UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:	
	:	
Marshall County Sewerage District 3537 Fairmont Pike Road Wheeling, WV 26003	:	**U.S. EPA Docket No.** CWA-03-2025-0101DN
	:	**ADMINISTRATIVE ORDER ON CONSENT**
	:	**PURSUANT TO SECTION 309(a) OF THE CLEAN**
Respondent.	:	**WATER ACT, 33 U.S.C. § 1319(a)**
	:	
Washington Lands Wastewater Treatment Plant Frontage Dr. and Bumpy Dr. Moundsville, WV 26041	:	
	:	
Sunnyside Estates Wastewater Treatment Plant Emerald Court Wheeling, WV 26003	:	
	:	
Rustic Hills Subdivision Wastewater Treatment Plant Rustic Dr. Moundsville, WV 26401	:	
	:	
Fort Clark Estates Wastewater Treatment Plant Toler Lane Moundsville, WV 26041	:	
	:	
Pine Knoll Acres Wastewater Treatment Plant Majestic Drive Moundsville, WV 26041	:	
	:	
Williamsburg Farms and Jamestown Court Wastewater Treatment Plant Jamestown Court Moundsville, WV 26041	:	
	:	
Pin Oak Hills Subdivision Wastewater Treatment Plant	:	

Pin Oak Drive	:
Wheeling, WV 26003	:
	:
Sentimental Acres Wastewater	:
Treatment Plant	:
Sentimental Drive	:
Moundsville, WV 26041	:
	:
Facilities.	:

I. STATUTORY AUTHORITY AND JURISDICTION

1. This Administrative Order on Consent ("AOC" or "Order") is issued to the Marshall County Sewerage District, ("Respondent"), under the authority vested in the United States Environmental Protection Agency ("EPA") (hereinafter, the "Parties") by Section 309(a) of the Clean Water Act, 33 U.S.C. § 1319(a) ("CWA" or "Act"). The Administrator delegated this authority to the Regional Administrator of the EPA Region 3, who further delegated it to the Director of the Enforcement & Compliance Assurance Division, EPA Region 3.

2. Section 309(a) of the Act provides that whenever, on the basis of any information available to him, the Administrator finds that any person is in violation of any permit condition or limitation implementing certain sections of the CWA, in a permit issued under Section 402 of the CWA, 33 U.S.C. § 1342, he shall issue an order requiring such person to comply with such section or requirement.

3. The EPA has jurisdiction over the above-captioned matter, as described in Paragraphs 1 and 2, above.

4. The EPA has consulted with the West Virginia Department of Environmental Protection ("WVDEP") regarding this action and, subsequent to the Effective Date, the EPA will mail a copy of this fully executed AOC to the appropriate WVDEP representative.

II. GENERAL PROVISIONS

5. For purposes of this proceeding only, Respondent admits to the jurisdictional allegations set forth in this AOC.

6. Except as provided in Paragraph 5, above, Respondent neither admits nor denies the specific factual allegations set forth in this Order.

7. The provisions of this AOC shall apply to and be binding upon Respondent and the officers, directors, employees, contractors, agents, trustees, successors, and assigns of Respondent.

8. Respondent shall bear its own costs and attorney's fees in connection with this proceeding and associated with the implementation or enforcement of this AOC, including any costs related to resolution of any dispute arising regarding this AOC.

9. The EPA reserves the right to commence an action against any person, including Respondent, in response to any condition which the EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. The EPA reserves all existing rights and remedies available to it under the CWA, 33 U.S.C. § 1251 - 1389, the regulations promulgated thereunder, and any other federal laws or regulations for which the EPA has jurisdiction, including enforcement of this AOC.

10. This AOC does not constitute a waiver or modification of the terms or conditions of any permit issued to Respondent. Nothing in this Order shall relieve Respondent of its obligation to comply with all applicable provisions of federal, state, or local laws and regulations, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state, or local permit. This Order does not constitute a waiver, suspension, or modification of the requirements of the Act, 33 U.S.C. § 1251 - 1389, or any regulations promulgated thereunder.

11. Respondent waives any and all remedies, claims for relief, and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this AOC, including any right of judicial review pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

12. The EPA reserves all existing inspection authority otherwise available to the EPA pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, or pursuant to any other statute or law.

13. The undersigned representative(s) of Respondent certify that they are fully authorized by Respondent to enter the terms and conditions of this AOC and to execute and legally bind Respondent.

14. By signing this AOC, Respondent acknowledges that this AOC may be available to the public and represent that, to the best of Respondent's knowledge and belief, this AOC does not contain any confidential business information or personally identifiable information from Respondent.

15. Respondent certifies that any information or representation it has supplied or made to the EPA concerning this matter was, at the time of submission, true, accurate, and complete and that there has been no material change regarding the truthfulness,

accuracy, or completeness of such information or representation. The EPA shall have the right to institute further actions to recover appropriate relief if the EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this AOC are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that the EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors, and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

III. STATUTORY AND REGULATORY BACKGROUND

16. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person into waters of the U.S. except in compliance with sections 301, 302, 306, 307, 318, 402, and 404 of the Act, 33 U.S.C. §§ 1311, 1312, 1316, 1317, 1328, 1342, and 1344.

17. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of the EPA may issue permits under the National Pollutant Discharge Elimination System ("NPDES") program for the discharge of pollutants from point sources to waters of the United States. The discharges are subject to specific terms and conditions as prescribed in the permit. Section 402(b) of the Act, 33 U.S.C. § 1342(b), provides for the authorization of state programs to issue NPDES permits.

18. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), the EPA authorized the State of West Virginia's NPDES program on May 10, 1982. WVDEP administers the NPDES program in the State of West Virginia.

19. "Discharge of a pollutant" means "[a]ny addition of any 'pollutant' or combination of pollutants to 'waters of the United States' from any 'point source.'" 40 C.F.R. § 122.2. *See also* 33 U.S.C. § 1362(12).

20. "Pollutant" is defined as "dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water." 40 C.F.R. § 122.2. See also 33 U.S.C. § 1362(6).

21. Pursuant to Section 402(i) of the CWA, 33 U.S.C. § 1342(i), the EPA retains its authority to take enforcement action within West Virginia for NPDES permit violations.

IV. FINDINGS OF FACT, JURISDICTIONAL ALLEGATIONS, AND CONCLUSIONS OF LAW

22. Respondent operates eight wastewater treatment plant facilities in Marshall County, West Virginia: (1) Washington Lands; (2) Sunnyside Estates; (3) Rustic Hills Subdivision; (4) Fort Clark Estates; (5) Pine Knoll Acres; (6) Williamsburg Farms and Jamestown Court;

(7) Pin Oak Hills Subdivision; and (8) Sentimental Acres (collectively, the "WWTPs").

23. Respondent is a public body given jurisdiction over sewage disposal services by Marshall County pursuant to the laws of the State of West Virginia and is thus a "municipality" and "person" within the meaning of Section 502(4) and (5) of the Act, 33 U.S.C. § 1362(4) and (5), and 40 C.F.R. § 122.2.

