
RECORD KEEPING, REPORTING AND PUBLIC NOTIFICATION

Conforming changes would be made to existing standard permit conditions:

122.41 Conditions applicable to all permits (applicable to State programs, see § 123.25)

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(6) *Twenty-four hour reporting.* (i) Except for overflows from municipal sanitary sewer systems addressed in paragraph 122.42(e), * * *

(7) *Other noncompliance.* The permittee shall report all instances of noncompliance not reported under paragraphs (1)(4), (5), and (6) of this section and for municipal sanitary sewer systems, 122.42(e), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (1)(6) of this section.

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Replacement standard permit conditions would address record keeping, reporting and public notification

122.44.(e) *Record Keeping and Reporting for Municipal Sanitary Sewer Systems*

This condition establishes record keeping and reporting requirements for municipal sanitary sewer systems.

(1) Record Keeping. - You, the permittee, must maintain a record of the following information:

- (i) for each sewer system overflow which occurred in your collection system or as a result of conditions in a portion of the collection system which you own or over which you have operational control during the previous 3 years:
 - (A) the location of the overflow and the receiving water if any;
 - (B) an estimate of the volume of the overflow;
 - (C) a description of the sewer system component from which the release occurred (e.g. manhole, constructed overflow pipe, crack in pipe);
 - (D) the estimated date and time when the overflow began and when it stopped;

- (E) the cause or suspected cause of the overflow; and
 - (F) steps that have been and will be taken to prevent the overflow from recurring and a schedule for those steps.
- (ii) work orders from the previous 3 years which are associated with investigation of system problems related to sanitary sewer overflows
 - (iii) a list and description of complaints from customers or others from the previous 3 years;
 - (iv) documentation of performance and implementation measures describing the previous 3 years.
- (2) **24-hour and Follow-Up Reports** - You must provide the following additional reports for sewer system overflows that may imminently or substantially endanger human health:
- (i) You must provide to the NPDES authority either an oral or electronic report as soon as practicable within 24 hours after the time you become aware of the overflow. The report must identify the location, estimated volume and receiving water, if any, of the overflow; and
 - (ii) You must provide to the NPDES authority within 5 days of the time you become aware of the overflow a written report that contains:
 - (A) the location of the overflow;
 - (B) the receiving water;
 - (C) an estimate of the volume of the overflow;
 - (D) a description of the sewer system component from which the release occurred (e.g. manhole, constructed overflow pipe, crack in pipe);
 - (E) the estimated date and time when the overflow began and stopped or will be stopped;
 - (F) the cause or suspected cause of the overflow;
 - (G) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps; and

(H) steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

(iii) The Director may waive the written report required by Section 122.42(e)(1)(B) on a case-by-case basis.

(3) Discharge Monitoring Reports - You must report discharges to waters of the United States from overflows on the discharge monitoring report (DMR), including the following information:

(i) the total number of system overflows that discharge to waters of the United States that occurred during the reporting period;

(ii) the number of locations at which sewer system overflows that discharge to waters of the United States occurred that resulted from flows exceeding the capacity of the collection system;

(iii) the number of sewer system overflows that discharge to waters of the United States that are unrelated to the capacity of the collection system that occurred during the reporting period; and

(iv) the number of locations at which sewer system overflows that discharge to waters of the United States that are unrelated to the capacity of the collection system occurred during the reporting period.

(4) Annual Report

(i) You must prepare an annual report of all overflows in the sewer system, including the date, the location of the overflow, any potentially affected receiving water, and the estimated volume of the overflow. The annual report may summarize information regarding overflows of less than approximately 1,000 gallons. You must provide the report to the Director and provide adequate notice to the public of the availability of the report.

(ii) **Exception:** Systems serving fewer than 10,000 people are not required to file an annual report if all DMRs for the preceding 12 months show no discharges from overflows.

122.42(h) Public Notice of Municipal Sewer System Overflows.

(1) You must immediately notify the public, health agencies, drinking water suppliers and

other affected entities of overflows that may imminently and substantially endanger human health. The notice should be in accordance with your CMOM overflow response plan (see 40 CFR 122.42(f)(3)).

- (2) You must notify the public of overflows in areas where overflows have a potential to affect human health. The criteria for notification should be developed in consultation with potentially affected entities. The notice should be in accordance with your CMOM overflow response plan (see 40 CFR 122.42(f)(3)).