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OEPA Permit No. 3IB00016*CD

Application No. OH0063461

Effective Date: December 12, 1985

Expiration Date: December 9, ~~1985~~ 1990

OHIO ENVIRONMENTAL PROTECTION AGENCY
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq. hereinafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

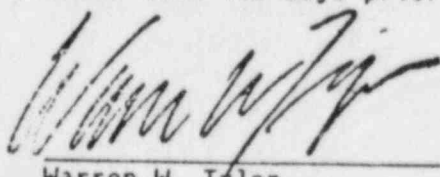
The Cleveland Electric Illuminating Company
Perry Nuclear Power Plant

is authorized by the Ohio Environmental Protection Agency, hereafter referred to as "Ohio EPA", to discharge from the wastewater treatment works located at 10 Center Road, North Perry, Ohio and discharging to Lake Erie

in accordance with the conditions specified in Parts I, II and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.


Warren W. Toler
Director

8512310300 851223
PDR ADOCK 05000440
A PDR

PART I, A - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3IB00016001. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
REPORTING Code	UNITS	PARAMETER	Concentration		Loading		Meas. Freq.	Sample Type
			Other Units	(Specify)	30 day	Daily		
50050 MGD	Flow		-	-	-	-	Continuous	24 Hour Total
00530 mg/l	Total Suspended Solids		-	-	-	-	2/Mo.*	24 Hour Composite
00550 mg/l	Oil & Grease		-	-	-	-	2/Mo.*	Grab

* During discharge.

2. The pH (Reporting Codes 00400 (average), 00401 (high) and 00402 (low)) shall not be less than 6.0 S.U. nor greater than 9.0 S.U. and shall be monitored continuously and reported 2/month.*
3. Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
4. See PART II, OTHER REQUIREMENTS.

PART I, A - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3IB00016002. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
REPORTING Code	UNITS	PARAMETER	Concentration		Loading		Meas. Freq.	Sample Type
			Other Units	(Specify)	30 day	Daily		
50050 MGD		Flow	-	-	-	-	Continuous	24 Hour Total
00530 mg/l		Total Suspended Solids	30	45	-	-	2/Mo.*	24 Hour Composite
00550 mg/l		Oil & Grease	15	20	-	-	2/Mo.	Grab
00665 mg/l		Total Phosphorus	1.0	1.5	-	-	2/Mo.*	24 Hour Composite
01045 ug/l		Total Iron	1000	1000	-	-	2/Mo.*	24 Hour Composite
01042 ug/l		Total Copper	1000	1000	-	-	2/Mo.*	24 Hour Composite

* During discharge.

2. The pH (Reporting Code 00400) shall not be less than 6.0 S.U. nor greater than 9.0 S.U. and shall be monitored 2/month* by grab sample.
3. Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
4. See PART II, OTHER REQUIREMENTS.

PART I, A - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3IB00016004. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
REPORTING Code	UNITS	PARAMETER	Concentration		Loading		Meas. Freq.	Sample Type
			Other Units (Specify)	Daily	kg/day	Daily		
50050	MGD	Flow	-	-	-	-	Daily	Continuous
50064	mg/l	Free Available Chlorine**	0.2	0.5	-	-	Daily	Grab
00011	°F	Temperature*	-	-	-	-	Daily	Continuous

There shall be no detectable amount in the discharge from this outfall of any priority pollutant, other than chromium and zinc contained in chemicals added for cooling tower maintenance. As of the effective date of this permit, the permittee has stated it does not use chemicals for cooling tower maintenance that contain chromium or zinc; therefore, this outfall does not contain chromium or zinc effluent limitations as required by 40 CFR 423.15. If the permittee, in the future, uses chemicals for cooling tower maintenance which do contain chromium or zinc the permittee shall apply, prior to the use of the chemicals, for a modification of this permit so as to include the appropriate effluent limitations and monitoring requirements for chromium and or zinc.

- * Requires intake (3IB00016800) monitoring. Report intake/outfall temperature estimated to correspond to a maximum temperature differential sustained for one hour.
 - ** Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the State that the unit(s) in a particular location cannot operate at or below this level of chlorination. Analyses are to be performed by amperometric titration.
- The pH (Reporting Code 00400) shall not be less than 6.0 S.U. nor greater than 9.0 S.U. and shall be monitored 2/week by grab sample.
 - Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
 - See PART II, OTHER REQUIREMENTS.

