

UNITED STATES ENVIRONMENTAL AGENCY  
REGION VII  
901 N. 5<sup>th</sup> STREET  
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION  
AGENCY REGION VII  
REGIONAL HEARING CLERK

IN THE MATTER OF: )  
)  
Village of Winnebago, Nebraska, )  
Respondent ) Finding of Violation and Order  
) for Compliance on Consent  
)  
Proceedings under Section 309(a)(3) of the )  
Clean Water Act, 33 U.S.C. § 1319(a)(3) )

STATUTORY AUTHORITY

1. The following Findings are made and Order issued pursuant to the authority vested in the Administrator of the Environmental Protection Agency ("EPA") by Section 309(a)(3) of the Clean Water Act ("Act"), 33 U.S.C. § 1319(a)(3), which authority has been delegated by the Administrator to the Regional Administrator of EPA, Region VII, and further delegated to the Director, Water, Wetlands and Pesticides Division.

BACKGROUND

2. The Village of Winnebago, Nebraska ("Village") owns and operates a wastewater treatment plant ("WWTP") consisting of 5 lagoons that treat domestic waste collected from the Village of Winnebago and the surrounding area within the Tribal lands of the Winnebago Tribe of Nebraska ("Tribe").

3. The WWTP does not currently have a National Pollutant Discharge Elimination System ("NPDES") permit authorizing it to discharge pollutants to the waters of the United States pursuant to Section 402 of the Act, 33 U.S.C. § 1342.

4. The Village informed EPA that the WWTP lagoons have reached their capacity and are now discharging to an unnamed tributary and then to Omaha Creek. Construction activities to improve the treatment capabilities of the WWTP will require the facility to continue wastewater discharges and to remove and manage sludge from two or more lagoon cells.

5. The Village filed an application for an NPDES permit with EPA on February 2, 2001. EPA is currently drafting a permit for the facility based on information in the application and updated information provided by the Village regarding the planned improvements to the WWTP.

6. The Village, the Tribe and EPA agree that issuance of this Order for Compliance on Consent ("Order on Consent"), which will control operation of the WWTP until the final NPDES permit is issued by EPA, is in the best interest of the Village and the Tribe, and will provide protections for human health and the environment.

## JURISDICTION AND FINDINGS

7. The Village of Winnebago, Nebraska is a “person” as defined by Section 502(5) of the Act, 33 U.S.C. §1362(5).
8. The WWTP discharges to an un-named tributary, which flows to Omaha Creek and then to the Missouri River, all of which are “navigable waters” and “water of the United States” as defined by Section 502(7) of the Act, 33 U.S.C. § 1362(7), and its implementing regulations.
9. The discharge of wastewater from the WWTP as described in paragraph 8 above is a “discharge of pollutants” as defined in Section 502(12) of the Act, 33 U.S.C. § 1362(12).
10. The Village of Winnebago WWTP is located within the Reservation of the Winnebago Tribe of Nebraska. Pursuant to 40 C.F.R. § 123.1, the authority to issue NPDES permits under Section 402 of the Act, 33 U.S.C. § 1342, for facilities on Indian lands resides with EPA if a State or Tribal authority does not seek or have authority under the Act to regulate activities on Indian lands.
11. The State of Nebraska lacks authority under the Clean Water Act to regulate activities on Indian lands, and the Tribe has not sought authority to regulate activities under the Act, therefore EPA retains the authority to administer and enforce the Act within the Winnebago Tribal Reservation.
12. Pursuant to Section 301(a) of the Act, 33 U.S.C. § 1311(a), the discharge of pollutants by any person is unlawful, except, *inter alia*, as authorized by a NPDES permit issued pursuant to Section 402 of the Act, 33 U.S.C. § 1342.
13. The Village of Winnebago has submitted the necessary information for EPA to proceed with issuance of its NPDES permit, however, until such time as a final NPDES permit is issued by EPA for the Village of Winnebago WWTP, discharges from this facility have and will continue to violate the requirements of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

## ORDER FOR COMPLIANCE ON CONSENT

Based on the above Findings and pursuant to the authority of Section 309(a)(3) of the Act, 33 U.S.C. § 1319(a)(3), EPA Orders and the Village Consents to the following requirements:

### General Requirements – Applicable at All Times

14. The Village shall provide a copy of this Order on Consent to all agents, contractors or other entities that perform any activities addressed by this Order on Consent. The Village shall coordinate with any such entity to ensure that the requirements of this Order on Consent are met.

15. The Village of Winnebago WWTP shall be operated in compliance with the Standard Conditions set forth in Attachment A to the Order on Consent.

