

**Dave Morey**  
Vice President  
Farley Project

**Southern Nuclear  
Operating Company, Inc.**  
Post Office Box 1295  
Birmingham, Alabama 35201  
Tel 205.992.5131



*Energy to Serve Your World<sup>SM</sup>*

March 2, 2001

Docket Nos.: 50-348  
50-364

NEL-01-0054

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D. C. 20555-0001

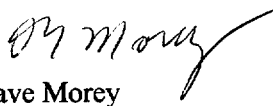
**Joseph M. Farley Nuclear Plant**  
**NPDES Permit Renewal**

Ladies and Gentlemen:

Enclosed in accordance with Section 3.2 of the Joseph M. Farley Nuclear Plant (FNP) Environmental Protection Plan (Units 1 & 2), Appendix B to Facility Operating License Nos. NPF-2 and NPF-8, is a copy of the renewed FNP National Pollutant Discharge Elimination System (NPDES) Permit Number AL0024619 issued by the Alabama Department of Environmental Management.

This letter contains no NRC commitments. Please advise if you have any questions or need additional information.

Respectfully submitted,

  
Dave Morey

GDE/maf: npdes.doc

**Attachment**

**FNP National Pollutant Discharge Elimination System (NPDES)  
Permit Number AL0024619**

C 001

Page 2

U. S. Nuclear Regulatory Commission

cc: Southern Nuclear Operating Company  
Mr. L. M. Stinson, General Manager – Farley

U. S. Nuclear Regulatory Commission, Washington, D. C.  
Mr. F. Rinaldi, Licensing Project Manager – Farley

U. S. Nuclear Regulatory Commission, Region II  
Mr. L. A. Reyes, Regional Administrator  
Mr. T. P. Johnson, Senior Resident Inspector – Farley

ATTACHMENT

# ADEM

ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

## NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: FARLEY NUCLEAR PLANT  
(FORMERLY SOUTHERN NUCLEAR OPERATING CO)

FACILITY LOCATION: HOUSTON COUNTY HIGHWAY 95 SOUTH  
COLUMBIA, ALABAMA

PERMIT NUMBER: AL0024619

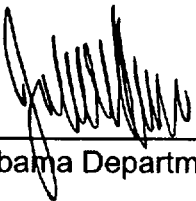
RECEIVING WATERS: CHATTAHOOCHEE RIVER  
UNNAMED TRIBUTARY TO CHATTAHOOCHEE RIVER  
WILSON CREEK

*In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.*

ISSUANCE DATE: FEBRUARY 9, 2001

EFFECTIVE DATE: MARCH 1, 2001

EXPIRATION DATE: FEBRUARY 28, 2006

  
Alabama Department of Environmental Management

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT  
TABLE OF CONTENTS**

**PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS**

- A. Discharge Limitations and Monitoring Requirements
- B. Discharge Monitoring and Record Keeping Requirements
  - 1. Representative Sampling
  - 2. Test Procedures
  - 3. Recording of Results
  - 4. Records Retention and Production
  - 5. Monitoring Equipment and Instrumentation
- C. Discharge Reporting Requirements
  - 1. Reporting of Monitoring Requirements
  - 2. Noncompliance Notification
- D. Other Reporting and Notification Requirements
  - 1. Anticipated Noncompliance
  - 2. Termination of Discharge
  - 3. Updating Information
  - 4. Duty to Provide Information
  - 5. Cooling Water Additives
  - 6. Permit Issued Based on Estimated Characteristics
- E. Schedule of Compliance

**PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES**

- A. Operational and Management Requirements
  - 1. Facilities Operation and Maintenance
  - 2. Best Management Practices
  - 3. Spill Prevention, Control, and Management
- B. Other Responsibilities
  - 1. Duty to Mitigate Adverse Impact
  - 2. Right of Entry and Inspection
- C. Bypass and Upset
  - 1. Bypass
  - 2. Upset
- D. Duty to Comply with Permit, Rules, and Statutes
  - 1. Duty to Comply
  - 2. Removed Substances
  - 3. Loss or Failure of Treatment Facilities
  - 4. Compliance with Statutes and Rules
- E. Permit Transfer, Modification, Suspension, Revocation, and Reissuance
  - 1. Duty to Reapply or Notify of Intent
  - 2. Change in Discharge
  - 3. Transfer of Permit
  - 4. Permit Modification and Revocation
  - 5. Permit Termination
  - 6. Permit Suspension
  - 7. Request for Permit Action Does Not Stay Any Permit Requirement
- F. Compliance with Toxic Pollutant Standard or Prohibition
- G. Discharge of Wastewater Generated by Others