24. The WWTPs discharge treated wastewater through outfalls to the Ohio River or tributaries of the Ohio River:

    a. The Washington Lands facility discharges treated wastewater through Outfall 001 to the Ohio River;

    b. The Pine Knoll Acres facility discharges treated wastewater through Outfall 002 to Burch Run, which is a relatively permanent, continuously flowing tributary connected to Wheeling Creek, which is a relatively permanent, continuously flowing tributary connected to the Ohio River;

    c. The Sunnyside Estates facility discharges treated wastewater through Outfall 003 to Bull Run, which is a relatively permanent, continuously flowing tributary connected to Wheeling Creek, which is a relatively permanent, continuously flowing tributary connected to the Ohio River;

    d. The Pin Oak Hills Subdivision facility discharges treated wastewater through Outfall 004 to an unnamed relatively permanent tributary connected to Boggs Run, which is a relatively permanent, continuously flowing tributary connected to the Ohio River;

    e. The Williamsburg Farms and Jamestown Court facility discharges treated wastewater through Outfall 005 to Jim Run, which is a relatively permanent, continuously flowing tributary connected to the Ohio River;

    f. The Rustic Hills Subdivision facility discharges treated wastewater through outfall 006 to Spoon Hollow, which is a relatively permanent, continuously flowing tributary connected to Grave Creek, which is a relatively permanent, continuously flowing tributary connected to the Ohio River;

    g. The Fort Clark Estates facility discharges treated wastewater through Outfall 007 to an unnamed relatively permanent tributary connected to Boggs Run, which is a relatively permanent, continuously flowing tributary connected to the Ohio River;

    h. The Sentimental Acres facility discharges treated wastewater through Outfall 008 to Fish Run, which is a relatively permanent, continuously flowing tributary

connected to the Ohio River.

25. The Ohio River is a traditional navigable water and a "water of the United States" within the meaning of Section 502(7) of the Act, 33 U.S.C. § 1362(7).

26. Burch Run, Wheeling Creek, Boggs Run and its unnamed tributary, Jim Run, Spoon Hollow, Grave Creek, and Fish Run are relatively permanent, continuously flowing tributaries connected to the Ohio River and are each a "water of the United States" within the meaning of Section 502(7) of the Act, 33 U.S.C. § 1362(7).

27. At all times relevant to this AOC, the operation of the WWTPs, including the discharge of wastewater, has been subject to NPDES Discharge Permit No. WV0081612 (the "Permit"), issued by WVDEP, effective August 1, 2021, and which expires June 30, 2025.

28. Respondent is authorized to discharge pollutants, in the form of treated wastewater from the WWTPs, to waters of the United States only in accordance with the terms and conditions of the Permit.

29. At all times relevant to this AOC, the WWTPs discharged treated wastewater into the receiving waters identified in Paragraphs 24.a.-h. through a "point source" at each WWTP, as that term is defined at Section 502(14) of the Act, 33 U.S.C. § 1362(14).

30. On June 26, 2023, inspectors from the EPA and the WVDEP conducted Compliance Evaluation Inspections ("Inspections") at the Washington Lands, Sunnyside Estates, and Rustic Hills Subdivision facilities to determine Respondent's compliance with the Permit.

31. During the Inspections, the district manager for Respondent informed the EPA that the Rustic Hills Subdivision facility struggles with inflow and infiltration, and that no smoke testing had yet been performed there.

32. Following the June 26, 2023 Inspections, the EPA conducted additional investigation, including review of information obtained from Respondent after the Inspections and effluent monitoring reports for the WWTPs.

33. The EPA sent a Notice to Show Cause to Respondent on July 18, 2024, pursuant to Section 308 of the Act, 33 U.S.C § 1318.

34. On September 5, 2024, Respondent submitted a response to the Notice to Show Cause. Following additional correspondence, on September 11, 2024, the EPA and Respondent, with counsel, met and conferred regarding the WWTPs' compliance, and Respondent provided further information. On September 13, 2024, Respondent provided an additional response.

Count 1

Effluent Exceedances

35. Section A.001 of the Permit defines effluent limitations and monitoring requirements for discharges from outfalls 001, 002, 003, 004, 005, 006, 007, and 008.

36. During the period from June 1, 2019 to January 1, 2025 the WWTPs experienced 432 effluent limit exceedances from outfalls 001, 002, 003, 004, 005, 006, 007, and 008, which Respondent reported in its Discharge Monitoring Reports ("DMRs"). The effluent limits exceeded include fecal coliform, nitrogen, chlorine, copper, dissolved oxygen ("DO"), total suspended solids ("TSS"), flow, and biological oxygen demand ("BOD") as indicated in Tables 1-8, below:

Table 1 Outfall 001 (Washington Lands Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period End Date	Parameter Description	Limit Type	Permit Limit	DMR Value
9/30/2019	Solids, total suspended	Monthly Average	5.66893424 kg/d	7.573696145 kg/d
9/30/2019	Solids, total suspended	Monthly Average	30 mg/L	40 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.512471655 kg/d	8.390022676 kg/d
9/30/2019	Nitrogen, ammonia total (as N)	Daily Max	5.4 mg/L	44.4 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	2.7 mg/L	44.4 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Daily Max	1.020408163 kg/d	8.390022676 kg/d
9/30/2019	BOD, 5-day, percent removal	Monthly Average Minimum	85 %	33 %
12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	2.7 mg/L	18.2 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	5.4 mg/L	18.2 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.512471655 kg/d	3.442176871 kg/d
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	1.020408163 kg/d	3.442176871 kg/d
12/31/2019	Copper, total recoverable	Monthly Average	0.022 mg/L	0.031 mg/L

12/31/2019	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2419.6 #/100mL
12/31/2019	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
12/31/2019	Solids, suspended percent removal	Monthly Average Minimum	85 %	70 %
3/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	2.7 mg/L	24.9 mg/L
3/31/2020	Nitrogen, ammonia total (as N)	Daily Max	5.4 mg/L	24.9 mg/L
3/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	0.512471655 kg/d	4.712018141 kg/d
3/31/2020	Nitrogen, ammonia total (as N)	Daily Max	1.020408163 kg/d	4.712018141 kg/d
3/31/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2420 #/100mL
3/31/2020	Coliform, fecal general	Daily Max	400 #/100mL	2420 #/100mL
6/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	5.66893424 kg/d	8.117913832 kg/d
6/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	30 mg/L	43 mg/L
6/30/2020	Solids, total suspended	Monthly Average	5.66893424 kg/d	10.97505669 kg/d
6/30/2020	Solids, total suspended	Monthly Average	30 mg/L	58 mg/L
6/30/2020	Nitrogen, ammonia total (as N)	Daily Max	1.020408163 kg/d	3.900226757 kg/d
6/30/2020	Nitrogen, ammonia total (as N)	Monthly Average	2.7 mg/L	20.6 mg/L
6/30/2020	Nitrogen, ammonia total (as N)	Daily Max	5.4 mg/L	20.6 mg/L
6/30/2020	Nitrogen, ammonia total (as N)	Monthly Average	0.512471655 kg/d	3.900226757 kg/d
6/30/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2419.6 #/100mL
6/30/2020	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
6/30/2020	BOD, 5-day, percent removal	Monthly Average Minimum	85 %	74 %

