Army Corps of Engineers, January 2021.

USACE, 2021c, *Waste Management, Transportation, and Disposal Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project*, PLN-080240-5507, Rev. 0, U.S. Army Corps of Engineers, Buffalo District, Buffalo, New York.

USACE, 2021d, *Uniform Federal Policy Quality Assurance Project Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project, Luckey, Ohio, Sampling and Analysis Plan*, PLN-080240-5503, Rev. 0, U.S. Army Corps of Engineers, Buffalo District, Buffalo, New York.

USACE, 2021e, *Site Operations Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project*, PLN-080240-5500, Rev. 0, U.S. Army Corps of Engineers, Buffalo District, Buffalo, New York.

USACE, 2021f, *Accident Prevention Plan/Site Safety and Health Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project*, PLN-080240-5501, Rev. 0, U.S. Army Corps of Engineers, Buffalo District, Buffalo, New York.

USACE, 2021g, *Contractor Quality Control Plan for the Luckey Formerly Utilized Sites Remedial Action Program Site Soils Operable Unit Remediation Project*, PLN-080240-5502, Rev. 0, U.S. Army Corps of Engineers, Buffalo District, Buffalo.

USACE, 2006, *Luckey Site, Luckey, Ohio, Record of Decision for Soils Operable Unit*, Final, prepared for U.S. Army Corps of Engineers, Buffalo District, prepared by Science Applications International Corporation, Twinsburg, Ohio, June 2006.

USFWS, 2009, *National Wetlands Inventory*, last updated 5/11/2020, accessed August 2020 at: <https://fws.gov/wetlands/>



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APPENDIX A
City of Toledo Department of Public Utilities – Permit to Discharge



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August 6, 2021



Public Utilities
Environmental Services

348 S. Erie St.
Toledo, Ohio 43604
phone 419-936-3015
fax 419-936-3959
toledo.oh.gov

Emailed

ICE Service Group, Inc.

c/o US Army Corps of Engineers
21200 Luckey Road
Luckey, OH 43443

RE: Permit to Discharge

Dear [REDACTED]

US Army Corps of Engineers is hereby granted permission to discharge to the City of Toledo's WWTP thru Northwestern Water & Sewer District's sanitary sewer system utilizing manhole #140-13-1041 on Latcha Rd adjacent to 3511 Latcha Rd, Millbury, OH 43447. This permit is valid from August 1, 2021 thru July 30, 2022. You will be required to maintain compliance with the following stipulations while discharging:

- US Army Corps of Engineers shall maintain compliance with the Toledo Municipal Code, Chapters 929, 930 and 1775 at all times. The provisions of these chapters shall apply to all discharges from the US Army Corps of Engineers site location in Luckey, Ohio.
- US Army Corps of Engineers shall maintain compliance with the attached parameters. Fines or penalties for such violations will be established per TMC Code 930.
- US Army Corps of Engineers shall immediately notify the Toledo Division of Environmental Services (TDOES) of any modifications to the discharge location and/or any entity associated with the discharge process.
- US Army Corps of Engineers shall immediately notify TDOES of any malfunctions and/or upsets of the process and/or discharge.
- US Army Corps of Engineers shall submit any potential process changes to TDOES for review prior to implementation of such changes.
- US Army Corps of Engineers **shall cease all discharges during heavy rain events, which may cause bypass of the Wastewater Treatment Plant and/or Combined Sewer Overflows.**
- US Army Corps of Engineers shall permit TDOES' representatives access to the site for inspections. Monitoring of the discharge will take place prior to, during, and once discharge is complete.



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- US Army Corps of Engineers shall be permitted to batch discharge, **but shall not deposit any solids into the City of Toledo sanitary sewer system.**
- US Army Corps of Engineers **shall maintain flow that does not exceed 100 gpm (unless otherwise agreed upon)**, and shall continuously monitor the discharge to ensure no issues or overflows.
- US Army Corps of Engineers shall notify TDOES and submit sampling analytical for any additional/future batches of wastewater collected onsite to TDOES for final approval prior to discharging any wastewater to the City of Toledo sanitary sewer.
- US Army Corps of Engineers is aware that the surcharge rates stated in the application are subject to change (increase) during the life of the permit. The current rate in accordance with TMC Chapters 930.08, 925.04 and 929.03 are: An "Unusual Discharge Rate" of \$58.59 (\$0.07833 per gallon) per 100 cubic feet will be charged in addition to the regular "Industrial Sewer Rate" of \$58.59 per 1000 cubic feet (\$0.007833 per gallon).

