



**GENERAL PERMIT FOR THE DISCHARGE OF COMPOSTING TOILET WASTEWATER TO
GROUNDWATER BY LAND APPLICATION**

GENERAL DISCHARGE PERMIT NO. 18-CT

Effective Date: August 1, 2018

Expiration Date: July 31, 2023

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- Attachment 1 Effluent Limitations and Monitoring Requirements
- Attachment 2 Compost Toilet Solids: Management Recommendation and Requirements
- Attachment 3 County Environmental Health Department Contact Info

PART I. DEFINITIONS

- A. "Designated Operator" means a person approved by the Department's Wastewater Permits Program to maintain a composting toilet and properly and safely manage the composting toilet liquids and composting toilet solids. The permittee or their designee may become a "Designated Operator" by submitting documentation of training in the operation and maintenance of the type of composting toilet installed.
- B. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
- C. "Compost Toilet System" means the management of three possible waste streams from a facility which includes a composting toilet for human waste management. These three waste streams are the 1) 'compost toilet liquids', 2) 'compost toilet solids', and 3) graywater.
 - 1. 'Compost toilet liquids' means the urine mixed with wastewater generated in the composting process.
 - 2. 'Compost toilet solids' means human fecal material and carbon material added in the process of composting. These solids do not meet Maryland Department of Agriculture regulations for 'General Use Compost.'
 - 3. 'Graywater' means wastewater drained from sinks, tubs, showers, dishwashers, clothes washers (excluding laundry water from soiled diapers), and other non-toilet sources.
- D. "Daily determination of concentration" means one analysis performed on any given sample representing flow during a calendar day, with one number in mg/L or other appropriate units as an outcome.
- E. The "daily maximum" effluent concentration means the highest reading of any daily determination of concentration.
- F. "Estimated" flow means a calculated volume or discharge rate which is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters, and batch discharge volumes.
- G. "Fecal Coliform" means the analytical method for testing water for fecal coliform bacteria, as described in Title 40 CFR § 141.74(a), by the procedure defined in Title 40 CFR § 141.21(f).
- H. "Grab Sample" means an individual sample collected in less than 15 minutes.
- I. "Local Approving Authority" means MDE or the delegated county official authorized to administer and enforce environmental laws as authorized under Environment Article 1-301.
- J. "mpn" means the most probable number of bacteria in a bacteriological analysis.
- K. "Surface waters" means all waters of this State which are not groundwaters.
- L. "Upset" means the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive

maintenance, or careless or improper operation.

M. "Wastewater " *means any:*

1. Liquid waste substance derived from industrial, commercial, municipal, residential, agricultural, recreational, or other operations or establishments; compost toilet liquids, and
2. Other liquid waste substance containing liquid, gaseous or solid matter and having characteristics which will pollute any waters of the State.

N. "Water" means the liquid substance which is derived from a groundwater source, a surface source, a piped supply, or any combination of these sources, and which will be discharged, without change in quality, into the waters of this State, with the exception of storm water runoff.

O. "Waters of this State" includes:

1. Both surface and underground waters within the boundaries of this State subject to its jurisdiction, including that part of the Atlantic Ocean within the boundaries of this State, the Chesapeake Bay and its tributaries, and all ponds, lakes, rivers, streams, tidal and nontidal wetlands, public ditches, tax ditches, and public drainage systems within this State, other than those designed and used to collect, convey, or dispose of sanitary sewage; and
2. The flood plain of free-flowing waters determined by the Department of Natural Resources on the basis of the 100-year flood frequency.

PART II. APPLICABILITY

A. Geographic Coverage. This permit covers the discharge of compost toilet liquids/wastewater by land application within the territorial boundaries of the State of Maryland.

B. Eligible Discharges. This permit is for the onsite discharge of compost toilet liquids/wastewater by land application.

C. Ineligible Discharges. The following cannot be authorized by this General Permit:

1. The discharge of graywater. Prior to the installation of the composting toilet, the applicant must submit documentation from the local approving authority, typically your county (Environmental) Health Department, that if required, an onsite sewage disposal system permit has been issued. Evidence of this shall be submitted to the Department's Wastewater Permits Program (WWPP) in support of this General Permit Coverage (see Attachment 3 for the local approving authority in each county).
2. The subsurface discharge of compost toilet liquids/wastewater.
3. The discharge of compost toilet liquids/wastewater to surface waters.
4. The land application of compost toilet liquids/wastewater in critical areas - *UNLESS* the compost toilet system has been approved by the State of Maryland as Best Available Technology (BAT) for the treatment of nitrogen.