6/30/2020	Solids, suspended percent removal	Monthly Average Minimum	85 %	66 %
9/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	30 mg/L	43 mg/L
9/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	5.66893424 kg/d	8.20861678 kg/d
9/30/2020	Nitrogen, ammonia total (as N)	Daily Max	1.020408163 kg/d	5.714285714 kg/d
9/30/2020	Nitrogen, ammonia total (as N)	Monthly Average	0.512471655 kg/d	5.714285714 kg/d
9/30/2020	Nitrogen, ammonia total (as N)	Monthly Average	2.7 mg/L	30.4 mg/L
9/30/2020	Nitrogen, ammonia total (as N)	Daily Max	5.4 mg/L	30.4 mg/L
12/31/2020	Coliform, fecal general	Daily Max	400 #/100mL	1300 #/100mL
12/31/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	1300 #/100mL
12/31/2020	Solids, suspended percent removal	Monthly Average Minimum	85 %	65 %
3/31/2021	Nitrogen, ammonia total (as N)	Monthly Average	2.7 mg/L	25 mg/L
3/31/2021	Nitrogen, ammonia total (as N)	Daily Max	5.4 mg/L	25 mg/L
3/31/2021	Nitrogen, ammonia total (as N)	Monthly Average	0.512471655 kg/d	4.716553288 kg/d
3/31/2021	Nitrogen, ammonia total (as N)	Daily Max	1.020408163 kg/d	4.716553288 kg/d
3/31/2021	Copper, total recoverable	Monthly Average	0.022 mg/L	0.025 mg/L
3/31/2021	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2419.6 #/100mL
3/31/2021	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
3/31/2021	BOD, 5-day, percent removal	Monthly Average Minimum	85 %	53.7 %
6/30/2021	Chlorine, total residual	Monthly Average	0.028 mg/L	1.29 mg/L
6/30/2021	Chlorine, total residual	Daily Max	0.057 mg/L	1.29 mg/L
9/30/2021	Chlorine, total residual	Daily Max	0.057	8.8

			mg/L	mg/L
12/31/2021	BOD, 5-day, 20 deg. C	Monthly Average	30 mg/L	45 mg/L
12/31/2021	BOD, 5-day, 20 deg. C	Monthly Average	5.66893424 kg/d	8.526077098 kg/d
12/31/2021	Nitrogen, ammonia total (as N)	Monthly Average	15 mg/L	20 mg/L
12/31/2021	Nitrogen, ammonia total (as N)	Monthly Average	2.83446712 kg/d	3.823129252 kg/d
12/31/2021	Copper, total recoverable	Monthly Average	0.02 mg/L	0.03 mg/L
12/31/2021	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2419.6 #/100mL
12/31/2021	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
12/31/2021	BOD, 5-day, percent removal	Monthly Average Minimum	85 %	67 %
3/31/2022	Chlorine, total residual	Monthly Average	0.028 mg/L	8.8 mg/L
3/31/2022	Chlorine, total residual	Daily Max	0.057 mg/L	8.8 mg/L
6/30/2022	Chlorine, total residual	Monthly Average	0.028 mg/L	3.3 mg/L
6/30/2022	Chlorine, total residual	Daily Max	0.057 mg/L	3.3 mg/L
9/30/2022	Chlorine, total residual	Monthly Average	0.028 mg/L	8.8 mg/L
9/30/2022	Chlorine, total residual	Daily Max	0.057 mg/L	8.8 mg/L
12/31/2022	Nitrogen, ammonia total (as N)	Monthly Average	2.83446712 kg/d	2.857142857 kg/d
12/31/2022	Nitrogen, ammonia total (as N)	Monthly Average	15 mg/L	15.1 mg/L
12/31/2022	Chlorine, total residual	Monthly Average	0.028 mg/L	2.2 mg/L
12/31/2022	Chlorine, total residual	Daily Max	0.057 mg/L	2.2 mg/L
6/30/2023	BOD, 5-day, 20 deg. C	Daily Max	11.33786848 kg/d	31.20634921 kg/d
6/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	5.66893424 kg/d	16.26303855 kg/d
6/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	30 mg/L	85.99 mg/L

6/30/2023	BOD, 5-day, 20 deg. C	Daily Max	60 mg/L	165 mg/L
6/30/2023	Solids, total suspended	Monthly Average	5.66893424 kg/d	39.52380952 kg/d
6/30/2023	Solids, total suspended	Daily Max	11.33786848 kg/d	78.29478458 kg/d
6/30/2023	Solids, total suspended	Monthly Average	30 mg/L	209 mg/L
6/30/2023	Solids, total suspended	Daily Max	60 mg/L	414 mg/L
6/30/2023	Copper, total recoverable	Monthly Average	0.02 mg/L	0.078 mg/L
6/30/2023	Copper, total recoverable	Daily Max	0.041 mg/L	0.151 mg/L
6/30/2023	Chlorine, total residual	Monthly Average	0.028 mg/L	0.43 mg/L
6/30/2023	Chlorine, total residual	Daily Max	0.057 mg/L	0.46 mg/L
6/30/2023	Coliform, fecal general	Daily Max	400 #/100mL	14136 #/100mL
6/30/2023	BOD, 5-day, percent removal	Monthly Average Minimum	85 %	3.5 %
6/30/2023	Solids, suspended percent removal	Monthly Average Minimum	85 %	0.5 %
6/30/2024	Chlorine, total residual	Monthly Average	0.028 mg/L	0.12 mg/L
6/30/2024	Chlorine, total residual	Daily Max	0.057 mg/L	0.12 mg/L

Table 2 Outfall 002 (Pine Knoll Acres Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period Date	Parameter	Limit Type	Permit Limit	DMR Value
9/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.317460317 kg/d	0.952380952 kg/d
9/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	17 mg/L
9/30/2019	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	17 mg/L
9/30/2019	BOD, 5-day, 20 deg. C	Daily Max	0.589569161 kg/d	0.952380952 kg/d
12/31/2019	Chlorine, total residual	Monthly Average	0.009 mg/L	2.2 mg/L