PART I, B. - ADDITIONAL MONITORING REQUIREMENTS

1. Intake Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the intake at Station Number 3IB00016800 and report to the Ohio EPA in accordance with the following table. Samples of intake used for determination of net values must be taken the same day as those samples of effluent used for that determination. SEE PART II, OTHER REQUIREMENTS, for location of intake sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>MONITORING REQUIREMENTS</u>	
<u>REPORTING</u>			Measurement	
Code	UNITS	PARAMETER	Frequency	Sample Type
00011	°F	Temperature	Daily	Continuous

PART I, C. - SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with specified effluent limitations in accordance with the following schedule:

A. Not Applicable

PART II, OTHER REQUIREMENTS

- A. Description of the location of the required sampling stations are as follows:

<u>Sampling Station</u>	<u>Description of Location</u>
3IB00016001	Discharge from regenerate neutralization pits in the basement of water treatment building.
3IB00016002	Discharge from chemical cleaning lagoon, eastside of plant.
3IB00016004	At a point representative of discharge prior to entry to the discharge tunnel.
3IB00016800	Intake water -- At inlet to plant from Lake Erie.

- B. In the event the permittee's operation shall require the use of cooling water treatment additives, written permission must be obtained from the Ohio Environmental Protection Agency. The permittee shall demonstrate that the use of the additive in the concentrations expected will not be harmful or inimical to aquatic life as determined by acute static bioassays.
- C. There shall be no discharge of polychlorinated biphenyl compounds, attributable to the permittee's operations.
- D. The permittee's cooling water intake structure has been determined to reflect best technology available pursuant to Section 316(b) of the Clean Water Act (CWA).

PART III - GENERAL CONDITIONS

1. DEFINITIONS

- A. 1. The "daily load limitations" is the total discharge by weight during any calendar day. If only one sample is taken during a day, the weight of pollutant discharge calculated from it is the daily load.
2. The "daily concentration limitation" means the arithmetic average of all the determinations of concentration made during the day. If only one sample is taken during the day its concentration is the daily concentration. Coliform bacteria limitations compliance shall be determined using the geometric mean.
3. The "7-day load limitation" is the total discharge by weight during any 7-day period divided by the number of days in that 7-day period that the facility was in operation. If only one sample is taken in a 7-day period the weight of pollutant discharge calculated from it is the 7-day load. If more than one sample is taken during the 7-day period the 7-day load is calculated by determining the daily load for each day sampled, totaling the daily loads for the 7-day period and dividing by the number of days sampled.
4. The "7-day concentration limitation" means the arithmetic average of all the determinations of daily concentration limitation made during the 7-day period. If only one sample is taken during the 7-day period, its concentration is the 7-day concentration limitation for that 7-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.
5. The "30-day load limitation" is the total discharge by weight during any 30-day period divided by the number of days in the 30-day period that the facility was in operation. If only one sample is taken in a 30-day period the weight of pollutant discharge calculated from it is the 30-day load. If more than one sample is taken during one 30-day period the 30-day load is calculated by determining the daily load for each day sampled, totaling the daily loads for the 30-day period and dividing by the number of days sampled.
6. The "30-day concentration limitation" means the arithmetic average (weighted by flow) of all the determinations of daily concentration made during the 30-day period. If only one sample is taken during the 30-day period, its concentration is the 30-day concentration for that 30-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.
- B. "85 percent removal limitations" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.
- C. 1. Absolute Limitations. Compliance with limitation having descriptions of "shall not be less than", "nor greater than", "shall not exceed", "minimum", or "maximum", shall be determined from any single value for effluent samples and/or measurements collected.
2. "Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.
3. "Net load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.
- D. 1. When Quarterly sampling frequency is specified, the sampling shall be done in the months of March, June, August and December.
2. When a Yearly sampling frequency is specified, the sampling shall be done in the month of September.
3. When semi-annual sampling frequency is specified, the sampling shall be done during the months of June and December.
4. Winter shall be considered to be the period from November 1 thru April 30.

