***SECTION I***

#### CONDITIONS SPECIFIC TO THIS PERMIT

## During the period from 10/01/09 to 9/30/12, the permit holder is authorized to discharge wastewater from the Chick-Fil-A restaurant facility located at Riverview Plaza, 5501 Urbana Pike, Frederick, Maryland, as described in the Industrial Waste Survey and as noted on site plans submitted to the Frederick County Division of Utilities and Solid Waste Management. Wastewater from this facility includes discharge from the on-site grease trap and sanitary wastewater from washrooms not treated by the grease trap. Any subsequent changes in the volume or characteristics of the wastewater discharge from Chick-Fil-A must be approved prior to commencement. Wastewater discharge monitoring shall be conducted from outfall 3901, also known as the monitoring manhole on plans as submitted to the County. All such discharge from the above named facility shall be limited and monitored as specified below:

**SPECIAL CONDITIONS**

Chick-Fil-A shall submit a Periodic Compliance Report to the Division of Utilities & Solid Waste Management on a quarterly basis. This report must include the items listed below and shall be submitted in accordance with and as specified in the Periodic Compliance Report section of this permit (*SECTION III*).

1. All sample collection must be conducted in accordance with the general sampling requirement listed in *SECTION III* of this permit. Copies of all sample collection and related activities or data, including chain-of-custody and laboratory analysis reports required by this permit shall be maintained in accordance with the Data Recording and Record Retention Requirements listed in *SECTION III* -A-6 of this permit.
2. Chick-Fil-A shall monitor its wastewater for pollutants as listed within this permit. The frequency of this monitoring shall be as indicated in *SECTION II*. Analysis and data reporting shall be conducted as required in *SECTION III*. Frederick County Division of Utilities & Solid Waste Management may conduct additional monitoring as necessary or required.
3. Monitoring activities for BOD5 and TSS shall be conducted during two (2) consecutive 24-hour operational periods.Constituents requiring grab samples (pH, and Oil & Grease) shall be collected during the same two consecutive periods.
4. **The grease trap for this facility shall be cleaned at least every six (6) months**. Copies of grease trap cleaning records shall be submitted with the required quarterly reports. All off-site waste disposal documentation must contain the required information as listed under Periodic Compliance Reports, *SECTION III* of this permit, including the date of disposal, the hauler, the amount of waste, and the disposal site. If no waste disposal is required during the reporting period, then the permit holder shall certify in writing that no off-site waste disposal was necessary.
5. Quarterly water usage may be estimated from water billing data.
6. If monitoring analysis indicates that slug loads of BOD5, TSS, and/or Oil and Grease are discharged, the frequency of monitoring shall be automatically increased as needed.
7. Reports are due no later than the 15th day of the month following the end of the reporting period. Failure to submit quarterly reports and monitoring data as required will result in automatic fines of not less than $50.00 per day for every day that reports are late.

##### SECTION II

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| Wastewater discharge shall be monitored in accordance with the frequencies and limitations listed below. |
| EFFLUENT LIMITATIONS |
| **CONSTITUENT** | **DAILY MAXIMUM** **LIMITATION** | **1 SELF-MONITORING FREQUENCY** | **2SAMPLE TYPE** |
| 3 Flow | Monitoring without limitations | Continuous | Estimated |
| 4 BOD5 | 600 mg/l | 2 consecutive days: quarterly (Jan.-Feb./April-May/July-Aug./Oct.-Nov.) | Composite |
| 4 TSS | 600 mg/l | 2 consecutive days: quarterly (Jan.-Feb./April-May/July-Aug./Oct.-Nov.) | Composite |
| 5 pH  | Not < 5.0 or > 12.0 | 2 consecutive days: quarterly (Jan.-Feb./April-May/July-Aug./Oct.-Nov.) | Grab |
| 6Fats, Oil, & Grease | 250 mg/l | 2 consecutive days: quarterly (Jan.-Feb./April-May/July-Aug./Oct.-Nov.) | Grab |