**PART III OTHER PERMIT CONDITIONS**

- A. Civil and Criminal Liability
- B. Oil and Hazardous Substance Liability
- C. Property and Other Rights
- D. Availability of Reports
- E. Expiration of Permits for New or Increased Discharges
- F. Compliance with Water Quality Standards
- G. Groundwater
- H. Definitions
- I. Severability

**PART IV ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS**

- A. Other Conditions
- B. Chemical Cleaning Waste
- C. Effluent Toxicity Limitations and Biomonitoring Requirements
- D. Storm Water Flow Measurement and Sampling Requirements

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

**DSN001: Main combined facility discharge.**

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	Daily	Totalizer or Pump Log
pH	s.u.	6.0	9.0	-	1/week	Grab
Intake Temperature	°F	-	Monitor	Monitor	1/week	Grab
Temperature (April 1-Nov. 30)	°F	-	111	100	1/week	Grab
Temperature (Dec. 1 – March 31)	°F	-	Monitor	81.7	1/week	Grab
Total Residual Chlorine 3/	mg/l	-	0.20	0.20	1/daily	Grab
Hydrazine 4/	mg/l	-	Monitor	Monitor	1/week	Multiple Grabs
Chromium, Total	mg/l	-	0.5	0.5	1/month	Grab
Chronic Toxicity 5/	%	No Significant Difference	-	-	1/year	Grab

**THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, NOR SHALL THERE BE DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM EXCEPT IN TRACE AMOUNTS.**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.
- 3/ When chlorination is occurring for purposes of corbicula or microbiofouling control, in accordance with BMP Plan grab samples shall be taken to verify compliance with total residual chlorine limitations. Sampling is required only during these periods. If bromine or a combination of bromine and chlorine is utilized for control of biofouling, monitoring requirements for TRC and FAC shall be applicable to TRO (Total Residual Oxidants) and FAO (Free Available Oxidants). There is no difference in test methods between TRC/FAC and TRO/FAO.
- 4/ Samples to be collected during period of discharge after layup or other non-routine discharges where hydrazine has been added.
- 5/ See Part IV.C. for Effluent Toxicity Limitations and Biomonitoring Requirements.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

- DSN002: Service water and service water bypass, Unit 1.
- DSN003: Service water and service water bypass, Unit 2.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average <u>2/</u>	Measurement Frequency	Sample Type

**THE ADDITION OF CHLORINE IS AUTHORIZED FOR THESE DISCHARGES POINTS BUT ONLY AT CONCENTRATIONS WHICH WILL NOT EXCEED THE TOTAL RESIDUAL CHLORINE LIMITATION IN THE MAIN COMBINED FACILITY DISCHARGE, DSN001.**

1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.

2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

- DSN005: Cooling tower blowdown, Unit 1.
- DSN006: Cooling tower overflow, Unit 1.
- DSN007: Cooling tower blowdown, Unit 2.
- DSN008: Cooling tower overflow, Unit 2.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	1/week	Calculation or Pump Log
Total Residual Chlorine 3/	mg/l	-	-	-	1/week 6/	Multiple Grabs 3/
Free Available Chlorine 3/	mg/l	-	0.50	0.20	1/week 6/	Multiple Grabs 3/
Chromium, Total	mg/l	-	0.20	0.20	2/month 4/	Composite 5/
Zinc, Total	mg/l	-	1.0	1.0	1/month 4/	Composite 5/
Time of Total Residual Chlorine Discharge	min/unit/day	-	120	Monitor	Daily 6/	Clock

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.
- 3/ Neither free available nor total residual chlorine may be discharged from any single generating unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the permittee can demonstrate that the units at the permitted location cannot operate at or below this level of chlorination. When blowdown is occurring, grab samples shall be taken at least every 30 minutes to verify compliance with free available chlorine limitations unless the permittee verifies that free available chlorine levels are less than detectable prior to blowdown, and no chlorination occurs during the blowdown event. In this event, sampling for free available chlorine may be by a single representative grab sample only. The permittee shall not use cooling tower maintenance chemicals which contain any of the 126 priority pollutants, found in Appendix A to 40 CFR 423, in detectable amounts, except for chromium, total and zinc, total, which shall be limited as above. If bromine or a combination of bromine and chlorine is utilized for control of biofouling, monitoring requirements for TRC and FAC shall be applicable to TRO (Total Residual Oxidants) and FAO (Free Available Oxidants). There is no difference in test methods between TRC/FAC and TRO/FAO.
- 4/ Monitoring frequency shall be 1/year if cooling tower maintenance chemicals containing these compounds is not initiated by the permittee.
- 5/ Compositing over the time of blowdown, not to exceed 24 hours.
- 6/ To be monitored when chlorine is added directly to cooling towers.



PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

**DSN009: Main sewage treatment plant 1.**

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average <u>2/</u>	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	1/month	Totalizer or Instantaneous
pH	s.u.	6.0	9.0	-	1/month	Grab
Biochemical Oxygen Demand, 5 day	mg/l	-	45.0	30.0	1/month	Composite <u>3/</u>
Total Suspended Solids	mg/l	-	45.0	30.0	1/month	Composite <u>3/</u>
Fecal Coliform	col/100 ml	-	300	300	1/month	Grab

This sewage plant and its associated discharge shall be observed at least daily to determine if it is operating efficiently, and a log shall be kept as a record of these daily observations. In addition, major operational items shall be checked daily, and a log maintained of these checks. The logs shall include the date of observation, inspection person, comments on the plants operation, and steps taken to correct any operation problems. The log shall be made available during on-site inspections by ADEM and/or EPA.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.
- 3/ Over time of predominant discharge, but not less than from 7:00 a.m. – 6:00 p.m. If manually composited, maximum time between individual aliquots is two (2) hours.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

DSN012: Chemical metal cleaning wastes. 3/

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average <u>2/</u>	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	Daily	Instantaneous or Pump Log
pH	s.u.	6.0	9.0	-	Daily	Grab
Oil and Grease	mg/l	-	20.0	15.0	Daily	Grab
Total Suspended Solids	mg/l	-	100.0	30.0	Daily	Composite <u>4/</u>
Copper, Total	mg/l	-	1.0	1.0	Daily	Composite <u>4/</u>
Iron, Total	mg/l	-	1.0	1.0	Daily	Composite <u>4/</u>

1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.

2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

3/ Metal cleaning wastes means any wastewater resulting from cleaning as defined and interpreted by the U.S. Environmental Protection Agency in 40 CFR 423 and 45 CFR 52297. No monitoring is required if wastewater is rainwater only. To qualify as rainwater, all metal cleaning waste must be removed from the boiler cleaning pond, and only rainwater discharged to or collected in the pond.

4/ Sample shall be taken using equal volume aliquots taken at 15-minute intervals over the time of discharge.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

**DSN013: Treated chromate bearing wastewater.**

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	1/batch	Totalized
Chromium, Total	mg/l	-	0.50	0.50	1/batch	Grab
Oil and Grease	mg/l	-	20.0	15.0	1/quarter	Grab
Total Suspended Solids	mg/l	-	100.0	30.0	1/quarter	Grab

1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.

2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

**DSN014: Waste settling pond.**

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	1/week	Instantaneous or Calculated
pH	s.u.	6.0	9.0	-	1/month	Grab
Oil and Grease	mg/l	-	20.0	15.0	1/month	Grab
Total Suspended Solids	mg/l	-	100.0	30.0	1/month	24-Hr. Composite

1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.

2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

- DSN015: Turbine building sump, unit 1.
- DSN016: Turbine building sump, unit 2.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	1/month	Instantaneous or Calculated
Oil and Grease 3/	mg/l	-	20.0	15.0	1/month	Grab
Total Suspended Solids 3/	mg/l	-	100.0	30.0	1/month	Grab

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.
- 3/ When water from the main condenser boxes enter these points during outages, these limitations do not apply. During these events total residual chlorine shall be monitored at a frequency of 1/week. Or at any time credit is granted for TSS in the influent for this outfall, this credit shall be granted only to the extent necessary to meet the permit limitation on standard, up to a maximum value equal to the influent value and in accordance with 40 CFR Part 122.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

- DSN017: Steam generator blowdown, unit 1.
- DSN018: Steam generator blowdown, unit 2.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	1/6 months	Instantaneous or Calculated
Oil and Grease	mg/l	-	20.0	15.0	1/6 months	Grab
Total Suspended Solids	mg/l	-	100.0	30.0	1/6 months	Grab
Boron, Total 3/	mg/l	-	Monitor	Monitor	1/6 months	Grab

1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.