5. Summer shall be considered to be the period from May 1 thru October 31.
- E. 1. "MGD" means million gallons per day
2. "mg/l" means milligrams per liter
3. "ug/l" means micrograms per liter
- F. "Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.
- G. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
- H. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- I. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when necessary to achieve compliance with conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by the Ohio EPA as specified in the Paragraph in this PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

- A. Monitoring data required by this permit shall be reported on the Ohio EPA report form (4500) on

a monthly basis. Individual reports for each sampling station for each month are to be received no later than the 15th day of the next month. The original plus first copy of the report form must be signed and mailed to:

OHIO EPA
RECORDS CONTROL GROUP
POST OFFICE BOX 1049
COLUMBUS, OHIO 43266-0558

- B. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified below, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.
- C. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported on Ohio EPA report form (4500) but records shall be retained as specified in the paragraph entitled "RECORDS RETENTION".

5. SAMPLING AND ANALYTICAL METHODS

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants". The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place, date, and time of sampling;
- B. The person(s) who performed the sampling or measurements;
- C. The date and time the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records; and
- D. All plant operation and maintenance records.
- E. All reports required by this permit.
- F. Records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or application.

These periods will be extended during the course of any unresolved litigation, or when so requested by the Regional Administrator or the Ohio EPA. The three year period for retention of records shall start from the date of sample, measurement, report or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate District Offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be

considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in the Ohio Revised Code Section 6111.99.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow authorized representatives of the Ohio EPA;

- A. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit.
- B. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit; and to inspect any monitoring equipment required in this permit.
- C. To monitor at reasonable times the effluent or inspect any monitoring method required in this permit. "Reasonable times" for purposes of paragraph 10(c) includes 24-hour periods necessary for the purpose of monitoring over a 24-hour period.
- D. To enter upon the permittee's premises to inspect at reasonable times any collection, treatment, pollution management, or discharge facilities required under the permit.

11. UNAUTHORIZED DISCHARGES

- A. Unless specifically authorized in Part I and/or Part II of this permit, deliberate by-passing or diverting of wastewater from the treatment works is prohibited except when necessary:
 1. To prevent loss of life, personal injury or severe property damage;
 2. To prevent damage to treatment works or processes; or
 3. To allow essential maintenance to be performed according to a schedule approved in writing by the Ohio EPA District Office.
- B. While typical unauthorized discharges are those resulting from pipeline breaks, equipment malfunctions or failures, operator errors, accidents, process interruptions, or power failures, all unauthorized discharges shall be reported according to the following procedure:
 1. Report within one hour of discovery to Ohio EPA by calling (toll free) 1-800-282-9378.
 2. For these telephone reports the following information must be included:
 - a. the times at which the discharge occurred, and was discovered;
 - b. the approximate amount and the characteristics of the discharge;
 - c. the stream(s) affected by the discharge;
 - d. the circumstances which created the discharge;
 - e. the names and telephone numbers of the persons who have knowledge of these circumstances;
 - f. what remedial steps are being taken;
 - g. the names and telephone numbers of the persons responsible for such remedial steps.
 3. These reports shall be confirmed in writing within five days of the discharge and submitted to the appropriate Ohio EPA District Office. This report should include the information required under "NONCOMPLIANCE NOTIFICATION".
- C. Minor violations of the effluent limitations in Part I of this permit do not need to be reported under this paragraph.

12. NONCOMPLIANCE NOTIFICATION

A. Effluent Limitations:

If the permittee is unable to meet any effluent limitations specified in this permit, the permittee shall submit a written report to the appropriate Ohio EPA District Office within five days of becoming aware of the conditions. The report shall include the following:

1. The limitation(s) which has been violated;
2. The extent of the violation(s);
3. The cause of the violation(s);

4. The period of the violation(s) including exact dates and times;
5. If uncorrected, the anticipated time the violation(s) is expected to continue; and
6. Steps being taken to reduce, eliminate and/or prevent recurrence of the violation(s).