The Director of Public Utilities or his representative, the Toledo Division of Environmental Services (TDOES), shall be responsible for the administration and enforcement of this permit. The City of Toledo, Division of Environmental Services has the authority to revoke all permits to discharge and to cease operations if any of the above requirements and the Permit for Unusual Discharge is violated. This permit does not exempt US Army Corps of Engineers from any federal, state, or local environmental law or regulation. This permit expires on July 30, 2022, but may be renewed for additional time, if needed.

If you should have any questions, please do not hesitate to contact me at

[REDACTED]

[REDACTED]

Senior Environmental Specialist

Cc:

[REDACTED]



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**WATER MANAGEMENT PLAN FOR THE LUCKEY
FORMERLY UTILIZED SITES REMEDIAL ACTION
PROGRAM SITE SOILS OPERABLE UNIT
REMEDATION PROJECT**

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Acceptable Criteria for Discharge



Public Utilities
Environmental Services
348 S. Erie St.
Toledo, Ohio 43604
phone 419-936-3015
fax 419-936-3959
toledo.oh.gov

<u>Parameter</u> <u>(Not to Exceed)</u>	<u>Units</u>	<u>Limit</u>
Cadmium, Total	mg/L	0.3
Copper, Total	mg/L	1.0
Lead, Total	mg/L	1.5
Nickel, Total	mg/L	2.9
Zinc, Total	mg/L	6.3
Silver, Total	mg/L	0.2
Mercury, Total	mg/L	(BMPs)*0.0002
Chromium, Hexavalent	mg/L	0.8
Arsenic, Total	mg/L	0.6
Cyanide, Total	mg/L	1.1
Oil & Grease (TPH)	mg/L	100(avg.)/250(grab)
Total Toxic Organics	mg/L	5.0
Benzene**	mg/L	0.14
Toluene**	mg/L	1.36
Ethyl Benzene**	mg/L	1.59
Xylene**	mg/L	0.41
LEL	%	10
PCB, Total	mg/L	0.007
pH	s.u.	5-12

*Best Management Practices: Parameter shall be managed by BMPs.

** For not to exceed threshold limit values refer to U.S. EPA's "Guidance to Protect POTW Workers from Toxic and Reactive Gases and Vapors".



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APPENDIX B
City of Oregon Wastewater Treatment Plant – Permit to Discharge



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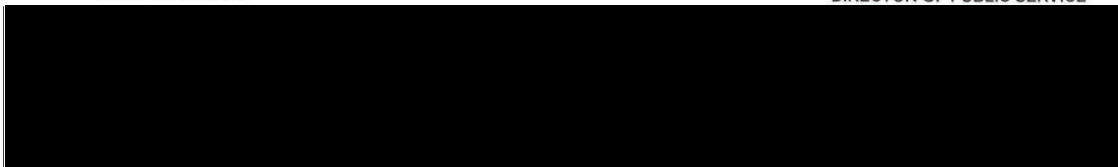


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DIRECTOR OF PUBLIC SERVICE



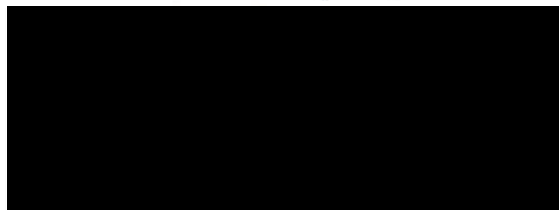
Manager
ICE Service Group Inc.
238 Moon Clinton Rd., Suite 200
Moon Township, PA 15108

RE: Issuance of Wastewater Hauler Discharge Permit to ICE Service Group Inc., by the
City of Oregon.
Permit No. WH-08-2021.

Dear [REDACTED]

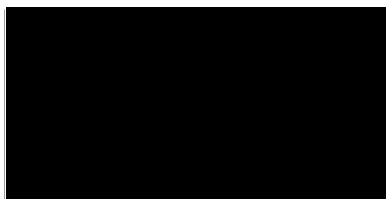
Your application for a Wastewater Hauler Discharge Permit has been reviewed and
processed in accordance with Section 927.32 of the City of Oregon Municipal Code.

The enclosed permit WH-08-2021 covers the hauled wastewater discharged to the City of
Oregon Wastewater Treatment Plant located at 4657 Dupont Road, Oregon, Ohio. All
discharges to the City of Oregon Wastewater Treatment Plant and actions and reports
relating thereto shall be in accordance with the terms and conditions of this permit.