2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

3/ Monitoring is required only if additives containing this element are used in the steam generator system, and are subject to discharge through these outfalls.

**PART I**

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

- DSN019: Liquid radwaste system, unit 1.**
- DSN020: Liquid radwaste system, unit 2.**

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Oil and Grease	mg/l	-	20.0	15.0	1/6 months	Grab
Total Suspended Solids	mg/l	-	100.0	30.0	1/6 months	Grab

**The permittee shall comply with all U.S. Nuclear Regulatory Commission requirements relative to this discharge.**

1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.

2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

- DSN022: River water building sump South.
- DSN023: River water building sump North.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type
Flow	MGD	-	Monitor	Monitor	1/quarter	Instantaneous or Pump Log
pH	s.u.	-	Monitor	Monitor	1/quarter	Grab
Oil and Grease	mg/l	-	20.0	15.0	1/quarter	Grab

**THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, NOR SHALL THERE BE DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM EXCEPT IN TRACE AMOUNTS**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.



PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

- DSN024: Southeast yard drainage.
- DSN025: East yard drainage.
- DSN026: Northwest yard drainage.
- DSN027: Northcentral yard drainage.
- DSN028: West yard drainage.
- DSN029: Southwest yard drainage.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type

THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, NOR SHALL THERE BE DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM EXCEPT IN TRACE AMOUNTS.

SEE PART IV.A OF THIS PERMIT FOR ADDITIONAL REQUIREMENTS RELATING TO THIS DISCHARGE.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

**PART I**

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

**DSN030: Intake screen backwash water, units 1 and 2, to intake canal.**

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>	
		Daily Minimum	Daily Maximum	Monthly Average 2/	Measurement Frequency	Sample Type

**THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, NOR SHALL THERE BE DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM EXCEPT IN TRACE AMOUNTS.**

**THE DISCHARGE IS PERMITTED WITH NO MONITORING REQUIREMENTS, LIMITATIONS, PROVIDED THE PERMITTEE ADDS NO POLLUTANTS TO THE DISCHARGE.**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

**PART I**

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

**DSN034: Miscellaneous low flow, non-contact cooling water sources. 3/**

Such discharge shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>UNITS</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS <u>1/</u></u>	
		Daily Minimum	Daily Maximum	Monthly Average <u>2/</u>	Measurement Frequency	Sample Type

**THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, NOR SHALL THERE BE DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM EXCEPT IN TRACE AMOUNTS.**

**THE DISCHARGE IS PERMITTED WITH NO MONITORING REQUIREMENTS, LIMITATIONS, PROVIDED THE PERMITTEE ADDS NO POLLUTANTS TO THE DISCHARGE.**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.
- 3/ Miscellaneous, low volume, non-contact cooling waters means non-contact cooling waters with a maximum flow less than 5,000 gpd, and subject to addition of no other pollutants other than heat.

**PART I**

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

**DSN035: Petroleum storage area.**

Such discharge shall be limited and monitored by the permittee as specified below:

1. The facility will have a valid SPCC Plan pursuant as specified below:
2. Best Management Practices (BMP) are used in draining the diked area. BMP is defined as use of a portable oil skimmer of similar device or the use of absorbant material to remove oil and grease (as indicated by the presence of a sheen) immediately prior to draining.
3. Monitoring records shall be maintained in the form of a log and shall contain the following information, as a minimum:
  - a. Date and time of discharge
  - b. Estimated volume of discharge
  - c. Initials of person making visual inspection and authorizing discharge
  - d. Observed conditions of storm water discharged

**B. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS**

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge and shall be in accordance with the provisions of this permit.

2. Test Procedures

For the purpose of reporting and compliance, permittees shall use one of the following procedures:

- a. For parameters with an EPA established Minimum Level (ML), report the measured value if the analytical result is at or above the ML and report "0" for values below the ML. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). If more than one method for analysis of a substance is approved for use, a method having a minimum level lower than the permit limit shall be used. If the minimum level of all methods is higher than the permit limit, the method having the lowest minimum level shall be used and a report of less than the minimum level shall be reported as zero and will constitute compliance, however should EPA approve a method with a lower minimum level during the term of this permit the permittee shall use the newly approved method.

- b. For pollutants parameters without an established ML, an interim ML may be utilized. The interim ML shall be calculated as 3.18 times the Method Detection Level (MDL) calculated pursuant to 40 CFR Part 136, Appendix B.