16. The Village shall submit monthly Discharge Monitoring Reports (“DMRs”) of its effluent to EPA Region VII using DMR forms appended to this Order on Consent as Attachment B (to be used during the construction phase) and C (to be used post construction), as follows:

- a) Each DMR submittal shall include the monitoring results obtained for all sampling of the effluent parameters during a calendar month identified in Tables 1 or 2, below, as appropriate.
- b) Each DMR reporting period shall cover a calendar month. The initial DMR reporting period shall begin on the first day of the month immediately after the effective date of this Order on Consent, as identified in Paragraph 28 below, or within ten (10) working days of the effective date of this Order for Consent, whichever occurs first. Each subsequent DMR reporting period shall begin on the first day of the month. All DMRs shall include results of all samples collected during that calendar month’s reporting period.
- c) Monthly DMRs shall be submitted to EPA on or before the twenty-eighth (28<sup>th</sup>) day of the next consecutive month.
- d) In the event no discharge occurs during the reporting period, written notification is still required and will consist of an entry of “NO DISCHARGE DURING THIS REPORTING PERIOD” on the DMR. Influent flow monitoring results must be reported.

17. Sludge handling and reporting activities at the WWTP shall be conducted in accordance with 40 CFR Part 503.

- a) Prior to disposal or application of sludge from any lagoon cell, the sludge material from that cell shall be sampled and analyzed for metals, nitrogen and other parameters, as required by 40 CFR § 503.13 and identified below. A composite sample of sludge from each cell to be disposed or applied shall be collected for the analysis. The following parameters shall be analyzed:
  - i. Metals: arsenic (Ar); cadmium (Cd); Chromium (Cr); Copper (Cu); Lead (Pb); Mercury (Hg); Molybdenum (Mo); Nickel (Ni); Selenium (Se); and Zinc (Zn).
  - ii. Nitrogen: total Kjeldahl nitrogen (“TKN”) as N, ammonia, and nitrite.
  - iii. Percent solids of sludge.
  - iv. Specific oxygen uptake rate (“SOUR”) test.
  - v. Estimate of dry tonnage to be land applied.

- b) Copies of all analytical results for items a.i. through a.iv., along with a statement of the estimate of dry tonnage for land application for item a.v., shall be sent to Mr. John Dunn at EPA (see Paragraph 21, below) as soon as available, and before any sludge application activity takes place.
- c) Mr. Dunn at EPA shall be consulted prior to any disposal or application process. **Mr. Dunn can be reached by phone or fax at 913-551-7594.**
- d) The Village shall be responsible for recordkeeping and reporting, as required by Section 405 of the CWA and 40 CFR §§ 503.17 and 503.18. Forms will be provided by EPA upon request.

18. All sample collection and analyses required under this Order on Consent shall be conducted in accordance with the techniques prescribed in 40 CFR Part 136, and amendment thereto.

19. All submissions made by Respondent to EPA pursuant to the requirements of this Order shall contain the following certification signed by a responsible municipal officer or plant manager of Respondent's POTW:

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

20. All documents required to be submitted to EPA under this Order on Consent, except those specifically identified in Paragraph 17 regarding Sludge handling and reporting, shall be sent to:

Mr. Larry Long  
Water Enforcement Branch  
Water, Wetlands and Pesticides Division  
EPA Region VII  
901 N. 5<sup>th</sup> Street  
Kansas City, KS 66101  
Phone: 913-551-7561

21. All documents required to be submitted to EPA under Paragraph 17 of this Order on Consent pertaining to Sludge handling and reporting shall be sent to:

Mr. John Dunn  
 Water Infrastructure and Management Branch  
 Water, Wetlands and Pesticides Division  
 EPA Region VII  
 901 N. 5<sup>th</sup> Street  
 Kansas City, KS 66101  
 Phone: 913-551-7594

Construction Period Compliance

22. The Village shall, from receipt of this Order on Consent until construction of the WWTP improvements are complete, as described in Paragraph 23, below, or until termination of this Order on Consent in accordance with Paragraph 27, below, whichever occurs first, comply with the effluent limitations and perform sampling and analysis of the effluent from the WWTP as prescribed in Table 1, below, as follows:

- a) Samples shall be collected using the measurement frequency and sample type identified for each pollutant listed in Table 1.

<b>TABLE 1: CONSTRUCTION PHASE EFFLUENT PARAMETERS AND MONITORING FREQUENCY</b>			
<b>Effluent Parameter</b>	<b>Effluent Limitation</b>	<b>Measurement Frequency</b>	<b>Sample Type</b>
Effluent Flow	Monitor & Report	Daily	*Flow meter or estimate
Oil and Grease, Total	Monitor & Report	Monthly	Grab
pH- Standard Units	6.0 - 9.0 Standard Units	Weekly	Grab
Five Day Biochemical Oxygen Demand ("BOD <sub>5</sub> ")	Weekly Average – 60 mg/L	Once per week	Grab
	Monthly Average – 45 mg/L		
Total Suspended Solids ("TSS")	Weekly Average – 120 mg/L	Once per week	Grab
	Monthly Average – 80 mg/L		
Influent Flow	Monitor & Report	Once per week	*Flow meter or estimate

\*If an estimate of flow is used, the DMR for that reporting period shall include an attached statement with a brief description of the method of flow estimation.