12/31/2019	Chlorine, total residual	Daily Max	0.018 mg/L	2.2 mg/L
3/31/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	1300 #/100mL
3/31/2020	Coliform, fecal general	Daily Max	400 #/100mL	1300 #/100mL
9/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	8 mg/L
9/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	0.317460317 kg/d	0.589569161 kg/d
9/30/2020	Flow, in conduit or thru treatment plant	Daily Max	0.016 MGD	0.02 MGD
12/31/2020	Chlorine, total residual	Monthly Average	0.009 mg/L	7.2 mg/L
12/31/2020	Chlorine, total residual	Daily Max	0.018 mg/L	7.2 mg/L
6/30/2021	Oxygen, dissolved (DO)	Instantaneous Minimum	6 mg/L	4.5 mg/L
6/30/2021	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	22 mg/L
6/30/2021	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	22 mg/L
9/30/2021	Chlorine, total residual	Daily Max	0.018 mg/L	0.21 mg/L
9/30/2021	Chlorine, total residual	Monthly Average	0.009 mg/L	0.21 mg/L
3/31/2022	Solids, total suspended	Monthly Average	30 mg/L	42 mg/L
6/30/2022	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	12 mg/L
6/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	12 mg/L
9/30/2022	Chlorine, total residual	Daily Max	0.018 mg/L	2.9 mg/L
9/30/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	2.9 mg/L
12/31/2022	Chlorine, total residual	Daily Max	0.018 mg/L	8.8 mg/L
12/31/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	8.8 mg/L
6/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	13.8 mg/L
6/30/2023	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	13.8 mg/L
9/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	38.925 mg/L
9/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	0.317460317 kg/d	5.442176871 kg/d
9/30/2023	BOD, 5-day, 20 deg. C	Daily Max	0.589569161 kg/d	10.88435374 kg/d
9/30/2023	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	71.1 mg/L

9/30/2023	Solids, total suspended	Monthly Average	1.814058957 kg/d	2.721088435 kg/d
9/30/2023	Solids, total suspended	Daily Max	3.628117914 kg/d	5.442176871 kg/d
9/30/2023	Flow, in conduit or thru treatment plant	Daily Max	0.016 MGD	0.04 MGD
12/31/2023	Oxygen, dissolved [DO]	Instantaneous Minimum	6 mg/L	3.6 mg/L
12/31/2023	BOD, 5-day 20 deg. C	Monthly Average	10 mg/L	14 mg/L
12/31/2023	BOD, 5-day 20 deg. C	Daily Maximum	20 mg/L	22 mg/L
3/31/2024	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	203.5 #/100mL
6/30/2024	Flow, in conduit or thru treatment plant	Daily Max	0.016 MGD	0.025 MGD
9/30/2024	Chlorine, total residual	Daily Max	0.018 mg/L	0.18 mg/L
9/30/2024	Chlorine, total residual	Monthly Average	0.009 mg/L	0.18 mg/L

Table 3 Outfall 003 (Sunnyside Estates Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period Date	Parameter Description	Limit Type	Permit Limit	DMR Value
6/30/2019	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	18 mg/L
6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	18 mg/L
6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.453514739 kg/d	1.678004535 kg/d
6/30/2019	BOD, 5-day, 20 deg. C	Daily Max	0.952380952 kg/d	1.678004535 kg/d
6/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.272108844 kg/d	0.453514739 kg/d
6/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	5 mg/L
6/30/2019	Coliform, fecal general	Daily Max	400 #/100mL	1120 #/100mL
6/30/2019	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	1120 #/100mL
12/31/2019	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	20 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	20 mg/L

12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	20 mg/L
3/31/2020	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	12 mg/L
3/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	9 mg/L
6/30/2020	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	7 mg/L
6/30/2020	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	7 mg/L
9/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	10 mg/L
9/30/2020	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	11 mg/L
9/30/2020	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	11 mg/L
9/30/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	387 #/100mL
3/31/2021	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	7 mg/L
3/31/2021	Coliform, fecal general	Daily Max	400 #/100mL	1553 #/100mL
3/31/2021	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	1553 #/100mL
6/30/2021	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	9 mg/L
6/30/2021	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2420 #/100mL
6/30/2021	Coliform, fecal general	Daily Max	400 #/100mL	2420 #/100mL
9/30/2021	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	29 mg/L
9/30/2021	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	29 mg/L
9/30/2021	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	7 mg/L
9/30/2021	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	7 mg/L
12/31/2021	Oxygen, dissolved (DO)	Instantaneous Minimum	6 mg/L	5 mg/L
12/31/2021	Coliform, fecal general	Daily Max	400 #/100mL	866 #/100mL
12/31/2021	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	866 #/100mL

3/31/2022	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	11 mg/L
9/30/2022	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2419.6 #/100mL
9/30/2022	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
12/31/2022	Flow, in conduit or thru treatment plant	Daily Max	0.025 MGD	0.09 MGD
12/31/2022	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	816.4 #/100mL
12/31/2022	Coliform, fecal general	Daily Max	400 #/100mL	816.4 #/100mL
3/31/2023	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	249 #/100mL
6/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	0.453514739 kg/d	0.540589569 kg/d
6/30/2023	Flow, in conduit or thru treatment plant	Daily Max	0.025 MGD	0.04 MGD
9/30/2023	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
9/30/2023	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	996.7 #/100mL
12/31/2023	Coliform, fecal general	Daily Maximum	400 #/100mL	1300 #/100 mL
12/31/2023	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	615 #/100mL
3/31/2024	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
3/31/2024	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2047.66 #/100mL
6/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	0.454 kg/d	0.70369999 kg/d
6/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	6.19 mg/L
6/30/2024	Flow, in conduit or thru treatment plant	Daily Max	0.025 MGD	0.03 MGD

Table 4 Outfall 004 (Pin Oak Hills Subdivision Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period Date	Parameter Description	Statistical Base Type	Limit Value	DMR Value
12/31/2019	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	209.8 #/100mL
9/30/2020	Oxygen, dissolved (DO)	Instantaneous Minimum	6 mg/L	5 mg/L

9/30/2020	Coliform, fecal general	Daily Max	400 #/100mL	2420 #/100mL
9/30/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2420 #/100mL
3/31/2021	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	15 mg/L
3/31/2021	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	28 mg/L
3/31/2021	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	28 mg/L
3/31/2021	Coliform, fecal general	Monthly Geometric Mean	200 #/100 mL	2419.6 #/100 mL
3/31/2021	Coliform, fecal general	Daily Max	400 #/100 mL	2419.6 #/100 mL
3/31/2022	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	20 mg/L
3/31/2022	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	23 mg/L
3/31/2022	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	23 mg/L
3/31/2022	Coliform, fecal general	Daily Max	400 #/100 mL	2419.6 #/100 mL
3/31/2022	Coliform, fecal general	Monthly Geometric Mean	200 #/100 mL	2419.6 #/100 mL
6/30/2022	Oxygen, dissolved (DO)	Instantaneous Minimum	6 mg/L	4 mg/L
6/30/2022	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	13 mg/L
6/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	13 mg/L
6/30/2022	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	17 mg/L
6/30/2022	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	17 mg/L
6/30/2022	Coliform, fecal general	Daily Max	400 #/100 mL	727 #/100 mL
6/30/2022	Coliform, fecal general	Monthly Geometric Mean	200 #/100 mL	727 #/100 mL
9/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	5.89 mg/L
9/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	0.362811791	0.445804989
9/30/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	5.9 mg/L
9/30/2022	Chlorine, total residual	Daily Max	0.018 mg/L	5.9 mg/L
12/31/2022	Flow, in conduit or thru treatment plant	Daily Max	0.02 MGD	0.03 MGD