Permittees may develop an effluent matrix-specific ML, where an effluent matrix prevents attainment of the established ML. However, a matrix specific ML shall be based upon proper laboratory method and technique. Matrix-specific MLs must be approved by the Department, and may be developed by the permittee during permit issuance, reissuance, modification, or during compliance schedule.

In either case the measured value should be reported if the analytical result is at or above the ML and "0" reported for values below the ML.

- c. For parameters without an EPA established ML, interim ML, or matrix-specific ML, a report of less than the detection limit shall constitute compliance if the detection limit of all analytical methods is higher than the permit limit. For the purpose of calculating a monthly average, "0" shall be used for values reported less than the detection limit.

The Minimum Level utilized for procedures A and B above shall be reported on the permittee's DMR. When an EPA approved test procedure for analysis of a pollutant does not exist, the Director shall approve the procedure to be used.

3. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The facility name and location, point source number, date, time and exact place of sampling;
- b. The name(s) of person(s) who obtained the samples or measurements;
- c. The dates and times the analyses were performed;
- d. The name(s) of the person(s) who performed the analyses;
- e. The analytical techniques or methods used, including source of method and method number; and
- f. The results of all required analyses.

4. Records Retention and Production

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the above reports or the application for this permit, for a period of at least three years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time. If litigation or other enforcement action, under the AWPCA and/or the FWPCA, is ongoing which involves any of the above records, the records shall be kept until the litigation is resolved. Upon the written request of the Director or his designee, the

permittee shall provide the Director with a copy of any record required to be retained by this paragraph. Copies of these records shall not be submitted unless requested.

- b. All records required to be kept for a period of three years shall be kept at the permitted facility or an alternate location approved by the Department in writing and shall be available for inspection.

5. Monitoring Equipment and Instrumentation

All equipment and instrumentation used to determine compliance with the requirements of this permit shall be installed, maintained, and calibrated in accordance with the manufacturer's instructions or, in the absence of manufacturer's instructions, in accordance with accepted practices. At a minimum, flow measurement devices shall be calibrated at least once every 12 months.

C. DISCHARGE REPORTING REQUIREMENTS

1. Reporting of Monitoring Requirements

- a. The permittee shall conduct the required monitoring in accordance with the following schedule:

**MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY** shall be conducted during the first full month following the effective date of coverage under this permit and every month thereafter.

**QUARTERLY MONITORING** shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this permit, but it should be reported on the last DMR due for the quarter, i.e. (March, June, September and December DMRs).

**SEMIANNUAL MONITORING** shall be conducted at least once during the period of January through June and at least once during the period of July through December. The permittee shall conduct the semiannual monitoring during the first complete calendar semiannual period following the effective date of this permit and is then required to monitor once during each semiannual period thereafter. Semiannual monitoring may be done anytime during the semiannual period, unless restricted elsewhere in this permit, but it should be reported on the last DMR due for the month of the semiannual period, i.e. (June and December DMRs).

**ANNUAL MONITORING** shall be conducted at least once during the period of January through December. The permittee shall conduct the annual monitoring during the first complete calendar annual period following the effective date of this permit and is then required to monitor once during each annual period thereafter. Annual monitoring may be done anytime during the year, unless restricted elsewhere in this permit, but it should be reported on the December DMR.

- b. The permittee shall submit discharge monitoring reports (DMRs) on the forms provided by the Department and in accordance with the following schedule:

**REPORTS OF MORE FREQUENTLY THAN MONTHLY AND MONTHLY TESTING** shall be submitted on a **quarterly** basis. The first report is due on the 28th day of [ ]. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

**REPORTS OF QUARTERLY TESTING** shall be submitted on a [ quarterly ] basis. The first report is due on the 28th day of [ ]. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

**REPORTS OF SEMIANNUAL TESTING** shall be submitted on a [ semiannual ] basis. The reports are due on the 28th day of JANUARY and the 28th day of JULY. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

**REPORTS OF ANNUAL TESTING** shall be submitted on an [ annual ] basis. The first report is due on the 28th day of JANUARY. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