- b) Samples shall be collected at a location immediately following the last treatment unit of the WWTP and before the effluent mixes with the receiving water.

- c) During the construction period, sample results of effluent discharged from lagoon cell # 4 shall be reported on the DMR forms as discharge results for Outfall 001C. If discharges from any other locations at the WWTP are anticipated, the Village must contact EPA and obtain a specific Outfall number for reporting discharges from that location.
- d) Sampling results shall be reported to EPA in accordance with Paragraph 16, above, using a copy of the Construction Phase Discharge Monitoring Report form attached to this Order on Consent (Attachment B). This form may be reproduced as needed.
- e) The Village shall notify **Mr. Larry Long at EPA by phone at 913-551-7561** of any exceedance of an effluent limitation in Table 1 within twenty four (24) hours after receiving results of the sample analysis from the laboratory, and provide a fax copy to 913-551-7765.

23. The Village shall notify EPA in writing at least thirty (30) days before the expected completion date for construction of improvements at the WWTP, and again within ten (10) days after the actual completion date of construction of improvements at the WWTP. Each such notice shall be accompanied by a brief statement from a licensed professional engineer describing the status of construction activities and the operational capabilities of the WWTP.

#### Post Construction Period Compliance

24. The Village shall, from completion of construction of the WWTP improvements, as described in Paragraph 23, above, until termination of this Order on Consent in accordance with Paragraph 27, below, comply with the effluent limitations and perform sampling and analysis of the effluent from the WWTP as prescribed in Table 2, below, as follows:

- a) Samples shall be collected using the measurement frequency and sample type identified for each pollutant listed in Table 2. Effluent limitations apply to all post construction discharges from the POTW, with the exception of Total Suspended Solids ("TSS"), as identified below.

**TABLE 2: POST CONSTRUCTION EFFLUENT PARAMETERS AND MONITORING FREQUENCY**

Effluent Parameter	Effluent Limitation	Measurement Frequency	Sample Type
Effluent Flow	Monitor & Report	Daily	Flow meter
Oil and Grease, Total	Monitor & Report	Monthly	Grab
pH- Standard Units	6.0 – 9.0 Standard Units	Weekly	Grab
Five Day Biochemical Oxygen Demand (“BOD <sub>5</sub> ”)	Weekly Average – 45 mg/L	Once per week	Grab
	Monthly Average – 30 mg/L		
Total Suspended Solids (“TSS”) <b>Outfall 001L only</b>	Weekly Average – 45 mg/L	Once per week	Grab
	Monthly Average – 30 mg/L		
TSS <b>Outfall 001W only</b>	Weekly Average – 120 mg/L	Once per week	Grab
	Monthly Average – 80 mg/L		
Ammonia (N) Winter (November – February)	Daily Maximum – 9.9 mg/L	Once per week	Grab
	Monthly Average – 5.0 mg/L		
Ammonia (N) Summer (March – October)	Daily Maximum – 5.5 mg/L	Once per week	Grab
	Monthly Average – 2.8 mg/L		
Fecal coliform (May – September)	Not to exceed 400 counts per 100 milliliters	Once per month	Grab
Chlorine	Maximum of 19 µg/L*	Weekly	Grab
Dissolved Oxygen	Minimum of 5 mg/L	Weekly	Grab
Influent Flow	Monitor & Report	Daily	Flow meter

\* An accurately measurable default number is 100 µg/L for TRC. This is the lowest reportable quantification number that is meaningful in accordance with 40 CFR Part 136. Any number > 100 µg/L is a violation of this Order on Consent.

- b) Samples shall be collected at a location immediately following the last treatment unit of the WWTP and before the effluent mixes with the receiving water.
- c) Following the completion of construction, as described in Paragraph 23, above, sample results of effluent discharged from lagoon cell # 4 shall be reported on the DMR forms as discharge results for Outfall 001L and sample results of discharges from lagoon cell # 5 (the constructed wetlands) shall be reported on the DMR forms as discharge results for Outfall 001W. If discharges from any other locations at the WWTP are anticipated, the Village must contact EPA and obtain a specific Outfall number for reporting discharges from that location.
- d) Sampling results shall be reported to EPA in accordance with Paragraph 16, above, using a copy of the Post Construction Discharge Monitoring Report forms (Outfalls 001L and 001W) attached to this Order on Consent (Attachment C). These forms may be reproduced as needed.

e) The Village shall notify **Mr. Long at EPA by phone, at 913-551-7561**, of any exceedance of an effluent limitation in Table 2 within twenty four (24) hours after receiving results of the sample analysis from the laboratory, and follow up with a fax copy 913-551-7765.

#### EFFECT OF ORDER

25. The provisions of this Order on Consent are severable. If any portion of this Order on Consent is determined to be unenforceable, the remaining provisions shall remain in full force and effect. Failure to comply with this Order on Consent may result in penalties as authorized under the Act.