D. Individual Permit Required.

1. Any person authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual State discharge permit. The request may be granted by issuing an individual State discharge permit, if the reasons cited by the owner or operator are adequate to support the request.
2. When an individual State discharge permit is issued to a person otherwise subject to this permit, the applicability of this general permit to the permittee is automatically terminated on the effective date of the individual State discharge permit.
3. If there is evidence indicating potential or realized impacts on water quality due to any activity covered by this general permit, the owner or operator of such discharge may be required to obtain an individual State discharge permit.
4. The Department may terminate or deny coverage under this general permit for an applicant for this general permit, or for an existing permittee if the Department finds that:
 - a. The NOI contained false or inaccurate information;
 - b. Conditions or requirements of the discharge permit have been or are about to be violated;
 - c. Substantial deviation from plans, specifications or requirements has occurred;
 - d. The Department has been refused entry to the premises for the purpose of inspecting to insure compliance with the conditions of the discharge permit;
 - e. A change in conditions exists that requires temporary or permanent reduction or elimination of the permitted discharge;
 - f. Any State quality standard or effluent standard has been or is threatened to be violated; or
 - g. Site specific conditions or scale of the compost toilet system installation increase the potential that the onsite discharge of compost toilet wastewater/liquids may endanger human health or the environment.

- E. Continuation of an Expired Permit.** The terms and conditions of this permit and authorized permit registrations are automatically continued and remain fully effective and enforceable upon expiration of this permit until the date(s) specified under a reissued general permit unless the permit or authorization is revoked or terminated by the Department.

PART III. GENERAL PERMIT REGISTRATION PROCESS SUMMARY (*This is detailed in Part VII*).

To obtain authorization to land apply compost toilet liquids via this General Permit, a person is required to comply with the terms and conditions of Part VII 'General Permit Authorization.' A summary of the application process follows:

- A.** Complete the appropriate Notice of Intent (NOI) application form and mail the completed NOI along with the required 'Supplemental Information' and Map per the requirements of Part VII.A.1.b:
- B.** Coverage under this permit becomes effective on the date that the NOI is accepted by the Department. The applicant will be notified in writing by the Department of the NOI acceptance and that composting toilet liquids are authorized to be land applied under the terms and conditions of this permit.

PART IV. COMPOST TOILET LIQUIDS MANAGEMENT

A. Land Application Requirements

1. Discharges authorized by this permit shall be limited to the land application of compost toilet liquids. The permittee is strictly prohibited from discharging or causing to be discharged any other wastewater into any place that would allow these substances to reach surface waters or groundwaters of the State, including wetlands.
2. The permittee shall land apply the compost toilet liquids:
 - a. By low-pressure manual methods, and
 - b. Only on the area outlined in the "Operation and Maintenance Manual" and as developed and submitted with the Supplemental Information as required in Part VII,A.1.b, or
 - c. On a Department approved replacement area.
3. **Land Application Prohibitions:**
 - a. The permittee shall not apply the compost toilet liquids during inclement weather such as during periods of high winds, precipitation, or freezing conditions.
 - b. The permittee shall not apply compost toilet liquids during the winter. Winter is defined as from December 16 through February 28 of the following year.
 - c. The permittee shall not apply the compost toilet liquids on bare soils, i.e. lacking vegetation.
 - d. This land application shall not cause any ponding or surface runoff.
 - e. The permittee is prohibited from discharging wastewaters of any kind to the surface waters of the State.
 - f. The permittee is prohibited from applying the compost toilet liquids to consumable food crops.
4. **Buffer Zone from compost toilet liquids land application area:** The permittee shall provide adequate means to prevent land applied compost toilet liquids from entering adjacent properties, either by direct application or wind carry-over. These means shall include, but not be limited to, a buffer zone from the land application area that is:
 - a. Fifty feet from all property lines; or as approved by the Department, and
 - b. One hundred feet from any potable-water supply well or surface water.
5. The permittee shall take sufficient measures to ensure that no member of the public comes in contact with the compost toilet liquids and compost toilet solids.
6. **Compost Toilet Liquids Land Application RATES**
 - a. Application to Grasses. The following is the minimum amount of land planted in common

grasses required to uptake the nitrogen in the compost toilet liquids:

- i. Every 100 gallons of compost toilet liquids shall be applied to a minimum of 275 square feet /YEAR (approximately 17 feet by 17 feet) of vegetated land.
 - ii. Based on the type of composting toilet, the Department may require an analysis for total nitrogen to determine if the specified application rate of 100 gallons per 275 square feet / Year of grassed area is appropriate.
- b. Alternate Application Rates. The permittee may request an alternative land application rate for: a) application to grasses, or b) application to vegetation other than grasses.
- i. An alternate application rate shall be based on an analysis for total nitrogen of a representative sample of compost toilet liquids.
 - ii. Approval to land apply compost toilet liquids at an alternate application rate is only effective upon receipt by the permittee of an authorization letter.
 - iii. To request an alternative land application rate contact 410.537.3778.

7. Compost Toilet Liquids Land Application AREAS

- a. A Primary and Reserve Land Application Area shall be identified on a Map. (See Part VII. Supplemental Requirements, A.1.b) These areas shall be separate from any approved sewage disposal area required by the local approving authority, typically your county (Environmental) Health Department. These areas shall be delineated according to the Compost Toilet Liquids Land Application Rate requirements (above).

B. Fecal Coliform Testing of Compost Toilet Liquids: Required Prior To Land Application.

Compost toilet liquids must be tested for fecal coliform and meet the discharge limit of 200 mpn/100 ml before land application of this wastewater. Wastewater that exceeds this limit **cannot** be land applied.

See Attachment 1

1. If the compost toilet liquids is **LESS THAN (and therefore meets)** the fecal coliform limit of 200 mpn/100 ml discharge limit, then the wastewater can and must be land applied within 10 days of receipt of the wastewater analysis.
2. If Fecal Coliform is **GREATER THAN (and therefore fails)** the fecal coliform limit of 200 mpn/100 ml limit, THEN
 - a. the permittee shall have the compost toilet liquids transported offsite to a wastewater treatment plant. Recording of this is required per Part IV.C.3.c., or
 - b. contact the Wastewater Permits Program for other compost toilet liquid management options (***see Part VI.A.3.d for contact information***).
3. If compost toilet liquids fails (exceeds) the fecal coliform limit and is transported offsite **three times**, the permittee shall submit a report detailing steps that will be taken to enable this wastewater to consistently meet the fecal coliform limit of 200 mpn/100 ml. This report shall be submitted to the Wastewater Permits Program within 30 days of the third fecal coliform

exceedance and according to Noncompliance with Fecal Coliform Effluent Limitations of Part VI.A.3.b.

4. Compost toilet liquids may be transported offsite only when the fecal coliform limit of 200 mpn/100 ml is exceeded.

C. Operation & Maintenance Manual, Designated Operator and Records Retention

1. The permittee shall develop and submit to the Department an "Operation and Maintenance Manual." This manual shall be submitted to the Wastewater Permits Program **prior** to any land application of compost toilet liquids.

The 'Operation and Maintenance Manual' shall include:

- a. A Map showing the 'Primary' and 'Reserve' compost toilet liquids land application area. See Part VII.A.1.b "Supplemental Information' for details on map requirements.
 - b. Recommended maintenance and compost toilet liquid sampling procedures and a maintenance schedule for the compost toilet system to ensure its satisfactory operation.
 - c. Procedures and equipment that will be used to store and land apply compost toilet liquids.
 - d. Procedures that will be employed to protect people from exposure to compost toilet liquids and solids.
2. Designated Operator. The entire waste-treatment system shall be monitored and maintained per the "Operation and Maintenance Manual" by a "Designated Operator."
 - a. A Designated Operator is someone who has been approved by the Department's Wastewater Permits Program (WWPP).
 - b. The permittee or their designee can request to become a Designated Operator by submitting a request in writing to the Department's Wastewater Permits Program. This request shall include documentation of completion of appropriate training to operate and maintain the specific type of composting toilet system installed.
 - c. The permittee is not allowed to land apply compost toilet liquids until Department approval of a Designated Operator.
3. **Records Retention:** The permittee shall maintain onsite the following information. These shall be made available for review, upon request, by Department personnel:
 - a. Logbook. This logbook shall record: 1) the date of land application of compost toilet liquids, 2) the operator's name, 3) the area irrigated, 4) the amount irrigated, 5) the amount of solids removed from the compost toilet and how the solids were managed, 6) weather conditions, 7) a description of any ponding or runoff, 8) maintenance performed on the system, and 9) fecal coliform test results including date sampled.
 - b. Fecal Coliform Test Results: The permittee shall maintain onsite the fecal coliform laboratory analyses of the compost toilet liquids.
 - c. Offsite transport of compost liquids documentation. If the compost toilet liquids exceeded the fecal coliform limit and was transported offsite, documentation (such as receipts) shall