Issued this 11th day of June, 2021

cc:





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CITY OF OREGON OHIO

Wastewater Hauler Discharge Permit No. WH-08-2021

Expires: December 31, 2021

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In accordance with the provisions of Chapter 927 of the City of Oregon Municipal Code:

(Mailing Address) ICE Service Group, Inc.
238 Moon Clinton Rd., Suite 200
Moon Township, PA 15108

(Facility Address) Northwind ACOE Site
21200 Luckey Rd.
Luckey, OH 43443

is hereby authorized to discharge hauled wastewater to the City of Oregon sanitary sewer system located at 4657 Dupont Road 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 Federal, State, or local laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of Chapter 927 of the City of Oregon Municipal Code.

This permit shall become effective on June 11, 2021 and expire at midnight on December 31, 2021.

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 Section 927.32 of the City of Oregon Municipal Code, a minimum of 30 days prior to the expiration date.

If you wish to appeal or challenge any conditions imposed in this permit, a petition shall be filed for modification or reissuance of this permit in accordance with the requirements of Section 927.32 of the City of Oregon Municipal Code, within 30 days of your receipt of this correspondence. Pursuant to Section 927.32 of the City of Oregon Municipal Code, failure to petition for reconsideration of the permit within the allocated time is deemed a waiver by the permittee of his right to challenge the terms of this permit.





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PART 1 - DISCHARGE LIMITATIONS

- A. The discharge of all hauled wastes must be performed at the following designated area: City of Oregon Wastewater Treatment Plant, 4657 Dupont Road, Oregon, Ohio 43616. Discharge to the City of Oregon sewer system at any other location is prohibited. The permittee must provide prior notice to the City of Oregon Wastewater Treatment Plant [(419) 698-7042] of the intent to discharge and the actual discharge must be performed during supervision by plant personnel. In all cases, discharge may only be performed Monday through Friday 8:00 a.m. to 11:15 a.m., and 12:30 p.m. to 3:30 p.m.
- B. Hauled wastes are subject to sampling by the City of Oregon. The hauler may also be required to suspend the discharging of wastes until the analysis is complete. The City of Oregon reserves the right to refuse permission to discharge any load.

PART 2 - SPECIFIC LIMITATIONS

- A. Any commercial or industrial wastewater that may cause pass through of pollutants or interference with the wastewater treatment plant operations or that violates Federal, State, or local restrictions shall not be discharged to the wastewater treatment plant.
- B. Any wastewater transported from an industry subject to categorical pretreatment standards must meet the applicable Federal categorical standards. Authorization by the City of Oregon prior to pumping must be obtained for the hauling of categorical wastes.
- C. The permittee is prohibited from discharging wastes with the following characteristics:
- Pollutants which create fire or explosion hazard in the wastewater treatment plant, including, but not limited to, wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test method described in 40 CFR 261.21;
 - Containing any solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the POTW;
 - Any wastewater having a pH less than 6.0 or higher than 11.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the treatment plant;
 - Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitation set forth in Chapter 927 of the City of Oregon Municipal Code. A toxic pollutant shall include but not be limited to any pollutant identified in the Priority Pollutant List set forth in Chapter 927, Appendix A of the City of Oregon Municipal Code;



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- Any substance which may cause the POTW's effluent or treatment residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Clean Water Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, Resource Conservation and Recovery Act or State standards applicable to the sludge management method being used;
- Any substances which will cause the POTW to violate its NPDES and/or other Disposal System Permits;
- Containing fats, wax, grease, or oils of petroleum origin, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between (32°F) degrees and one hundred forty (140°F) degrees Fahrenheit (0 degrees and 60 degrees Centigrade);
- Containing any pollutant, including oxygen demanding pollutants (BOD/COD) at flow rate and/or concentration which will cause a pass through of pollutants to occur or interference with the City of Oregon wastewater treatment plant's operations or sludge use and/or disposal practices;
- Material considered a hazardous waste under the Resource Conservation and Recovery Act (RCRA);
- Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;
- Any wastewater having a temperature which will inhibit biological activity in the POTW resulting in interference; but in no case, wastewater with a temperature at the introduction into the POTW wastewater treatment plant which exceeds 40°C (104°F);
- Any wastewater containing any radioactive wastes or isotopes of such half-life or concentrations as exceed limits in compliance with applicable State or Federal regulations; and
- Any wastewater which causes a hazard to human life or creates a public nuisance.