26. This Order on Consent does not constitute a waiver of a modification of any requirement of the Act, 33 U.S.C. § 1251, *et seq.*, all of which remain in full force and effect. The EPA retains the right to seek any and all remedies available under Section 309 of the Act, 33 U.S.C. § 1319, for any violation cited in this Order on Consent. Issuance of this Order on Consent shall not be deemed an election by EPA to take any additional injunctive action or to forego any civil or criminal action to seek penalties, fines or other appropriate relief under the act for any violations, whatsoever.

27. This Order on Consent shall remain in effect until a written notice of termination is issued by an authorized representative of the U.S. Environmental Protection Agency. Such notice shall not be given until all of the requirements of this Order on Consent have been met.



28. This Order on Consent shall become effective upon the day of receipt by the Village of Winnebago, Nebraska, of a final, fully executed copy of this Order on Consent.

Dated this 10th Day of August, 2005

FOR THE U.S. ENVIRONMENTAL  
PROTECTION AGENCY

*for Betty J. Perry*  
\_\_\_\_\_  
Leo J. Alderman  
Director  
Water, Wetland and Pesticides Division

*Patricia Gillispie Miller*  
\_\_\_\_\_  
Patricia Gillispie Miller  
Senior Assistant Regional Counsel

FOR THE VILLAGE OF WINNEBAGO,  
NEBRASKA

*Arthur T. May*  
\_\_\_\_\_  
Arthur T. May  
Chairman, Board of Trustees

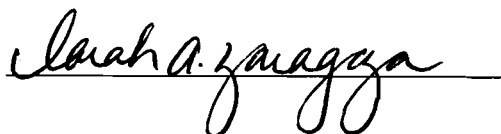
- Attachments: A. Standard Conditions for Compliance - Publicly Owned Treatment Works
- B. Construction Period Discharge Monitoring Report ("DMR") Form  
(Outfall 001C)
- C. Post Construction DMR Forms (Outfalls 001W-Wetland and 001L-Cell 4)

CERTIFICATE OF SERVICE

I certify that on the date noted below, I filed the original and one true and correct copy of the signed final Finding of Violation and Order for Compliance on Consent with the Regional Hearing Clerk, EPA Region VII. I further certify that I sent by mail, return receipt requested, a true and correct copy of the original Findings of Violation and Order for Compliance on Consent, together with cover letter and small business assistance information, to the following:

Arthur T. May  
Chairman, Board of Trustees  
P.O. Box 683  
Winnebago, Nebraska 68071

Mr. John Blackhawk, Chairman  
Winnebago Tribe of Nebraska  
P.O. Box 687  
Winnebago, Nebraska 68071

  
\_\_\_\_\_

8/22/05  
\_\_\_\_\_  
Date

## **ATTACHMENT A**

### **STANDARD CONDITIONS**

#### **A. GENERAL CONDITIONS**

##### **1. Duty to Comply**

The Village must comply with all conditions of this Attachment to the Order on Consent, EPA Docket No. CWA-07-2005-0314. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and is grounds for enforcement action.

##### **2. Toxic Pollutants And Sewage Sludge**

The Village shall comply with effluent standards or prohibitions established under the CWA Section 307(a), 33 U.S.C. §1317(a), for toxic pollutants and with standards for sewage sludge use or disposal established under the CWA Section 405(d), 33 U.S.C. § 1345(d), within the time provided in the regulations that establish those standards or prohibitions, or standards for sewage sludge use or disposal, even if the Order on Consent has not yet been modified to incorporate the requirement.

##### **3. Penalties for Violations of Order on Consent Conditions**

The Act provides that any person who violates Sections 301, 302, 306, 307, 308 or 405 of the Act, or any Order on Consent condition or limitation implementing such Sections in a Order on Consent issued under Section 402 of the Act, is subject to civil penalties not to exceed \$32,500 per day for each violation under Section 309 of the Act. Any person who willfully or negligently violates Sections 301, 302, 306, 307, or 308 of the Act, or any Order on Consent condition or limitation implementing such Sections, may be subject to a fine or imprisonment pursuant to Section 309(c) of the Act. Except as provided in sections II-B-3, Bypass of Treatment Facilities, and II-B-4, Upset, of this Order on Consent, nothing in this Order on Consent shall be construed to relieve the Village of civil or criminal liability for noncompliance.

##### **4. Duty to Mitigate**

The Village shall take all reasonable steps to minimize or prevent any discharge in violation of this Order on Consent that has a reasonable likelihood of adversely affecting human health or the environment.

##### **5. Inspection and Entry**

The Village shall allow the Environmental Protection Agency (“EPA”), or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a) Enter upon the Village's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order on Consent;
- b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order on Consent;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order on Consent; and

- d) Sample or monitor at reasonable times, for the purpose of ensuring Order on Consent compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

**6. Severability**

The provisions of this Order on Consent are severable, and if any provision of the Order on Consent, or application of any provision of this Order on Consent to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Order on Consent, shall not be affected thereby.