be kept onsite and be available for review by Department personnel upon request. This shall also be noted in the Logbook

- d. These records and fecal coliform test results shall be retained according to the requirements of **Part VI.D.**

PART V. COMPOST TOILET SOLIDS MANAGEMENT

The solid materials removed from the compost toilet shall be handled in accordance with **Attachment 2:** " Compost Toilet Solids: Management Recommendation and Requirements." Information on compost toilet solids management shall be recorded in the Logbook, as required in Part IV.C.3.a.

PART VI. MONITORING AND REPORTING REQUIREMENTS

A. Monitoring And Reporting

1. Representative Sampling

Samples and measurements, if required herein, shall be taken at such times as to be representative of the quantity and quality of the discharges.

2. Reporting/Monitoring Report: ANNUAL Submittal

Monitoring results obtained from testing composting toilet liquids prior to land application shall be summarized on a Discharge Monitoring Report Form (EPA Form 3320). Results of 1) fecal coliform testing, and; 2) estimates of the quantity of compost toilet liquids that are land applied - shall be summarized on an Annual Report.

The Annual Report shall be submitted to the Department postmarked no later than January 31st following the end of the reporting year.

The reports shall be submitted to: *

Attention: Discharge Monitoring Reports
Water and Science Administration
Maryland Department of the Environment
1800 Washington Boulevard, STE-425
Baltimore, MD 21230-1708

* The permittee has the option to submit the reports electronically via NETDMR. For more information on submitting this *Annual Report* electronically, please contact: MDE.Netdmr@maryland.gov or call (410) 537-3520.

3. Noncompliance With Fecal Coliform Effluent Limitations

If for any reason the permittee does not meet (exceeds) the Fecal Coliform limit of 200 mpn/100 ml three times as stated in Part IV.B.3, the permittee or Designated Operator shall submit a report detailing steps that will be taken to enable this wastewater to consistently meet the fecal coliform limit of 200 mpn/100 ml. This report shall include at minimum:

- a. laboratory results of the Fecal Coliform test results that exceeded 200 mpn/100 m.

- b. the suspected cause or potential causes of the exceedances;
- c. steps taken by the permittee to prevent fecal coliform exceedances.
- d. This report shall be submitted within 30 days of the third fecal coliform exceedance to the following address:

Water and Science Administration
Wastewater Permits Program
Groundwater Permits Division
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230-1708
Questions: (410) 537-3778

B. Sampling and Analysis Methods.

The analytical and sampling methods used shall conform to procedures for the analysis of pollutants as identified in Title 40 CFR Part 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants" unless otherwise specified.

C. Additional Monitoring by Permittee.

If the permittee monitors any pollutant more frequently than required by this general permit, the permittee shall report the results of such monitoring, including the increased frequency, in the Discharge Monitoring Report Form.

D. Records Retention.

All records and information resulting from the monitoring activities required by this permit, including all records of fecal coliform analyses performed, shall be retained for a minimum of five (5) years. This period shall be automatically extended during the course of litigation, or when requested by the Department.

E. Notification of the Discharge of a Pollutant Not Limited in This Permit.

The permittee shall notify the Department as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at levels specified in the 40 CFR § 122.42.

PART VII. GENERAL PERMIT AUTHORIZATION.

A. How to Obtain Authorization

1. Notice of Intent (NOI) Application Form and Supplemental Information

- a. **NOI.** Applicants shall complete all required information on this permit's corresponding NOI application form (<http://clickmeterlink.com/18CT>). An application can also be mailed upon request. Please call 410.537.3778 to receive an application form in the mail.
 - i. The designated operator (see Part IV.C.2).
 - ii. The type of vegetation that will be irrigated with compost liquids.