- c. The DMR must be legible and bear an original signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this permit. If the permittee, using approved analytical methods as specified in Provision I. B. 2. monitors any discharge from a point source for a limited substance identified in Provision I. A. of this permit more frequently than required by this permit, the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form and the increased frequency shall be indicated on the DMR Form. In the event no discharge from a point source identified in Provision I. A of this permit and described more fully in the permittee's application occurs during a monitoring period, the permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- d. All reports and forms required to be submitted by this permit, the AWPCA and the Department's Rules and regulations, shall be signed by a "responsible official" of the permittee as defined in ADEM Administrative Code Rule 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Administrative Code Rule 335-6-6-.09 and shall bear the following certification:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering 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."**
- e. The permittee may certify in writing that a discharge will not occur for an extended period of time and after such certification shall not be required to submit monitoring reports. Written notification of a planned resumption of discharge shall be submitted at least 30 days prior to resumption of the discharge. If an unplanned resumption of discharge occurs, written notification shall be submitted within 7 days of the resumption. In any case, all discharges shall comply with all provisions of this permit.
- f. All reports and forms required to be submitted by this permit, the AWPCA and the Department's Rules, shall be addressed to:

**Alabama Department of Environmental Management  
Industrial Section, Water Division  
Post Office Box 301463  
Montgomery, Alabama 36130-1463**

2. Noncompliance Notification

- a. If for any reason, the permittee's discharge (1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Provision I. A. of this permit which is denoted by an "(X)", (2) threatens human health or welfare, fish or aquatic life, or water quality standards, (3) does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), (4) contains a quantity of a hazardous substance which has been determined may be harmful to public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. Section 1321(b)(4), (5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset, or (6) is an unpermitted direct or indirect discharge of a pollutant to a water of the state (unpermitted discharges properly reported to the Department under any other requirement are not required to be reported under this provision), the permittee shall orally report the occurrence and circumstances of such discharge to the Director within 24-hours after the permittee becomes aware of the occurrence of such discharge. In addition to the oral report, the permittee shall submit to the Director or Designee a written report as provided in Provision I. C. 2. c. no later than five (5) days after becoming aware of the occurrence of such discharge.
- b. If for any reason, the permittee's discharge does not comply with any limitation of this permit, the permittee shall submit to the Director or Designee a written report as provided in Provision I. C. 2. c. below, such report shall be submitted with the next Discharge Monitoring Report required to be submitted by Provision I. C. 1. of this permit after becoming aware of the occurrence of such noncompliance.
- c. Any written report required to be submitted to the Director or Designee by Provision I. C. 2 a. or b. shall be submitted using a copy of the Noncompliance Notification Form provided with this permit and shall include the following information:
- (1) A description of the discharge and cause of noncompliance;
  - (2) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

- (3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

**D. OTHER REPORTING AND NOTIFICATION REQUIREMENTS**

1. Anticipated Noncompliance

The permittee shall give the Director written advance notice of any planned changes or other circumstances regarding a facility which may result in noncompliance with permit requirements.

2. Termination of Discharge

The permittee shall notify the Director, in writing, when all discharges from any point source(s) identified in Provision I. A. of this permit have permanently ceased. This notification shall serve as sufficient cause for instituting procedures for modification or termination of the permit.

3. Updating Information

a. The permittee shall inform the Director of any change in the permittee's mailing address or telephone number or in the permittee's designation of a facility contact or office having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's Rules and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, the permittee shall furnish the Director with an update of any information provided in the permit application.

b. If the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

4. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director or his designee may request to determine whether cause exists for modifying, revoking and re-issuing, suspending, or terminating this permit, in whole or in part, or to determine compliance with this permit.

5. Cooling Water and Boiler Water Additives

a. The permittee shall notify the Director in writing not later than thirty (30) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in a cooling or boiler system, not identified in the application for this permit, from which discharge is allowed by this permit. Notification is not required for additives that do not contain a heavy metal(s) as an active ingredient and that pass through a wastewater treatment system prior to discharge nor is notification required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the permittee. Such notification shall include:

- (1) name and general composition of biocide or chemical,
- (2) 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach,
- (3) quantities to be used,
- (4) frequencies of use,
- (5) proposed discharge concentrations, and
- (6) EPA registration number, if applicable.

b. The use of a biocide or additive containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in cooling or boiler system(s), from which a discharge regulated by this permit occurs, is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates during the application process that the use of zinc, chromium or related compounds as a biocide or additive will not pose a reasonable potential to violate the applicable State water quality standards for these substances. The use of any additive, not identified in this permit or in the application for this permit or not exempted from notification under this permit is prohibited, prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive.