6/30/2023	Coliform, fecal general	Monthly Geometric Mean	200 #/100 mL	235.9 #/100 mL
9/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	0.362811791 kg/d	0.66984127 kg/d
9/30/2023	Flow, in conduit or thru treatment plant	Daily Max	0.02 MGD	0.06 MGD
12/31/2023	Coliform, fecal general	Monthly Geometric Mean	200#/100 mL	228#/100 mL
6/30/2024	Oxygen, dissolved (DO)	Instantaneous Minimum	6 mg/L	3.34 mg/L
6/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	8.65 mg/L
6/30/2024	Nitrogen, ammonia total (as N)	Monthly Average	0.227 kg/d	0.572494 kg/d
6/30/2024	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	25.2 mg/L
6/30/2024	Nitrogen, ammonia total (as N)	Daily Max	0.454 kg/d	0.572494 kg/d
6/30/2024	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	25.2 mg/L
6/30/2024	Coliform, fecal general	Monthly Geometric Mean	200#/100 mL	2420#/100 mL
6/30/2024	Coliform, fecal general	Daily Max	400#/100 mL	2420#/100 mL
9/30/2024	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	24.9 mg/L
9/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	24.9 mg/L
9/30/2024	BOD, 5-day, 20 deg. C	Daily Max	0.77179999 kg/d	3.01864597 kg/d
9/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	0.3632 kg/d	3.01864597 kg/d
9/30/2024	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	15.7 mg/L
9/30/2024	Nitrogen, ammonia total (as N)	Daily Max	0.454 kg/d	1.90362198 kg/d
9/30/2024	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	15.7 mg/L
9/30/2024	Nitrogen, ammonia total (as N)	Monthly Average	0.227 kg/d	1.90362198 kg/d
9/30/2024	Flow, in conduit or thru treatment plant	Daily Max	0.02 MGD	0.032 MGD
9/30/2024	Coliform, fecal general	Monthly Geometric Mean	200#/100 mL	231#/100 mL

Table 5 Outfall 005 (Williamsburg Farms and Jamestown Court Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period Date	Parameter Description	Statistical Base Type	Limit Value	DMR Value
6/30/2019	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	21 mg/L
6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.362811791 kg/d	1.587301587 kg/d
6/30/2019	BOD, 5-day, 20 deg. C	Daily Max	0.770975057 kg/d	1.587301587 kg/d
6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	21 mg/L
6/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.22675737 kg/d	1.541950113 kg/d
6/30/2019	Nitrogen, ammonia total (as N)	Daily Max	0.453514739 kg/d	1.541950113 kg/d
6/30/2019	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	21 mg/L
6/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	21 mg/L
9/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.362811791	2.222222222
9/30/2019	BOD, 5-day, 20 deg. C	Daily Max	0.770975057 kg/d	2.222222222 kg/d
9/30/2019	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	30 mg/L
9/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	30 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Daily Max	0.453514739	1.541950113
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	20 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.22675737	1.541950113
9/30/2019	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	20 mg/L
9/30/2019	Chlorine, total residual	Monthly Average	0.009 mg/L	0.2 mg/L
9/30/2019	Chlorine, total residual	Daily Max	0.018 mg/L	0.2 mg/L
12/31/2019	BOD, 5-day, 20 deg. C	Daily Max	20 mg/L	157 mg/L
12/31/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.770975057 kg/d	9.523809524 kg/d
12/31/2019	BOD, 5-day, 20 deg. C	Daily Max	1.496598639 kg/d	9.523809524 kg/d

12/31/2019	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	157 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	32 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.453514739 kg/d	1.814058957 kg/d
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	0.907029478 kg/d	1.814058957 kg/d
12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	32 mg/L
12/31/2019	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
12/31/2019	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2419.6 #/100mL
3/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	21 mg/L
3/31/2020	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	21 mg/L
9/30/2020	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	10 mg/L
9/30/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2420 #/100mL
9/30/2020	Coliform, fecal general	Daily Max	400 #/100mL	2420 #/100mL
12/31/2020	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	20 mg/L
12/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	11 mg/L
6/30/2021	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	11 mg/L
6/30/2021	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	11 mg/L
9/30/2021	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	6 mg/L
9/30/2021	Chlorine, total residual	Monthly Average	0.009 mg/L	1.71 mg/L
9/30/2021	Chlorine, total residual	Daily Max	0.018 mg/L	1.71 mg/L
6/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	5	6 mg/L
9/30/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	8.8 mg/L
9/30/2022	Chlorine, total residual	Daily Max	0.018 mg/L	8.8 mg/L
UNREPORTED BOD DAILY EXCEEDANCE 1/23/2023	BOD, 5-day, 20 deg. C	Daily Max		

3/31/2023	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	18.73 mg/L
3/31/2023	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	17.4 mg/L
6/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	6.85 mg/L
6/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	0.362811791 kg/d	1.037188209 kg/d
6/30/2023	BOD, 5-day, 20 deg. C	Daily Max	0.770975057 kg/d	1.037188209 kg/d
6/30/2023	Nitrogen, ammonia total (as N)	Monthly Average	0.22675737 kg/d	0.370975057 kg/d
6/30/2023	Flow, in conduit or thru treatment plant	Daily Max	0.02 MGD	0.04 MGD
6/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	8.75 mg/L

Table 6 Outfall 006 (Rustic Hills Subdivision Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period End Date	Parameter	Limit Type	Permit Limit	DMR Value
6/30/2019	BOD, 5-day, 20 deg. C	Daily Max	0.589569 kg/d	0.770975 kg/d
6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.31746 kg/d	0.770975 kg/d
6/30/2019	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	12 mg/L
6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	12 mg/L
9/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	12 mg/L
9/30/2019	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	12 mg/L
9/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.31746 kg/d	0.680272 kg/d
9/30/2019	BOD, 5-day, 20 deg. C	Daily Max	0.589569 kg/d	0.680272 kg/d
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	6 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.181406 kg/d	0.362812 kg/d
9/30/2019	Chlorine, total residual	Daily Max	0.018 mg/L	0.3 mg/L