**B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS**

**1. Proper Operation and Maintenance**

The Village shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Village to achieve compliance with the conditions of this Order on Consent. 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 that are installed only when the operation is necessary to achieve compliance with the conditions of the Order on Consent.

**2. Bypass of Treatment Facilities**

a) Definitions

(i). "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

(ii). "Severe property damage" means substantial physical damage to property, damage to the treatment facilities that renders them inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does mean economic loss caused by delays in production.

b) Bypass Not Exceeding Limitations

The Village may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Parts c and d of this section.

c) Notice

(i). Anticipated bypass. If the Village knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 30 days before the date of the bypass; including an evaluation of the anticipated quantity, quality and effect of the bypass.

(ii). Unanticipated bypass. The Village shall submit notice of an unanticipated bypass as required in Part II-D-6, (24-hours notice).

d) Prohibition of Bypass

(i). Bypass is prohibited and the EPA may take enforcement action against a Village for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe and extensive property damage;

(2) There were no feasible alternatives to the bypass, such as maintenance of sufficient reserve holding capacity, the use of auxiliary treatment facilities, retention of untreated wastes, waste hauling, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The Village submitted notices as required under Part c (Notice) of this section.

(ii). The EPA may, within its authority, approve an anticipated bypass, after considering its adverse effects, if the EPA determines that it will meet the three conditions listed in Part d(i), above.

4. **Upset**

a) "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the control of the Village. 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.

b) An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based limitations if the requirements of 40 C.F.R. § 122.41(n)(3) are met. In any enforcement proceedings the entity seeking to establish the occurrence of an upset has the burden of proof. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review (i.e., the Village will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for non-compliance with technology-based effluent limitations).

5. **Schedule of Maintenance**

Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the EPA.

6. **Removed Substances**

This Order on Consent does not authorize discharge of collected screenings, grit, solids, sludge, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters to waters of the United States.

**C. MONITORING AND RECORDS**

**1. Representative Sampling**

Samples and measures taken for the purpose of monitoring shall be representative of the volume and nature of the monitored activity.

**2. Sampling Points**

All samples shall be taken at the monitoring points specified in this Order on Consent and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the EPA.

**3. Flow Measurements**

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flow with a maximum deviation of less than + 10 percent from the true discharge rates through the range of expected discharge volumes. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references:

- a) "A Guide of Methods and Standards for the Measurement of Water Flow," U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)
- b) "Water Measurement Manual," U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprinted, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by Catalog No. 127.19/2:W29/2, Stock No. S/N 24003-0027.)
- c) "Flow Measurement in Open Channels and Closed Conduits," U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service [NTIS], Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)
- d) "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-77, September 1981, 135 pp. (Available from the General Services Administration [8BRC]. Centralized Mailing Lists Service, Building 41, Denver Federal Center, Denver, CO 80225.)

**4. Test Procedures**

Test procedures for the analyses of pollutants must be conducted according to test procedures approved under 40 C.F.R. Part 136, unless other test procedures have been specified in this Order on Consent.

**5. Calibration**

The Village shall periodically calibrate and perform maintenance on all monitoring and analytical equipment used to monitor the pollutants discharged under this Order on Consent, at intervals that will ensure the accuracy of measurements.

**6. Testing Variability Not a Defense**

If the Village believes or has reason to believe that monitoring or sampling results reflect an analytical variability so as to render the results inaccurate, he may monitor or sample more frequently than required by this Order on Consent. The validity of the testing results, whether or not the Village has monitored or sampled more frequently, shall not be a defense to an enforcement action under the CWA Sections 309 or 505, 33 U.S.C. §§ 1319 or 1365.

**7. Penalties for Tampering**

The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this Order on Consent shall, upon the first conviction, be punished by a fine or not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Part, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four years, or both.

**8. Retention of Records**

The Village shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order on Consent, and records of all data used to complete the application for this Order on Consent, for a period of at least three years from the date of the sample, measurement, report, or application except that records relating to sewage sludge shall be retained for at least five years. This period may be extended by the EPA at any time.

**9. Monitoring Records**

Records of monitoring information shall include:

- a) The date, exact place, and time of sampling or measurements;
- b) The initials or name of the individual(s) who performed the sampling or measurements;
- c) The date(s) analyses were performed;
- d) The initials or name of the individual(s) who performed the analyses;
- e) The analytical techniques or methods used; and
- f) The results of all required analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine compliance.

**10. Additional Monitoring**

If the Village monitors any pollutant more frequently than required by this Order on Consent, using test procedures approved under 40 C.F.R. Part 136 or as specified in this Order on Consent, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased frequency shall also be indicated.

## **11. Averaging of Measurements**

Calculations for limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the EPA in the Order on Consent

## **D. REPORTING REQUIREMENTS**

### **1. Change in Discharge**

The Village shall give notice to the Order EPA as soon as possible of any planned physical alternations or additions to the facility. Notice is required only when:

- a) The alteration or addition to the facility may meet one of the criteria for determining whether a facility is a new source in 40 C.F.R. § 122.29(b);
- b) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the Order on Consent, nor to notification requirements under 40 C.F.R. § 122.42(a)(1); or
- c) The alteration or addition results in a significant change in the Village's sludge use or disposal practices, and such alteration, addition, or change may justify the application of conditions that are different from or absent in the existing Order on Consent.