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- D. The permittee is prohibited from discharging wastes which exceed the following limitations:

Parameter	Daily Maximum
Arsenic - total	0.135 mg/l
Cadmium - total	0.119 mg/l
Chromium - hexavalent	3.51 mg/l
Copper - total	3.75 mg/l
Cyanide - total	1.767 mg/l
Lead - total	1.061 mg/l
Mercury - total	5.0 µg/l
Nickel - total	6.42 mg/l
Oil & Grease	100 mg/l
pH - maximum	11.0 S.U.
pH - minimum	6.0 S.U.
Silver - total	0.209 mg/l
Zinc - total	3.229 mg/l
Carbonaceous Biochemical Oxygen Demand (cBOD)	10,000 mg/l
Chemical Oxygen Demand (COD)	60,000 mg/l
Phosphorous - total	100 mg/l
Suspended Solids - total	60,000 mg/l

mg/l = milligrams per liter
µg/l = micrograms per liter
S.U. = Standard Units

PART 3 - MONITORING AND RECORDS

- A. All wastes must be accompanied by a completed wastewater hauler manifest form. The form shall contain information regarding the wastes from each waste generator. The wastewater hauler shall also sign the form, indicating that they have accepted no wastes other than those listed. The manifest must be reviewed by a City of Oregon representative prior to discharge. Failure to accurately record every load, falsification of data, or failure to transmit the form to the plant operator prior to discharge may result in revocation of this permit and/or a fine of up to one thousand (\$1,000) dollars per offense.
- B. Any wastewater identified as a nondomestic or industrial waste, as defined in Chapter 927 of the City of Oregon Municipal Code, or this permit must be presampled at the permit specified interval prior to pick-up by the wastewater hauler and the results of that sampling submitted to the City of Oregon. The permittee must receive approval from the City of Oregon prior to pick-up and hauling of said commercial or industrial wastes.

NORTHWIND ACOE SITE: Presampling and submittal of results to the City of Oregon must be done prior to hauling first load to the Oregon WWTP. Oregon WWTP will not



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accept waste until results are provided for the first hauling event. Following the first hauling event, sampling results must be provided at a quarterly interval to the Oregon WWTP. Quarterly results are required by March for Quarter 1, June for Quarter 2, September for Quarter 3, and December for Quarter 4.

For all sampling events the following parameters must be analyzed with results provided directly to the City of Oregon by a third party laboratory:

- Full USEPA Priority Pollutant Scan - Metals, Volatiles, Semi-Volatiles, PCB
- Mercury (USEPA 1631)
- Radionuclides
 - Th – 228 / 230 / 232
 - U – 234 / 235 / 238
 - Ra – 226
- Total Suspended Solids
- Total Dissolved Solids
- Total Cyanide
- Nitrogen, Ammonia
- BOD5
- pH
- Total Phenols
- Oil and Grease

- C. All handling and preservation of collected samples and laboratory analysis of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.
- D. If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in a report submitted to the City of Oregon.

PART 4 - STANDARD CONDITIONS

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, shall not be affected thereby.

2. *Duty to Comply*



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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 shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environmental 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*

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements
- b. Material or substantial alterations or additions in discharge volume or character which were not considered in drafting the effective permit
- c. Information indicating that the permitted discharge poses a threat to the City's collection and treatment systems, POTW personnel or the receiving waters
- d. Violation of any terms or conditions of the permit
- e. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting
- f. To correct typographical or other errors in the permit
- g. To reflect transfer of the facility ownership and/or operation to a new owner/operator
- h. 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. Falsifying the wastewater manifest or monitoring reports
- b. Tampering with monitoring equipment



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- c. Refusing to allow timely access to records
- d. Failure to meet effluent limitations
- e. Failure to pay fines
- f. Failure to pay sewer charges

6. *Permit Appeals*

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice. This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the 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 shall not be stayed pending a reconsideration by the Director. If, after reconsidering the petition and any arguments put forth, by the wastewater and pretreatment staff, the Director determines that reconsideration is proper, it shall remand the permit. Those permit provisions being reconsidered by the Director shall be stayed pending reissuance.

The Director's decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review.

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 and/or operator with prior approval of the Director of Public Service:

- a. The permittee must give at least thirty (30) days advance notice to the Director
- b. The notice must include a written certification by the new owner which:
 - 1) Identifies the specific date on which transfer is to occur
 - 2) Acknowledges full responsibility for complying with the existing permit.

9. *Continuation of Expired Permits*

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



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- a. The permittee has submitted a complete permit renewal application at least 30 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.

10. *Dilution*

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

11. *Definitions*

- a. Daily Maximum - The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- b. Industrial User - Any non-domestic establishment manufacturing or processing facility that discharges industrial wastewater to the POTW.
- c. Interference - a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
 - (a) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - (b) therefore is a cause of violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
- d. 30-Day Average - The arithmetic mean of the values for effluent samples collected during a specified 30 day period (as opposed to a rolling 30 day window).
- e. Nondomestic User - Any person who discharges causes or permits the discharge of wastewater from any facility other than a residential unit.