6. Permit Issued Based On Estimated Characteristics

- a. If this permit was issued based on estimates of the characteristics of a process discharge reported on an EPA NPDES Application Form 2D (EPA Form 3510-2D), the permittee shall complete and submit an EPA NPDES Application Form 2C (EPA Form 3510-2C) no later than two years after the date that discharge begins. Sampling required for completion of the Form 2C shall occur when a discharge(s) from the process(s) causing the new or increased discharge is occurring. If this permit was issued based on estimates concerning the composition of a storm water discharge(s), the permittee shall perform the sampling required by EPA NPDES Application Form 2F (EPA Form 3510-2F) no later than one year after the industrial activity generating the storm water discharge has been fully initiated.
- b. This permit shall be reopened if required to address any new information resulting from the completion and submittal of the Form 2C and or 2F.

E. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the discharge limitations specified in Provision I. A. in accordance with the following schedule:

**COMPLIANCE SHALL BE ATTAINED ON THE EFFECTIVE DATE OF THIS PERMIT**

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

**PART II**

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities only when necessary to achieve compliance with the conditions of the permit.

2. Best Management Practices

- a. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director or his designee has granted prior written authorization for dilution to meet water quality requirements.
- b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112 if required thereby.
- c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee. When submitted and approved, the BMP Plan shall become a part of this permit and all requirements of the BMP Plan shall become requirements of this permit.

3. Spill Prevention, Control, and Management

The permittee shall provide spill prevention, control, and/or management sufficient to prevent any spills of pollutants from entering a water of the state or a publicly or privately owned treatment works. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and which shall prevent the contamination of groundwater and such containment system shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided.

**B. OTHER RESPONSIBILITIES**

1. Duty to Mitigate Adverse Impacts

The permittee shall promptly take all reasonable steps to mitigate and minimize or prevent any adverse impact on human health or the environment resulting from noncompliance with any discharge limitation specified in Provision I. A. of this permit, including such accelerated or additional monitoring of the discharge and/or the receiving waterbody as necessary to determine the nature and impact of the noncomplying discharge.

2. Right of Entry and Inspection

The permittee shall allow the Director, or an authorized representative, upon the presentation of proper credentials and other documents as may be required by law to:

- a. enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
- b. have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- c. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit; and
- d. sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

**C. BYPASS AND UPSET**

1. Bypass

- a. Any bypass is prohibited except as provided in b. and c. below:
- b. A bypass is not prohibited if:
  - (1) It does not cause any discharge limitation specified in Provision I. A. of this permit to be exceeded; and
  - (2) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system.
- c. A bypass is not prohibited and need not meet the discharge limitations specified in Provision I. A. of this permit if:
  - (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime (this condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and
  - (3) The permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.
- d. The permittee has the burden of establishing that each of the conditions of Provision II. C. 1. b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in a. and an exemption, where applicable, from the discharge limitations specified in Provision I. A. of this permit.

2. Upset

- a. A discharge which results from an upset need not meet the discharge limitations specified in Provision I. A. of this permit if:
  - (1) No later than 24-hours after becoming aware of the occurrence of the upset, the permittee orally reports the occurrence and circumstances of the upset to the Director or his designee; and

(2) No later than five (5) days after becoming aware of the occurrence of the upset, the permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, or other relevant evidence, demonstrating that (i) an upset occurred; (ii) the permittee can identify the specific cause(s) of the upset; (iii) the permittee's facility was being properly operated at the time of the upset; and (iv) the permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.

- b. The permittee has the burden of establishing that each of the conditions of Provision II C. 2. a. of this permit have been met to qualify for an exemption from the discharge limitations specified in Provision I. A. of this permit.

#### D. DUTY TO COMPLY WITH PERMIT, RULES, AND STATUTES

##### 1. Duty to Comply

- a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the AWPCA and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification; or denial of a permit renewal application.
- b. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of the permit shall not be a defense for a permittee in an enforcement action.
- c. The discharge of a pollutant from a source not specifically identified in the permit application for this permit and not specifically included in the description of an outfall in this permit is not authorized and shall constitute noncompliance with this permit.
- d. The permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this permit or to minimize or prevent any adverse impact of any permit violation.

##### 2. Removed Substances

Solids, sludges, filter backwash, or any other pollutant or other waste removed in the course of treatment or control of wastewaters shall be disposed of in a manner that complies with all applicable Department Rules.

##### 3. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facility, including but not limited to the loss or failure of the primary source of power of the treatment facility, the permittee shall, where necessary to maintain compliance with the discharge limitations specified in Provision I. A. of this permit, or any other terms or conditions of this permit, cease, reduce, or otherwise control production and/or all discharges until treatment is restored.