**SECTION II (continued)**

###### **NOTES**

1. Monitoring activities shall be conducted during two (2) consecutive operational periods each quarter. (If the facility is open 24 hours a day, then sampling must be for 24 hours. If the facility is open 8 hours per day, then sampling is conducted for 8 hours.) Constituents requiring grab-sampling methods shall be collected during the same two (2) consecutive periods using appropriate sampling techniques.
2. All self-monitoring must be representative of the treated process wastewater discharge from this facility. This means that sampling shall be conducted without regard to other activities at the facility. At no time shall constituents be allowed in amounts to a degree that would create interference, pass-through, or pose other operational problems at the receiving wastewater treatment plant.
3. Chick-Fil-A shall report wastewater discharge flow amounts to the County. These amounts may be estimated from water usage information obtained from Frederick County water billing data. Alternatively, compliance with this requirement may be achieved by providing a monthly flow total obtained by recording daily flow records from a flowmeter. If this latter method is chosen, please include a calculated average GPM and GPD based on the daily flowmeter readings to ensure continued compliance with the discharge limitations specified in permit IU-039. Wastewater flow volumes discharged to the POTW shall be monitored and reported without limitation at this time. The Division of Utilities & Solid Waste Management reserves the right to impose flow limitations at a later date should it be deemed necessary.
4. Frederick County Division of Utilities & Solid Waste Management will issue surcharges for levels of BOD5 and TSS in excess of 300 mg/l. Discharge of wastewater containing BOD5 and TSS in excess of 600 mg/l shall be cited as violations of this permit in addition to any surcharges issued by the County.
5. The pH of the wastewater discharge shall not be less than 5.0 nor greater than 12.0. Sampling for pH shall be conducted using grab techniques. Sample collection shall be conducted on the same days as other grab sampling activities are conducted.
6. The required Fats, Oil & Grease sample, as listed above, shall be collected during the time that wastewater discharge is flowing from the facility (i.e. during mealtimes and cleanup activities).

**SECTION II (continued)**

###### **DEFINITIONS**

“Composite Sample” means a combination of individual samples obtained at regular intervals over the time period that the permit holder is discharging wastewater (usually equal to, but never greater than 24 hours). The volume of each individual timed sample shall be proportional to the flow rate during the sampling period.

“Grab Sample” means an individual sample collected in less than 15 minutes, without regard to flow or time.

“Measured Flow” means data obtained from flow measurement devices and methods consistent with approved scientific practices used to ensure accuracy and reliability. Such devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with accepted capability of that type of device. Flow measurement devices shall be capable of measuring flows with a maximum deviation of less than ten percent from true discharge rates throughout the range of expected flow volumes.

“Estimated Flow” means the estimated daily wastewater discharge flow to the POTW. This volume is calculated using quarterly water consumption data from water bills issued by Frederick County or Frederick City.

“Daily Maximum” means the maximum allowable discharge of a pollutant during any given 24-hour period. The permit holder’s daily maximum limitations are expressed in terms of concentration. The daily maximum discharge is the arithmetic average measurement of the pollutants derived from all measurements taken during that 24-hour period.

"Monthly Average" means the highest allowable average of "daily discharges" during one calendar month as calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

“DUSWM” means the Frederick County Division of Utilities and Solid Waste Management.

“A Quarter” means a three month calendar period: First Quarter = January through March

 Second Quarter = April through June

 Third Quarter = July through September

 Fourth Quarter = October through December

“Slug Load” means any discharge that contains concentrations of pollutants equal to or greater than four (4) times permitted limits.

“BOD5 (Biochemical Oxygen Demand)” means the quantity of oxygen utilized in the oxidation of organic matter found in the permit holder’s discharge.

“TSS (Total Suspended Solids)” means the total amount of solid matter that floats on the surface of, or is suspended in water, wastewater, or liquid, and is removable by filtering.

“FOG (Fats, Oil, & Grease)” means the total amount of oily, non-miscible matter that floats on the surface, or is suspended in water or wastewater, that can collect in and eventually block water or sewer lines.

“TTO” (Total Toxic Organics) means the sum of quantifiable Toxic Organic concentration values greater than 0.01 mg/l for each of the toxic organic compounds listed in 40 CFR 433.11(e).