- iii. Manufacturer's information on the type of composting toilet.
 - iv. The number of composting toilets.
 - v. The average and maximum quantity of compost toilet liquids estimated to be generated per year – for each toilet.
- b. **'Supplemental Information' includes:**
- i. Site Map: This map shall identify the 'Primary' and 'Reserve' compost liquid land application areas. These two areas shall be delineated according to Part IV.A.6-7, "Compost Toilet Liquids Land Application Rates" and "Compost Toilet Liquids Land Application Areas." These areas shall be separate from any approved sewage disposal area required by the County Health Department. This Map shall be to scale and include the required buffer zone requirements of Part IV.A.4 and notable geographic features such as roads, buildings, and importantly – the approved graywater disposal area, surface water features and water wells.
 - ii. "Operation and Maintenance Manual" according to requirements of Part IV.C.1.
 - iii. Documentation from the local approving authority, typically your county (Environmental) Health Department, of their approval of any required graywater onsite disposal system. This documentation must be received by the Department's Wastewater Permits Program prior to the installation of the compost toilet.
 - iv. Name of Designated Operator.
2. Application Submission.

Send to the address below the (a) the NOI application form and (b) 'Supplemental Information' to the Maryland Department of the Environment:

Maryland Department of the Environment
P.O. Box 2057
Baltimore, MD 21203-2057

B. Notification of authorization to discharge composting toilet liquids.

- 1. Coverage under this permit is effective on the date that the NOI is accepted by the Department. The applicant will be notified by the Department of this acceptance and that the land application of compost toilet liquids is authorized under the terms and conditions of this permit.
- 2. The permittee should save the copy of the completed NOI, and the acceptance letter from the Department. These documents shall be provided to the Department on request.

C. Options if you have an individual discharge permit for composting toilet liquids.

Any person who has an existing individual discharge permit for activities covered under this general permit may:

- 1. wait to obtain coverage under this general permit until the individual discharge permit expires. With this, at least 180 calendar days prior to the expiration of the individual discharge, a person shall submit an NOI requesting coverage under this general permit, or

2. request coverage under this general permit by submitting an NOI and fee in accordance the requirements of this permit's authorization process. Your individual permit coverage will be terminated once coverage under this permit is granted.

D. Required Signature

1. Certification.

Any person signing a NOI shall make the following certification as part of the NOI.

"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."

2. Signatories. The NOI shall be signed as follows:

- a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- c. For a municipal, State, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
 - i. The chief executive officer of the agency; or
 - ii. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency

3. Report Submission.

- a. All reports required by permits, and other information requested by the Department shall be signed by a person described in Part IX.D.2 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 in Part IX.D.2;
 - 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 a well or a well field, superintendent position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company; and
 - iii. The written authorization is submitted to the Department.
- b. If an authorization under this subsection 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 IX.D.3.a must be submitted to the Department prior to or together with any reports, information or applications to be signed by an authorized representative.

E. Failure to Notify.

Persons who engage in an activity covered under this general permit, who fail to notify the Department of their intent to be covered under this general permit, and who discharge to waters of this State without a discharge permit, are in violation of the federal Clean Water Act and of the Environment Article, Annotated Code of Maryland, and may be subject to penalties.

F. Change in Discharge.

1. The permittee shall submit a new NOI and any required fee for any anticipated facility expansions, production increases or decreases, process modifications or any other factor which will result in an increased discharge of pollutants or the discharge of additional pollutants. Based on its evaluation of the NOI, the Department may:
 - a. Continue to authorize the discharge under this general permit; or
 - b. Require the permittee to apply for an individual State or State/NPDES discharge permit or obtain coverage under another general permit.
2. If any anticipated facility expansions, production increases or decreases, process modifications or any other change will not result in a violation of the effluent limitations specified in this permit, the permittee shall report the change to the Department in writing.

G. Permit Expiration and Renewal.

Upon reissuance of this general permit with new effective and expiration dates, the permittee is required to submit to the Department either:

1. A notice that discharge will cease by the expiration date of this general permit; or
2. A new NOI and any fee in accordance with the requirements of the reissued general permit in order to be covered under the reissued general permit.