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- f. Pass-Through - a discharge which exits the POTW into waters of the United State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of violation of any requirement of the POTW's permit (including an increase in the magnitude or duration of a violation).

12. *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 may become effective during the term of this permit.

SECTION B. RECORDS AND REPORTING REQUIREMENTS

1. *Retention of Records*

- a) The permittee shall retain records of all monitoring information, wastewater manifest forms, copies of all reports required by this permit, and records of all data pertaining to hauled loads for a period of at least three years. This period may be extended by the request of the City of Oregon at any time.
- b) The permittee shall allow the City of Oregon, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c) 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 Oregon shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

2. *Record Contents*

- a) The wastewater manifest shall include:
- 1) The wastewater hauler company name, address, telephone number, and the Oregon wastewater hauler permit number.
 - 2) The wastewater hauler truck driver's name, truck make and model, truck number (if applicable), and total truck storage capacity.
 - 3) Each source of waste shall list the name of company residence, address, type of establishment, the total quantity hauled from the source, and the date the wastewater was pumped.
 - 4) Information indicating whether the truck was cleaned prior to loading, the total gallons of wastewater being hauled to the wastewater plant, and the



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driver's signature certifying that the information contained in the manifest is true and accurate.

b) Monitoring records shall include:

- 1) The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures;
- 2) Who performed the sampling or measurements;
- 3) The date(s) analyses were performed;
- 4) Who performed the analyses;
- 5) The analytical techniques or methods used; and
- 6) The results of such analyses.

3. *Anticipated Noncompliance*

The permittee shall give advance notice to the City of Oregon of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

4. *Duty to Provide Information*

The permittee shall furnish to the City of Oregon, within thirty (30) days any information which the City of Oregon may request to determine whether cause exist for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also upon request, furnish to the City of Oregon within 10 days copies of any records required to be kept by this permit.

SECTION C. ACTIONS FOR VIOLATION

Failure of the permittee to comply with any terms or conditions of this permit may subject the permittee to the following actions:

1. *Permit Revocation*

Revocation will be determined at the discretion of the Director of Public Service.

2. *Cease and Desist*

Upon notification of permit revocation the permittee shall cease and desist from discharging until a revised permit has been issued or the matter has been resolved by court action.

3. *Falsifying Information*



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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 sanctions and/or civil penalties.

4. *Civil and Criminal Liability*

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under Section 927.99 of the City of Oregon Municipal Code, or State or Federal laws or regulations.

5. *Penalties for Violations of Permit Conditions*

Section 927.99 of the City of Oregon Municipal Code provides that any person who violates a permit condition is subject to a administrative penalty of not more than \$1,000 per day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of at least \$1,000 per day of violation. The permittee may also be subject to sanctions under State and/or Federal law.

6. *Recovery of Cost Incurred*

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Chapter 927 of the City of Oregon Municipal Code, or causing damage to or otherwise inhibiting the City of Oregon wastewater disposal system shall be liable to the City of Oregon for any expense, loss, or damage caused by such violation or discharge. The City of Oregon shall bill the permittee for the costs incurred by the City of Oregon for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Section 927.32 of the City of Oregon Municipal Code.

PART 5 - SPECIAL CONDITIONS

- A. The permittee shall comply with all rules and regulations governing the discharge of hauled wastewater at the City of Oregon Wastewater Treatment Plant. A copy of the *Wastewater Hauler Regulations* shall be located inside the City of Oregon Wastewater Treatment Plant Administration Building. The permittee may obtain a copy of the *Wastewater Hauler Regulations* upon request.
- B. The permittee shall abide by the following *Rules of Cleanliness* of the City of Oregon Wastewater Treatment Plant:
- Floors, walls, etc., must be kept clean and hosed down after each discharge. Any spilled material must also be hosed from the road.
 - The permittee will be responsible for washing down the disposal site after discharging. Water and hoses will be made available.



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- C. The permittee must carry comprehensive automotive liability insurance, and provide satisfactory evidence of it to the City of Oregon, in such amounts and form as determined by the City of Oregon. Insurance not less than \$ 250,000 each occurrence and \$ 500,000 aggregate for personal injury and \$ 100,000 property damage in responsible insurance companies lawfully doing business in the State of Ohio. Such policies shall contain certain provisions that the same cannot be canceled or coverage limits reduced without a ten (10) day prior notice delivered to the Director of Public Service of the City of Oregon by Registered or Certified Mail. The permittee may still obtain additional insurance coverage as may be deemed necessary for their own protection.