9/30/2019	Chlorine, total residual	Monthly Average	0.009 mg/L	0.3 mg/L
12/31/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.589569 kg/d	1.133787 kg/d
12/31/2019	Solids, total suspended	Monthly Average	1.814059 kg/d	4.535147 kg/d
12/31/2019	Solids, total suspended	Daily Max	3.628118 kg/d	4.535147 kg/d
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	0.725624 kg/d	3.628118 kg/d
12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	15 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	15 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.362812 kg/d	3.628118 kg/d
12/31/2019	Flow, in conduit or thru treatment plant	Daily Max	0.016 MGD	0.065 MGD
12/31/2019	Chlorine, total residual	Daily Max	0.018 mg/L	2.2 mg/L
12/31/2019	Chlorine, total residual	Monthly Average	0.009 mg/L	2.2 mg/L
3/31/2020	BOD, 5-day, 20 deg. C	Monthly Average	0.589569 kg/d	1.768707 kg/d
3/31/2020	BOD, 5-day, 20 deg. C	Daily Max	20 mg/L	46 mg/L
3/31/2020	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	46 mg/L
3/31/2020	BOD, 5-day, 20 deg. C	Daily Max	1.22449 kg/d	1.768707 kg/d
3/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	21 mg/L
3/31/2020	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	21 mg/L
3/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	0.362812 kg/d	0.770975 kg/d
3/31/2020	Nitrogen, ammonia total (as N)	Daily Max	0.725624 kg/d	0.770975 kg/d
3/31/2020	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2419.6 #/100mL
3/31/2020	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL

6/30/2021	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	4 mg/L
9/30/2021	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	9 mg/L
9/30/2021	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	9 mg/L
9/30/2021	Nitrogen, ammonia total (as N)	Monthly Average	0.181406 kg/d	0.725624 kg/d
9/30/2021	Nitrogen, ammonia total (as N)	Daily Max	0.362812 kg/d	0.725624 kg/d
9/30/2021	Chlorine, total residual	Daily Max	0.018 mg/L	2.2 mg/L
9/30/2021	Chlorine, total residual	Monthly Average	0.009 mg/L	2.2 mg/L
3/31/2022	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	11 mg/L
3/31/2022	BOD, 5-day, 20 deg. C	Monthly Average	0.589569 kg/d	1.088435 kg/d
3/31/2022	Nitrogen, ammonia total (as N)	Monthly Average	0.362812 kg/d	1.179138 kg/d
3/31/2022	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	12 mg/L
3/31/2022	Nitrogen, ammonia total (as N)	Daily Max	0.725624 kg/d	1.179138 kg/d
3/31/2022	Flow, in conduit or thru treatment plant	Daily Max	0.016 MGD	0.026 MGD
6/30/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	0.68 mg/L
6/30/2022	Chlorine, total residual	Daily Max	0.018 mg/L	0.68 mg/L
9/30/2022	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	3.02 mg/L
9/30/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	8.8 mg/L
9/30/2022	Chlorine, total residual	Daily Max	0.018 mg/L	8.8 mg/L
12/31/2022	Flow, in conduit or thru treatment plant	Daily Max	0.016 MGD	0.022 MGD
6/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	6.91 mg/L
6/30/2023	Solids, total suspended	Monthly Average	30 mg/L	52 mg/L
6/30/2023	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	7.46 mg/L

6/30/2023	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	7.46 mg/L
6/30/2023	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	344.8 #/100mL
9/30/2023	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	8.72 mg/L
9/30/2023	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	6.925 mg/L
9/30/2023	Chlorine, total residual	Monthly Average	0.009 mg/L	0.35 mg/L
9/30/2023	Chlorine, total residual	Daily Max	0.018 mg/L	0.65 mg/L
12/31/2023	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	26 mg/L
12/31/2023	BOD, 5-day, 20 deg. C	Daily Max	20 mg/L	26 mg/L
12/31/2023	Nitrogen, ammonia total [as N]	Daily Max	12 mg/L	18.3 mg/L
12/31/2023	Nitrogen, ammonia total [as N]	Monthly Average	6 mg/L	18.3 mg/L
12/31/2023	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	2420 #/100mL
12/31/2023	Coliform, fecal general	Daily Max	400 #/100mL	2420 #/100mL
3/31/2024	BOD, 5-day, 20 deg. C	Daily M ax	20 mg/L	27.1 mg/L
3/31/2024	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	19.55 mg/L
3/31/2024	Nitrogen, ammonia total [as N]	Daily Max	12 mg/L	29.4 mg/L
3/31/2024	Nitrogen, ammonia total [as N]	Monthly Average	6 mg/L	23.45 mg/L
3/31/2024	Nitrogen, ammonia total [as N]	Monthly Average	0.3632 kg/d	0.49032 kg/d
6/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	7.61 mg/L
9/30/2024	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	16.4 mg/L
9/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	16.4 mg/L
12/31/2024	BOD, 5-day, 20 deg. C	Daily Max	20 mg/L	43.8 mg/L
12/31/2024	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	43.8 mg/L
12/31/2024	Nitrogen, ammonia total [as N]	Monthly Average	6 mg/L	7.84 mg/L

12/31/2024	Coliform, fecal general	Daily Max	400#/100 mL	2420#/100 mL
12/31/2024	Coliform, fecal general	Monthly Geometric Mean	200#/100 mL	2420#/100 mL

Table 7 Outfall 007 (Fort Clark Estates Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period Date	Parameter Description	Statistical Base Type	Limit Value	DMR Value
9/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	8 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Daily Max	0.544217687 kg/d	0.861678005 kg/d
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	10 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	10 mg/L
9/30/2019	Nitrogen, ammonia total (as N)	Monthly Average	0.272108844 kg/d	0.861678005 kg/d
12/31/2019	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	21 mg/L
12/31/2019	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	21 mg/L
12/31/2019	Chlorine, total residual	Monthly Average	0.009 mg/L	8.8 mg/L
12/31/2019	Chlorine, total residual	Daily Max	0.018 mg/L	8.8 mg/L
3/31/2020	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	8 mg/L
6/30/2020	Chlorine, total residual	Monthly Average	0.009 mg/L	0.21 mg/L
6/30/2020	Chlorine, total residual	Daily Max	0.018 mg/L	0.21 mg/L
3/31/2021	Chlorine, total residual	Monthly Average	0.009 mg/L	0.36 mg/L
3/31/2021	Chlorine, total residual	Daily Max	0.018 mg/L	0.36 mg/L
6/30/2021	Chlorine, total residual	Monthly Average	0.009 mg/L	0.49 mg/L
6/30/2021	Chlorine, total residual	Daily Max	0.018 mg/L	0.49 mg/L
9/30/2021	Chlorine, total residual	Monthly Average	0.009 mg/L	2.2 mg/L
9/30/2021	Chlorine, total residual	Daily Max	0.018 mg/L	2.2 mg/L
12/31/2021	Nitrogen, ammonia total (as N)	Monthly Average	6 mg/L	17 mg/L
12/31/2021	Nitrogen, ammonia total (as N)	Daily Max	12 mg/L	17 mg/L
6/30/2022	Chlorine, total residual	Daily Max	0.018 mg/L	0.18 mg/L
6/30/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	0.18 mg/L
9/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	9.22 mg/L