### **2. Anticipated Noncompliance**

The Village shall give advance notice to the EPA of any planned change in the facility or activity that may result in noncompliance with Order on Consent requirements. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the EPA.

### **3. Reporting of Monitoring Results**

Monitoring results are to be reported **monthly**. Monitoring results obtained during each month must be reported on the appropriate Discharge Monitoring Report (DMR) Form (EPA No. 3320-1) attached to the Order on Consent or provided by EPA, postmarked no later than the 28th day of the month following the completed reporting period. These reports, and all other reports required by this Order on Consent, shall be submitted to EPA as directed in the Order on Consent.

### **4. Twenty-four Hour Reporting**

- a) The Village shall orally report any noncompliance that may endanger health or the environment as soon as possible, but no later than 24 hours from the time the Village becomes aware of the circumstances. The oral report shall be made to Mr. Larry Long, Water Enforcement Branch, at phone number (913) 551- 7561. Reports of noncompliance under this paragraph may be made to the EPA Spill Hotline at (913) 281-0991 if such noncompliance is discovered after regular business hours or on a weekend or holiday and response assistance from EPA is requested.
- b) The following violations shall be included in the 24-hour notice:
  - (i). Any unanticipated bypass that exceeds any effluent limitation in the Order on Consent;



(ii). Any upset that exceeds any effluent limitation in the Order on Consent; and

c) A written submission shall also be provided within 5 days of the time the Village becomes aware of the circumstances. The written submission shall be submitted to Mr. Larry Long, Water Enforcement Branch, at the addresses indicated in Order for Compliance, and shall contain a description of the noncompliance, its cause, and the period of noncompliance, including exact dates and times. If the noncompliance has not been corrected, the written submission shall also include the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The EPA may verbally waive the written report, on a case-by case basis, when the oral report is made.

#### **5. Other Noncompliance**

The Village shall report, in narrative form, all instances of noncompliance not previously reported under Parts 1 through 4 of this Section at the time monitoring reports are submitted. Reporting noncompliance under this provision does not relieve the Village of the duty to comply with all requirements of this Order on Consent.

#### **6. Duty to Provide Information**

The Village shall furnish to the EPA, within a reasonable time, any information that the EPA may request to determine whether cause exists for modifying or terminating this Order on Consent, or to determine compliance with this Order on Consent. The Village also shall furnish to the EPA, upon request, copies of records required to be kept by this Order on Consent.

#### **7. Signatory Requirements**

a) All applications, reports, or information submitted to the EPA shall be signed and certified by either a principal executive officer or ranking elected official of the Village or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(i). The authorization is made in writing by a person described above:

(ii). The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative thus may be either a named individual or any individual occupying a named position.); and

(iii). The written authorization is submitted to the EPA.

b) Changes to authorization. If an authorization under Part a of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part b of this section must be submitted to the EPA prior to or together with any reports, information, or applications to be signed by an authorized representative.

c) Certification. Any person signing a document under this section shall make this following certification:

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

#### **8. Availability of Reports**

Except for data determined to be confidential under 40 C.F.R. Part 2, all reports prepared in accordance with the terms of this Order on Consent shall be available for public inspection at the offices of the EPA. As required by the Act, NPDES permit applications, the Order on Consent, and effluent data shall not be considered confidential.

#### **9. Penalties for Falsification of Reports**

The CWA provides 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 Order on Consent, including monitoring reports or reports of compliance or noncompliance, shall, upon the conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

#### **F. DEFINITIONS**

1. "Weekly average" is the arithmetic average of all samples collected over calendar week.
2. The "30-day (and monthly) average," other than for *E. coli* bacteria and bacteria, is the arithmetic average of all samples collected during a calendar month. Geometric means shall be calculated for *E. coli* bacteria.
3. "Daily Maximum" ("Daily Max.") is the highest allowable discharge during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of pollutants discharged over the calendar day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the calendar day. If only one measurement or sample is taken during the calendar day, that will be considered the average for the calendar day.
4. "Composite samples" shall be flow proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the compositing period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation of composite samples are as follows:
  - a. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;

- b. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;
  - c. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every "X" gallons of flow); and,
  - d. Continuous collection of sample, with sample collection rate proportional to flow rate.
5. A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.
  6. An "instantaneous" measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.
  7. "Director" means the Director, Water, Wetlands, and Pesticide Division of EPA Region VII.
  8. "EPA" means the United States Environmental Protection Agency.
  9. "Biological Sludge" for the purposes of this Order on Consent is any solid, semi-solid or liquid residue generated during the biological treatment of wastewater at this facility (e.g., waste activated sludge) or removed from the biological treatment system..
  10. "Act" or "CWA" means the Clean Water Act, as amended, (formerly referred to as the Federal Water Pollution Control Act) 33 U.S.C. 1251 et seq.
  11. A "calendar day" is defined as the period from midnight of one day until midnight of the next day. However, for purposes of this Order on Consent, any consecutive 24-hour period that reasonably represents the calendar day may be used for sampling.
  12. A "hazardous substance" means any substance(s) designated under 40 C.F.R. Part 116 pursuant to the CWA Section 311, 33 U.S.C. § 1321.
  13. A "toxic" or "priority" pollutant is one of 126 substances listed as toxic under the CWA Section 307(a)(1), 33 U.S.C. § 1317(a)(1).