B. Compliance Schedule Events:

If the permittee is unable to meet any date for achieving an event, as specified in the Schedule of Compliance, the permittee shall submit a written report to the appropriate District Office of the Ohio EPA within five days of becoming aware of such situation. The report shall include the following:

1. The compliance event which has been or will be violated;
2. The cause of the violation;
3. The remedial action being taken
4. The probable date by which compliance will occur; and
5. The probability of complying with subsequent and final events as scheduled.

13. RESERVED

14. ADVERSE IMPACT

In the event of either an unauthorized discharge or a violation of effluent limitations, the permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment. This may include accelerated or additional monitoring to determine the extent of the impact of unauthorized discharge or the violation of limitations. If such additional monitoring is performed, the data collected shall be included in the written report submitted to the appropriate Ohio EPA District Office.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act, and Ohio Revised Code Sections 6111.09 and 6111.99

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA District Office as soon as practicable.

- A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

- C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

- D. In accordance with 40 CFR 122.42(a), all existing manufacturing, commercial mining, an silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge of any toxic pollutant not limited in the permit if that discharge exceeds the highest of the "notification levels" specified in Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
2. That they have begun or are expected to begin to use or manufacture as an intermediate or final product or by-product any toxic pollutant which was not reported in the permit application under 40 CFR 122.21(g)(9).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

- A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:
 1. violation of any terms or conditions of this permit;
 2. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 3. a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
- B. Pursuant to rule 3745-33-06, Ohio Administrative Code the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA District Office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit cannot be transferred or assigned nor shall a new owner or successor be authorized to discharge from this facility, until the following requirements are met:

- A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA District Office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA District Office sixty days prior to the proposed date of transfer;
- B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittees (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA District Office within sixty days after receipt by the District Office of the copy of the letter from the permittee to the succeeding owner;
- C. The Director does not exercise his right within thirty days after receipt of the written agreement to notify the current permittee and the new permittee of his or her intent to modify or revoke the permit and to require that a new application be filed; and
- D. The new owner or successor receives written confirmation and approval of the transfer from the Director of the Ohio EPA.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

21. SOLIDS DISPOSAL

Collected screenings, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes into waters of the State.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, state, or local laws or regulations.

26. UPSET

The provisions of 40 CFR Section 122.41(n), dated September 26, 1984 relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset", see Part 1, item 1.

27. 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.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of OAC 3745-33-03.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22 (b)(c), dated September 26, 1984.

29. OTHER INFORMATION

- A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
- B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
- C. ORC 6111.99, states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
- D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than twenty-five thousand dollars or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c), dated September 1, 1983, states that it shall not be a defense for permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with conditions of this permit.

STATEMENT OF NPDES PERMIT FEE DUE

Entity Name Cleveland Electric Illuminating Co. OEPA Permit No. 3IB00016*CD
Effective Date _____

Mailing Address P.O. Box 5000
Cleveland, Ohio 44101

Facility Location 10 Center Road
North Perry, Ohio

Permit fees for the above facility were computed in accordance with the following information and at rates established in Section 3745.11(C) of the Ohio Revised Code.

Outfall Number	Design Flow Discharge (GPD)	Rate \$	Charges \$
001	37,000		\$200.00
002	37,000		\$200.00
004	30,000,000		\$750.00

Fee Payment Due \$ 1,150.00

Please remit not later than fifteen days after the cited effective date of this permit. Make check payable to "Treasurer of the State of Ohio" and mail it to Permits Bookkeeper, Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio, 43216-1049. Please enclose one copy of this statement with your payment.

OhioEPA NOTICE

In case of any accidental or unauthorized release of contaminants to the air, land, or waters of the state, such spills, releases, or emissions shall be reported to the Ohio EPA.

The Ohio EPA EMERGENCY RESPONSE maintains 24 hour service for emergencies. Call:

1-800-282-9378
(in Ohio only)

and give as much as possible of the following information relative to the contaminate release:

- TIME OBSERVED
- LOCATION
- MATERIAL RELEASED
- PROBABLE SOURCE
- VOLUME & DURATION
- PRESENT & ANTICIPATED
MOVEMENT OF CONTAMINATES
- WEATHER CONDITIONS
- PERSONNEL ON SCENE
- ACTIONS INITIATED
- PERSON TO CONTACT ON SCENE

For inquiries other than emergencies call (614) 466-8565

State of Ohio Environmental Protection Agency