



Ohio Administrative Code

Rule 3745-33-08 Generic permit conditions.

Effective: [October 31, 2025](#)

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules and federal statutory provisions referenced in this rule, see rule 3745-33-01 of the Administrative Code.]

(A) Each Ohio NPDES permit shall contain the following requirements:

- (1) That all discharges authorized under the NPDES permit be consistent with the terms and conditions of the permit. The discharge of any pollutants more frequently than or at a level in excess of that identified and authorized by the permit constitutes a violation of the terms and conditions of the permit.
- (2) That facility expansions, production increases, or process modification that result in new or increased discharges of pollutants be reported by submission of a new NPDES application or, if such discharge does not violate effluent limitations specified in the NPDES permit, by submission to the director of notice of such new or increased discharge of pollutants.
- (3) That the permittee submits to Ohio EPA monthly reports (or on a more frequent schedule as is required in the permit) containing such information as specified by the director.
- (4) That the permittee submits annual reports containing such information as specified by the director.
- (5) That the permittee reports in such manner as specified by the director, any discharge of pollutants in violation of permit terms and conditions.
- (6) That the point source is equipped with instrumentation to monitor and record data and other information about the operation of the point source, if requested by the director. Reports of monitoring results obtained by the permittee are submitted monthly to Ohio EPA. Monitoring and



recording of monitoring results are conducted in accordance with regulations adopted or subsequently amended by the administrator, including paragraphs (e) and (j) of 40 C.F.R. 122.41 and 40 C.F.R. 122.48.

(7) That the permittee shall allow the director or the director's authorized representative to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted.

(b) Have access to any records to be kept under the terms of the permit and may copy or electronically obtain any such records.

(c) Have access to any monitoring equipment or wastewater treatment facilities operated by the permittee for the purpose of inspecting such equipment or method required in the permit.

(d) Have access to point sources for the purposes of sampling the discharge.

(8) That the permittee maintains in good working order and operates at optimum levels in accordance with good engineering practices any wastewater treatment facilities or control systems installed to achieve compliance with the terms and conditions of the permit.

(9) That the permittee provides adequately trained and qualified personnel as required by Chapter 3745-7 of the Administrative Code to operate such wastewater treatment facilities.

(10) That the permit may be modified, suspended, or revoked in whole or in part during its term for cause including but not limited to the following:

(a) Violation of any terms or conditions of the permit.

(b) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts.

(c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.



(11) That if a toxic effluent standard or prohibition (including a schedule of compliance) is established under section 307 (a) of the act for a toxic pollutant that is present in the permittee's discharge and such standards or prohibition (including a schedule of compliance) is more stringent than any limitation upon such pollutant in the NPDES permit, the director shall modify the permit in accordance with the toxic effluent standard and so notify the permittee.

(12) That all permittees meeting the requirements of this paragraph post and maintain permanent signs as follows:

(a) At each outfall authorized under the NPDES permit. Outfalls covered by this provision include, but are not limited to, discharges of process wastewater, non-contact cooling water, sewage or discharges from remediation sites, and bypass or combined sewer overflow discharges. The director may waive this requirement for outfalls discharging to municipal storm sewers if the outfall is not in close proximity to a lake, reservoir, pond, river, stream, creek or other surface water of the state. Signs are not required at in-plant sampling outfalls, or at outfalls that are not accessible to the public by land or by recreational use of the water body.

(b) Signs that include, at a minimum, the name of the permittee, the permit number, the outfall number identified in the permit, and a contact telephone number. The information shall be printed in letters not less than two inches high.

(c) Signs that are a minimum of two feet by two feet and the bottom of the sign is a minimum of three feet above the ground.

(d) The director may approve variations from these dimensions to increase the legibility or information of the sign.

(13) All reports required by permits, and other information requested by the director, be signed by a person described in paragraph (F) of rule 3745-33-03 of the Administrative Code, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(a) The authorization is made in writing by a person described in paragraph (F) of rule 3745-33-03 of the Administrative Code.



(b) 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. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

(c) The written authorization is submitted to the director.

If there is a change to authorization because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of this paragraph shall be submitted to the director prior to or together with any reports or information to be signed by an authorized representative.

(B) An NPDES permit shall not be issued for a semi-public disposal system whenever the sewage system of a publicly owned treatment works is available and accessible.

(C) Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect all sewage into the publicly owned treatment works.

[Comment: The determination of available and accessible sewage systems is established in paragraph (D) of rule 3745-42-07 of the Administrative Code.]

(D) Notice by POTWs of new pollutants.

(1) All publicly owned treatment works (POTWs) shall provide adequate notice to the director of the following:

(a) Any new introduction of pollutants into the POTW from an indirect discharger, which new introduction of pollutants would be subject to treatment technology-based limits under section 301 or 306 of the act if the indirect discharger were directly discharging those pollutants to waters of the



state.

(b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW upon discovery.

(2) For purposes of paragraph (D)(1) of this rule, adequate notice shall include the following information:

(a) The quality and quantity of effluent introduced into the POTW.

(b) Any anticipated impact of the change on the quality or quantity of effluent to be discharged from the POTW.

(E) The director may require, as a permit condition or otherwise, electronic submittal of NPDES applications, reports and monitoring data using information systems compatible with those of Ohio EPA.

(F) Notification to public water supply operators.

(1) Permits for facilities designated by the director as major discharges, in any of the following locations, will require the permittee to notify the public water supply operator as soon as practicable after a discharge begins that results from a spill, sanitary sewer overflow, bypass, upset, or combined sewer overflow that is reasonably expected to waters of the state:

(a) Discharges within three thousand feet of a public water supply intake located in a lake.

(b) Discharges within ten river miles upstream of a public water supply intake located in a reservoir or any other surface water of the state.

(2) The director will include in the permit a requirement for the permittee to have a notification plan with the public water supply operator that defines specific notification requirements and what constitutes notification "as soon as practicable." In the affected permits, the director will provide the telephone number and contact information related to the public water supply operator.



(3) For publicly owned treatment works and other permittees that discharge only domestic sewage, the only spills that need to be reported under paragraph (F) of this rule are those that occur at the treatment works.

(G) The director shall include in the issuance of an Ohio NPDES permit any permit condition required by the act or regulations adopted by the administrator, including 40 C.F.R. 122 to 125, 129 to 133, 136, 400 to 471, 501 and 503. The director may include in an Ohio NPDES permit any other terms or conditions the director finds reasonable and appropriate for the prevention and abatement of pollution.