**ATTACHMENT B**

**Village of Winnebago, Nebraska  
Order for Compliance on Consent**

Construction Period Discharge Monitoring Report Form  
(Outfall 001C)

This form may be reproduced as needed.

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)  
 NAME Village of Winnebago WWTP  
 ADDRESS

PO Box 683, Winnebago, NE68071

FACILITY LOCATION Winnebago, NE - CONSTRUCTION PHASE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
 DISCHARGE MONITORING REPORT (DMR)  
 (2-16) (17-19)

NE0113212 001 C  
 PERMIT NUMBER DISCHARGE NUMBER

Form Approved.  
 OMB No. 2040-0004  
 Approval expires 05-31-98

MONITORING PERIOD

FROM YEAR MO DAY TO YEAR MO DAY  
 (20-21) (22-23) (24-25) (26-27) (28-29) (30-31)

Check here if No Discharge

NOTE: Read Instructions before completing this form

PARAMETER (32-37)	SAMPLE MEASUREMENT / EFFLUENT LIMIT	(3 Card Only) QUANTITY OR LOADING (46-53) (54-61)			(4 Card Only) QUALITY OR CONCENTRATION (38-45) (46-53) (54-61)				NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)	
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS				
Effluent Flow Daily- Monitor & Report	SAMPLE MEASUREMENT			MGD								
	EFFLUENT LIMIT											
Oil and Grease Monthly- Monitor & Report	SAMPLE MEASUREMENT							mg/L				
	EFFLUENT LIMIT											
pH Weekly	SAMPLE MEASUREMENT							S.U.				
	EFFLUENT LIMIT				6		9					
Five Day Biological Oxygen Demand Weekly	SAMPLE MEASUREMENT							mg/L				
	EFFLUENT LIMIT					45*	60**					
Total Suspended Solids Weekly	SAMPLE MEASUREMENT							mg/L				
	EFFLUENT LIMIT					80*	120**					
Influent Flow Weekly- Monitor & Report	SAMPLE MEASUREMENT			MGD								
	EFFLUENT LIMIT											
	SAMPLE MEASUREMENT											
	EFFLUENT LIMIT											
NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)							TELEPHONE		DATE		
TYPED OR PRINTED	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT							AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

\*Monthly Average  
 \*\*Weekly Average

**ATTACHMENT C**

**Village of Winnebago, Nebraska  
Order for Compliance on Consent**

Construction Period Discharge Monitoring Report Forms  
(Outfalls 001W-Wetland and 001L-Cell 4)

These forms may be reproduced as needed.

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME Village of Winnebago WWTP

ADDRESS

PO Box 683, Winnebago, NE68071

FACILITY

LOCATION Winnebago, NE -POST CONSTRUCTION PHASE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

DISCHARGE MONITORING REPORT (DMR)

(2-16)

(17-19)

NE0113212  
PERMIT NUMBER

001 W (wetland)  
DISCHARGE NUMBER

Form Approved.  
OMB No. 2040-0004  
Approval expires 05-31-98

MONITORING PERIOD

YEAR	MO	DAY	TO	YEAR	MO	DAY

(20-21) (22-23) (24-25) (26-27) (28-29) (30-31)

Check here if No Discharge

NOTE: Read Instructions before completing this form

PARAMETER (32-37)	X	(3 Card Only) QUANTITY OR LOADING (46-53)			(4 Card Only) QUALITY OR CONCENTRATION (54-61)				NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
Effluent Flow Daily- Monitor & Report	SAMPLE MEASUREMENT			MGD							
	EFFLUENT LIMIT										
Oil and Grease Monthly- Monitor & Report	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT										
pH Weekly	SAMPLE MEASUREMENT							S.U.			
	EFFLUENT LIMIT				6		9				
Five Day Biological Oxygen Demand Weekly	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT					30*	45**				
Total Suspended Solids Weekly	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT					30*	45**				
Influent Flow Weekly- Monitor & Report	SAMPLE MEASUREMENT			MGD							
	EFFLUENT LIMIT										
Ammonia (N) Weekly (March - October)	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT					2.8	5.5				
NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)				TELEPHONE			DATE			
TYPED OR PRINTED											SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

\*Monthly Average

\*\*Weekly Average

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME Village of Winnebago WWTP