H. Transfer of Authorization.

1. The authorization under this permit is not transferable to a change in facility location.
2. The authorization under this general permit is NOT transferable to any person except in accordance with this section.
3. Authorization to discharge under this general permit may be transferred to another person if:
 - a. The current permittee notifies the Department in writing of the proposed transfer,
 - b. A written agreement, indicating the specific date of the proposed transfer of permit coverage and acknowledging the responsibilities of the current and new permittee for compliance with the terms and conditions of this permit, is submitted to the Department; and
 - c. Neither the current permittee nor the new permittee receives notification from the Department, within 30 days, of intent to terminate coverage under this permit.
4. The Department may continue coverage for the new permittee under this general permit or may require the new permittee to apply for and obtain an individual discharge permit.

Part VIII. Standard Permit Conditions.

A. Facility Operation.

The permittee shall maintain in good working order and efficiently operate all systems used or installed and all treatment and control facilities.

B. Submitting Additional or Corrected Information.

When you become aware that you failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Department, you must submit the facts or information to the Department within 30 calendar days.

C. Removed Substances.

Wastes such as solids, sludge, or other pollutants removed from or resulting from treatment or control of wastewaters, or facility operations, must be disposed of in a manner to prevent any wastes or runoff from wastes from contacting waters of this State.

D. Right of Entry.

The permittee shall permit the Secretary of the Department, the Regional Administrator for the EPA, or their authorized representatives, upon the presentation of credentials:

1. To enter upon the permittee's premises where an effluent source is located or where any records are required to be kept under the terms and conditions of this permit;
2. To access and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
3. To inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;
4. To inspect, at reasonable times, any collection, treatment, pollution management, or discharge facilities required under this permit;
5. To sample, at reasonable times, any discharge of pollutants; and
6. To take photographs.

E. Availability of Reports.

Except for data determined to be confidential under the Maryland Public Information Act, and 40 CFR § 123.25, all submitted data shall be available for public inspection at the Department.

F. Permit Modification.

The Department may revoke this permit or modify this permit to include different limitations and requirements, in accordance with the procedures contained in COMAR 26.08.04.10.

G. Toxic Pollutants.

The permittee shall comply with effluent standards or prohibitions for toxic pollutants established under the federal Clean Water Act, or under Section 9-314 and Sections 9-322 to 9-328 of the Environment Article,

Annotated Code of Maryland. Compliance shall be achieved within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

H. Oil and Hazardous Substances Prohibited.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liability, or penalties to which the permittee may be subject under the Federal Act or under the Annotated Code of Maryland.

I. Civil and Criminal Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any civil or criminal responsibilities, liabilities, or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local or other State law or regulation.

J. Property Rights/Compliance with Other Requirements.

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

K. Severability.

The provisions of this permit are severable. If any provisions of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this permit to any circumstances is held invalid, its application to other circumstances shall not be affected.

L. Water Construction and Obstruction.

This permit does not authorize the construction or placing of physical structures, facilities, or debris or the undertaking of related activities in any waters of this State.

M. Compliance with This General Permit and Water Pollution Abatement Statutes.

The permittee shall comply at all times with the terms and conditions of this permit, the provisions of the Title 7, Subtitle 2, Title 9, Subtitles 2 and 3 of the Environment Article, Annotated Code of Maryland, and the federal Clean Water Act.

N. Action on Violations.

The issuance or reissuance of this permit does not constitute a decision by the State not to proceed in an administrative, civil, or criminal action for any violations of State law or regulations occurring before the issuance or re-issuance of this permit, nor a waiver of the State's right to do so.

O. Civil Penalties for Violations of Permit Conditions.

In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the federal Clean Water Act provides that any person who violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed \$37,500 per day for each violation.

P. Criminal Penalties for Violations of Permit Conditions.

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the federal Clean Water Act provides that:

1. Any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one (1) year, or by both.
2. Any person who knowingly violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than three (3) years, or by both.
3. Any person who knowingly violates Section 301, 302, 306, 307, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than \$250,000 or imprisonment of not more than fifteen (15) years, or both. A person which is a corporation shall, upon conviction, be subject to a penalty of not more than \$1,000,000.
4. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both. The Federal Clean Water Act provides that any person who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the Act, or who knowingly makes any false statement, representation, or certification in any records or other documents submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both.