9/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	0.453514739 kg/d	1.744671202 kg/d
9/30/2022	BOD, 5-day, 20 deg. C	Daily Max	0.952380952 kg/d	1.744671202 kg/d
9/30/2022	Nitrogen, ammonia total (as N)	Monthly Average	3 mg/L	7.66 mg/L
9/30/2022	Nitrogen, ammonia total (as N)	Daily Max	6 mg/L	7.66 mg/L
9/30/2022	Nitrogen, ammonia total (as N)	Daily Max	0.544217687 kg/d	1.449433107 kg/d
9/30/2022	Nitrogen, ammonia total (as N)	Monthly Average	0.272108844 kg/d	1.449433107 kg/d
9/30/2022	Flow, in conduit or thru treatment plant	Daily Max	0.025 MGD	0.05 MGD
9/30/2022	Chlorine, total residual	Monthly Average	0.009 mg/L	8.8 mg/L
9/30/2022	Chlorine, total residual	Daily Max	0.018 mg/L	8.8 mg/L
12/31/2022	BOD, 5-day, 20 deg. C	Monthly Average	0.952380952 kg/d	1.0861678 kg/d
12/31/2022	Flow, in conduit or thru treatment plant	Daily Max	0.025 MGD	0.05 MGD
9/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	6.82 mg/L
9/30/2023	Coliform, fecal general	Daily Max	400 #/100mL	2419.6 #/100mL
3/31/2024	BOD, 5-day, 20 deg. C	Monthly Average	0.95339999 kg/d	1.27573999 kg/d
3/31/2024	BOD, 5-day, 20 deg. C	Daily Maximum	20 mg/L	32.3 mg/L
3/31/2024	BOD, 5-day, 20 deg. C	Monthly Average	10 mg/L	25.7 mg/L
6/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	15.6 mg/L
6/30/2024	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	15.6 mg/L
9/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	18 mg/L
9/30/2024	BOD, 5-day, 20 deg. C	Daily Max	10 mg/L	18 mg/L
9/30/2024	BOD, 5-day, 20 deg. C	Monthly Average	0.454 kg/d	0.68099999 kg/d

Table 8 Outfall 008 (Sentimental Acres Facility) DMRs Reported Effluent Exceedances (June 2019 to December 2024)

Monitoring Period Date	Parameter	Statistical Base Type	Limit Value	DMR Value
6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	15 mg/L

6/30/2019	BOD, 5-day, 20 deg. C	Monthly Average	0.3178 kg/d	0.90799999 kg/d
6/30/2019	BOD, 5-day, 20 deg. C	Daily Maximum	0.5902 kg/d	0.90799999 kg/d
6/30/2019	BOD, 5-day, 20 deg. C	Daily Maximum	10 mg/L	15 mg/L
6/30/2020	Nitrogen, ammonia total [as N]	Monthly Average	3 mg/L	6 mg/L
6/30/2021	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	14 mg/L
6/30/2021	BOD, 5-day, 20 deg. C	Daily Maximum	10 mg/L	14 mg/L
6/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	12 mg/L
6/30/2022	BOD, 5-day, 20 deg. C	Daily Maximum	10 mg/L	12 mg/L
9/30/2022	Oxygen, dissolved [DO]	Instantaneous Minimum	6 mg/L	5.7 mg/L
9/30/2022	BOD, 5-day, 20 deg. C	Daily Maximum	10 mg/L	10.1 mg/L
9/30/2022	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	10.1 mg/L
3/31/2023	Nitrogen, ammonia total [as N]	Daily Maximum	12 mg/L	12.5 mg/L
9/30/2023	BOD, 5-day, 20 deg. C	Monthly Average	5 mg/L	8.605 mg/L
9/30/2023	Coliform, fecal general	Daily Maximum	400 #/100mL	2419.6 #/100mL
9/30/2023	Coliform, fecal general	Monthly Geometric Mean	200 #/100mL	706.7 #/100mL

37. Respondent failed to comply with Section A.001 of the Permit by discharging pollutants in excess of effluent limitations, in violation of the Permit issued under Section 402 of the Act, 33 U.S.C. § 1342, and the CWA, on the dates identified in Tables 1 – 8, above.

Count 2
Failure to Conduct Representative Sampling at the Washington Lands Facility

38. Section C.10.c. of the Permit requires the Respondent to collect "representative" samples of BOD5 and TSS in influent "over an eight (8) hour period." Such "representative" sampling requires the use of composite sampling techniques.

39. Appendix A, Part III.7.d. of the Permit defines a "Composite Sample" as a "combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite."

40. During the Inspections, the Washington Lands facility representative stated that the Washington Lands facility had not had a flow meter since 2016, and the facility had been estimating its flow to be 0.050 million gallons per day ("MGD"), which is the capacity of

the Washington Lands facility. Respondent installed a new flow meter at the Washington Lands facility in February 2024.

41. Because the Washington Lands facility did not have a working flow meter from 2016 until February 2024, the facility was unable to take 8-hour flow proportional composite samples as required by Section C.10.c of the Permit.

42. During the period from 2016 until February 2024, Respondent failed to comply with Section C.10.c. and Appendix A, Section III.7.d. of the Permit by failing to conduct flow proportional composite sampling, in violation of the Permit issued under Section 402 of the Act, 33 U.S.C. § 1342, and the CWA.

V. COMPLIANCE ORDER

Therefore, based on the foregoing, Respondent is hereby ORDERED, pursuant to Section 309(a) of the CWA, 33 U.S.C. § 1319(a), to conduct, and consents to conduct, the following activities:

43. Respondent shall take any and all steps necessary to comply fully with the Permit as soon as practicable. Such steps include the activities outlined in this section.

44. Within one hundred twenty (120) days of the Effective Date of this Order, Respondent shall submit to the EPA for review a Corrective Action Plan ("CAP") to address effluent exceedances at the WWTPs and inflow and infiltration issues at the Rustic Hills Subdivision facility within twenty-four (24) months of the Effective Date of this AOC.

a. After review of the CAP, the EPA will, in writing:

i. Accept the submission;

ii. Accept the submission upon specified conditions;

iii. Accept part of the submission and request resubmission of the remainder; or

iv. Request a new submission.

b. If the submission is accepted by the EPA, Respondent shall take all actions required by the CAP, in accordance with the schedule and requirements of the CAP, as approved. If the CAP is conditionally accepted or accepted only in part by the EPA, Respondent shall, upon written direction from the EPA, take all actions required by the accepted CAP that the EPA determines are technically severable from any unacceptable portions.

c. If the CAP is unacceptable in whole or in part, Respondent shall, within thirty (30) days, or such other time as the Parties agree to in writing, correct all deficiencies and resubmit the CAP, or any unacceptable portion thereof, for

approval, in accordance with the preceding Paragraphs. If the resubmission is accepted in whole or in part, Respondent shall proceed in accordance with the preceding Paragraph.

45. CAP Deadlines: Within twenty (20) days of the EPA's acceptance, conditional acceptance, or partial acceptance of the CAP, Respondent shall submit to the EPA for review a list of deadlines included in the approved CAP. The list shall be submitted in an electronic format (e.g., unlocked spreadsheet or similar format agreed to by the Parties). Within (10) days of modification of any deadline under the CAP, Respondent shall provide an updated list reflecting changes to the future schedule.