ADDRESS

PO Box 683, Winnebago, NE68071

FACILITY

LOCATION Winnebago, NE -POST CONSTRUCTION PHASE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
DISCHARGE MONITORING REPORT (DMR)

(2-16)

(17-19)

NE0113212  
PERMIT NUMBER

001 W (wetland)  
DISCHARGE NUMBER

Form Approved.  
OMB No. 2040-0004  
Approval expires 05-31-98

MONITORING PERIOD

YEAR	MO	DAY	TO	YEAR	MO	DAY

(20-21) (22-23) (24-25) (26-27) (28-29) (30-31)

Check here if No Discharge

NOTE: Read Instructions before completing this form

PARAMETER (32-37)	SAMPLE MEASUREMENT / EFFLUENT LIMIT	(3 Card Only) QUANTITY OR LOADING (46-53)			(4 Card Only) QUALITY OR CONCENTRATION (38-45)				NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
Ammonia (N) Weekly (Nov. - Feb.)	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT					5.0	9.9				
Fecal Coliform Bacteria Monthly (May - Sept.)	SAMPLE MEASUREMENT									(1)	
	EFFLUENT LIMIT						400				
Chlorine Weekly	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT						0.019(2)				
Dissolved Oxygen Weekly	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT				5						
	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT										
	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT										
	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)	TELEPHONE		DATE		
		TYPED OR PRINTED	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

- (1) Colony Forming Units per 100mL
- (2) Chlorine detection limit is 0.1 mg/L, report <0.1 mg/L on form when below detection level



PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)  
 NAME Village of Winnebago WWTP  
 ADDRESS PO Box 683, Winnebago, NE68071

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
 DISCHARGE MONITORING REPORT (DMR)  
 (2-18) (17-19)

Form Approved.  
 OMB No. 2040-0004  
 Approval expires 05-31-98

NE0113212 PERMIT NUMBER  
 001 L (lagoon) DISCHARGE NUMBER

FACILITY LOCATION Winnebago, NE -POST CONSTRUCTION PHASE

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY

FROM (20-21) (22-23) (24-25) TO (26-27) (28-29) (30-31)

Check here if No Discharge

NOTE: Read Instructions before completing this form

PARAMETER (32-37)	SAMPLE MEASUREMENT / EFFLUENT LIMIT	(3 Card Only) QUANTITY OR LOADING (46-53) (54-61)			(4 Card Only) QUALITY OR CONCENTRATION (38-45) (46-53) (54-61)				NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
Effluent Flow Daily- Monitor & Report	SAMPLE MEASUREMENT			MGD							
	EFFLUENT LIMIT										
Oil and Grease Monthly- Monitor & Report	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT										
pH Weekly	SAMPLE MEASUREMENT							S.U.			
	EFFLUENT LIMIT				6		9				
Five Day Biological Oxygen Demand Weekly	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT					30*	45**				
Total Suspended Solids Weekly	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT					80*	120**				
Influent Flow Weekly- Monitor & Report	SAMPLE MEASUREMENT			MGD							
	EFFLUENT LIMIT										
Ammonia (N) Weekly (March - October)	SAMPLE MEASUREMENT							mg/L			
	EFFLUENT LIMIT					2.8	5.5				

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER  TYPED OR PRINTED	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)	TELEPHONE		DATE		
		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

\*Monthly Average  
 \*\*Weekly Average

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)  
 NAME Village of Winnebago WWTP  
 ADDRESS PO Box 683, Winnebago, NE68071

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
 DISCHARGE MONITORING REPORT (DMR)  
 (2-16) (17-19)  
 NE0113212 PERMIT NUMBER  
 001 L (lagoon) DISCHARGE NUMBER

Form Approved.  
 OMB No. 2040-0004  
 Approval expires 05-31-98

FACILITY LOCATION Winnebago, NE -POST CONSTRUCTION PHASE

MONITORING PERIOD  
 FROM YEAR MO DAY TO YEAR MO DAY  
 (20-21) (22-23) (24-25) (26-27) (28-29) (30-31)

Check here if No Discharge

NOTE: Read Instructions before completing this form

PARAMETER (32-37)	X	(3 Card Only) QUANTITY OR LOADING (46-53) (54-61)			(4 Card Only) QUALITY OR CONCENTRATION (38-45) (46-53) (54-61)				NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
Ammonia (N) Weekly (Nov. - Feb.)	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT					5.0	9.9				
Fecal Coliform Bacteria Monthly (May - Sept.)	SAMPLE MEASUREMENT							(1)			
	EFFLUENT LIMIT						400				
Chlorine Weekly	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT						0.019(2)				
Dissolved Oxygen Weekly	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT					5					
	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT										
	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT										
	SAMPLE MEASUREMENT										
	EFFLUENT LIMIT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)	TELEPHONE		DATE		
		TYPED OR PRINTED	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

- (1) Colony Forming Units per 100mL
- (2) Chlorine detection limit is 0.1 mg/L, report <0.1 mg/L on form when below detection level