Q. Duty to Provide Information.

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

R. Bypasses.

Any bypass of treatment facilities needed to maintain compliance with the terms and conditions of this permit is prohibited unless:

1. The bypass is unavoidable to prevent a loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources;
2. There are no feasible alternatives;
3. Except under emergency conditions, the permittee notifies the Department ten calendar days in advance

of the date of the anticipated bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days;

4. Under emergency conditions, the permittee notifies the Department within 24 hours of becoming aware of the bypass. If the notification is given orally, the permittee shall follow the oral notification with written notification to the Department within five calendar days of the oral notification; and
5. The bypass is allowed by the Department under conditions determined by the Department to be necessary to minimize adverse effects.

S. Demonstration of an Upset.

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based discharge limitations only if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

1. An upset occurred and that the permittee can identify the specific cause(s) of the upset;
2. The permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
3. The permittee submitted notification of upset within 24 hours. If the notification was given orally, the permittee submitted written notification to the Department within five calendar days following the oral notification; and
4. The permittee submitted, within five calendar days of becoming aware of the upset, documentation to support and justify the upset; and
5. The permittee complied with any remedial measures required to minimize adverse impact.

PART IX. GENERAL PERMIT EXPIRATION AND REAUTHORIZATION

This permit and the authorization to discharge shall expire at midnight on the expiration date of the permit, unless the permittee has submitted an application for renewal in accordance with General Condition C.3. In order to receive authorization to discharge after the expiration date, the permittee shall submit such information, forms, and fees as are required by the Department no later than 180 days prior to the expiration date.



D. Lee Currey, Director
Water and Science Administration

ATTACHMENT 1

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge composting-toilet wastewater from a composting toilet to groundwater via manual spray irrigation (Outfall 001).

As specified below, such discharge shall be limited and monitored by the permittee at the wastewater storage tanks, prior to land application.

<u>EFFLUENT CHARACTERISTIC</u>	<u>EFFLUENT LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
	Loadings (gallons/day)		Concentrations (mpn/100 mL)		Measurement Frequency	Type of Sample
	Quarterly Average	Daily Maximum	Quarterly Average	Daily Maximum		
Flow	N/A	N/A	N/A	N/A	Every Land Application	Estimated
Fecal Coliform	N/A	N/A	N/A	200 ⁽¹⁾	Prior to land application ⁽¹⁾	Grab ⁽²⁾

- (1) The wastewater shall meet the Daily Maximum Concentration limitation immediately prior to land application. See Part III.B.
- (2) Grab samples shall be obtained from the compost toilet system.



Attachment 2

Compost Toilet Solids: Management Recommendations and Requirements

The 'solid' material that accumulates over time in a composting toilet is commonly called 'compost' ; however this material does not meet Maryland Department of Agriculture regulation's for 'General Use Compost.' These regulations are geared with ensuring that material that may have harmful pathogens is safe for human contact.

Although the 'solid' material in composting toilets may over time through natural biological processes become similar in quality to 'General Use Compost', in the absence of monitoring or analytical testing, there can be no surety that the material is safe to handle. In addition, in a composting toilet new human waste is continually being introduced into the composting pile. This creates the potential for 'older' composting material to be contaminated from contact with pathogens in 'fresh' material, and from the movement of liquids through the pile.

In summary, while we can say that the material in a composting toilet is undergoing the 'composting process,' there can be no certainty that the 'solids/composting material' will be safe to handle.

The following are management options for this semi-solid material.

OFFSITE REMOVAL

- Have the material hauled offsite by a licensed septage hauler for proper disposal.
- Bag this material for offsite removal with your other household waste.

ONSITE UTILIZATION

- The solids/composting material is generally prohibited from being used onsite. However, consideration may be given on a case by case basis for onsite utilization. Contact Mike Eisner or Tracy Rocca-Weikart at the phone number below for more information on how to apply for approval for onsite utilization. Please note that the onsite utilization of compost solids is prohibited without our preapproval.

CAUTION

It is important to emphasize that the solid material that accumulates in your composting toilet may not be safe for human contact. Therefore it is recommended that appropriate measures be taken to prevent human contact with this material.

Contact your composting toilet representative for guidance on operation and maintenance issues including compost toilet liquids and solids management, and if you have concerns about the appropriate time to remove the solids from the composting toilet unit.

Maryland Department of Environment Contact: Wastewater Permits Program (410) 537-3778 (May 2018)

ATTACHMENT 3

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