46. Following acceptance of the CAP, Respondent shall submit progress reports every three months, by the final day of the month, until all work required by the CAP has been completed. Respondent shall submit the reports in accordance with Section VI (Procedures for Submissions). Progress reports shall include, at a minimum, the following:
    a. Activities completed during the reporting period.
    b. Dates by which the activities were completed.
    c. Any barriers to the timely completion of activities encountered.
    d. Activities currently in progress.

VI. PROCEDURES FOR SUBMISSIONS

47. All documents required to be submitted by this Order and any Request for Termination shall be accompanied by a certification signed by a responsible officer, as defined in 40 CFR § 122.22(d), that reads as follows:

> 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.
>
> Signed: _____
>
> Title: _____
>
> Date: _____

48. Unless otherwise directed in writing, Respondent shall submit any submission or written communication, including any accompanying data, relating to this AOC via email to:

> Amrita Gupta
> gupta.amrita@epa.gov

Life Scientist
Enforcement and Compliance Assurance Division
U.S. EPA, Region 3

Any information submitted electronically shall be submitted in a widely recognized electronic format.

49. Respondent may assert a business confidentiality claim covering part or all the information which this AOC requires it to submit to the EPA, but only to the extent and only in the manner described in Part 2 Subpart B of Title 40 of the C.F.R. The EPA will disclose information submitted under a confidentiality claim only as provided in Part 2 Subpart B of Title 40 of the C.F.R. If, at the time any information is submitted to the EPA, Respondent submitting such information do not assert a confidentiality claim, the EPA may make the submitted information available to the public without further notice to either Respondent.

VII. CERTIFICATION OF COMPLIANCE AND REQUEST FOR TERMINATION OF AOC

50. Upon completion of all items required by this Order, Respondent shall submit to the EPA a Certification of Compliance and Request for Termination of this AOC. Such certification and request shall include

    a. a certification that Respondent has maintained compliance with this AOC for the term of this AOC; and

    b. all necessary documentation, including photo documentation as appropriate, to support a finding that Respondent has complied with Section V (Compliance Order) of this AOC.

51. If, following review of any Certification of Compliance and Request for Termination of this AOC, the EPA agrees that Respondent has adequately complied with all requirements of this AOC, then the EPA will provide written notification of termination of this AOC.

VIII. AOC MODIFICATIONS

52. Any request to modify the terms of, or parties to, this AOC shall be submitted, in writing, by Respondent to the EPA and shall be subject to review and approval by the EPA, in its sole and unreviewable discretion. Respondent's submission of a written request for modification of this AOC shall not relieve Respondent of any obligation under this AOC and shall have no effect on the EPA's statutory or regulatory authority to enforce the terms of this AOC, in its sole and unreviewable discretion.

IX. CHANGE OF OWNERSHIP OR OPERATION OF THE WWTPs

53. Until or unless this AOC is modified or terminated, in accordance with the terms of this AOC, Respondent shall remain responsible for compliance with the terms of this AOC following any transfer of ownership or operation of the WWTPs.

54. At least ninety (90) days prior to any transfer of ownership or operation of any of the WWTPs, Respondent shall submit a written notification to the EPA of any such anticipated change in ownership or operation which shall include, at a minimum, a detailed summary of the anticipated change in ownership or operation, contact information for the proposed new owner or operator of the WWTP(s), and a schedule for such anticipated change.

55. Respondent shall condition any sale or transfer of ownership or operation of the WWTPs, in whole or in part, upon the execution by such Prospective Third-Party Purchaser, or Transferee, of an agreement, which creates an obligation that shall survive the closing of such sale or transfer of the WWTP, whereby such Prospective Third-Party Purchaser or Transferee agrees to comply with and be bound by the terms of this AOC.

X. EFFECTIVE DATE

56. This Order shall become effective upon Respondent's receipt of a fully executed copy of this AOC.

AGREED TO:

FOR RESPONDENT MARSHALL COUNTY SEWERAGE DISTRICT

Date: May 1, 2025 By: [redacted]

Joseph Hickman
District Manager
Marshall County Sewerage District

SO ORDERED:

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY

By: Melvin, Karen Digitally signed by Melvin, Karen Date: 2025.05.08 12:32:12 -04'00'

[*Digital Signature and Date*]

Karen Melvin
Director
Enforcement and Compliance Assurance Division
U.S. EPA – Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:	
	:	
Marshall County Sewerage District 3537 Fairmont Pike Road Wheeling, WV 26003	:	**U.S. EPA Docket No.** CWA-03-2025-0101DN
	:	**ADMINISTRATIVE ORDER ON CONSENT PURSUANT TO SECTION 309(a) OF THE CLEAN WATER ACT, 33 U.S.C. § 1319(a)**
Respondent.	:	
	:	
Washington Lands Wastewater Treatment Plant Frontage Dr. and Bumpy Dr. Moundsville, WV 26041	:	
	:	
Sunnyside Estates Wastewater Treatment Plant Emerald Court Wheeling, WV 26003	:	
	:	
Rustic Hills Subdivision Wastewater Treatment Plant Rustic Dr. Moundsville, WV 26401	:	
	:	
Fort Clark Estates Wastewater Treatment Plant Toler Lane Moundsville, WV 26041	:	
	:	
Pine Knoll Acres Wastewater Treatment Plant Majestic Drive Moundsville, WV 26041	:	
	:	
Williamsburg Farms and Jamestown Court Wastewater Treatment Plant Jamestown Court Moundsville, WV 26041	:	
	:	
Pin Oak Hills Subdivision Wastewater Treatment Plant	:	

Pin Oak Drive	:
Wheeling, WV 26003	:
	:
Sentimental Acres Wastewater	:
Treatment Plant	:
Sentimental Drive	:
Moundsville, WV 26041	:
	:
Facilities.	:

CERTIFICATE OF SERVICE

I certify that the foregoing Administrative Order on Consent was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the Administrative Order on Consent. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing Administrative Order on Consent to each of the following persons, in the manner specified below, at the following addresses:

Copies served via UPS and email to:

Joseph Hickman
Marshall County Sewerage District
PO Box 617
Moundsville, WV 26041
MCSDistrict@outlook.com

David White, Esq.
Law Offices of Neiswonger & White
409 Morton Ave
Moundsville, WV 26041
dwhite@nwlawoffice.com

Copies served via email to:

Amrita Gupta
Life Scientist
U.S. EPA, Region 3
gupta.amrita@epa.gov

Peter A. Herrick, Esq.
Assistant Regional Counsel
U.S. EPA, Region 3
herrick.peter@epa.gov

By: BEVIN ESPOSITO Digitally signed by BEVIN ESPOSITO Date: 2025.05.08 13:41:52 -04'00'

[*Digital Signature and Date*]
Regional Hearing Clerk
U.S. EPA – Region 3