##### 4. Compliance With Statutes and Rules

- a. This permit has been issued under ADEM Administrative Code, Chapter 335-6-6. All provisions of this chapter, that are applicable to this permit, are hereby made a part of this permit. A copy of this chapter may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1751 Congressman Dickinson Drive, Montgomery, AL 36130.
- b. This permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

#### E. PERMIT TRANSFER, MODIFICATION, SUSPENSION, REVOCATION, AND REISSUANCE

##### 1. Duty to Reapply or Notify of Intent to Cease Discharge

- a. If the permittee intends to continue to discharge beyond the expiration date of this permit, the permittee shall file a complete permit application for reissuance of this permit at least 180 days prior to its expiration. If the permittee does not intend to continue discharge beyond the expiration of this permit, the permittee shall submit written notification of this intent which shall be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Administrative Code Rule 335-6-6-.09.
- b. Failure of the permittee to apply for reissuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code Rule 335-6-6-.06 and should the permit not be reissued for any reason any discharge after expiration of this permit will be an unpermitted discharge.

2. Change in Discharge

- a. The permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants or increase the quantity of a discharged pollutant such that existing permit limitations would be exceeded or that could result in an additional discharge point. This requirement applies to pollutants that are or that are not subject to discharge limitations in this permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.
- b. The permittee shall notify the Director as soon as it is known or there is reason to believe:
- (1) That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (a) one hundred micrograms per liter;
    - (b) two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dini-trophenol; and one milligram per liter for antimony;
    - (c) five times the maximum concentration value reported for that pollutant in the permit application; or
  - (2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
    - (a) five hundred micrograms per liter;
    - (b) one milligram per liter for antimony;
    - (c) ten times the maximum concentration value reported for that pollutant in the permit application.

3. Transfer of Permit

This permit may not be transferred or the name of the permittee changed without notice to the Director and subsequent modification or revocation and reissuance of the permit to identify the new permittee and to incorporate any other changes as may be required under the FWPCA or AWPCA. In the case of a change in name, ownership or control of the permittee's premises only, a request for permit modification in a format acceptable to the Director is required at least 30 days prior to the change. In the case of a change in name, ownership or control of the permittee's premises accompanied by a change or proposed change in effluent characteristics, a complete permit application is required to be submitted to the Director at least 180 days prior to the change. Whenever the Director is notified of a change in name, ownership or control, he may decide not to modify the existing permit and require the submission of a new permit application.

4. Permit Modification and Revocation

- a. This permit may be modified or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:
- (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to revoke and reissue this permit instead of terminating the permit;
  - (2) If a request to transfer this permit has been received, the Director may decide to revoke and reissue or to modify the permit; or
  - (3) If modification or revocation and reissuance is requested by the permittee and cause exists, the Director may grant the request.
- b. This permit may be modified during its term for cause, including but not limited to, the following:
- (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to modify this permit instead of terminating this permit;

- (2) There are material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;
  - (3) The Director has received new information that was not available at the time of permit issuance and that would have justified the application of different permit conditions at the time of issuance;
  - (4) A new or revised requirement(s) of any applicable standard or limitation is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA;
  - (5) Errors in calculation of discharge limitations or typographical or clerical errors were made;
  - (6) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued;
  - (7) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, permits may be modified to change compliance schedules;
  - (8) To agree with a granted variance under 301(c), 301(g), 301(h), 301(k), or 316(a) of the FWPCA or for fundamentally different factors;
  - (9) To incorporate an applicable 307(a) FWPCA toxic effluent standard or prohibition;
  - (10) When required by the reopener conditions in this permit;
  - (11) When required under 40 CFR 403.8(e) (compliance schedule for development of pretreatment program);
  - (12) Upon failure of the state to notify, as required by Section 402(b)(3) of the FWPCA, another state whose waters may be affected by a discharge permitted by this permit;
  - (13) When required to correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions; or
  - (14) When requested by the permittee and the Director determines that the modification has cause and will not result in a violation of federal or state law, regulations or rules; or
5. This permit may be terminated during its term for cause, including but not limited to, the following:
- a. Violation of any term or condition of this permit;
  - b. The permittee's misrepresentation or failure to disclose fully all relevant facts in the permit application or during the permit issuance process or the permittee's misrepresentation of any relevant facts at any time;
  - c. Materially false or inaccurate statements or information in the permit application or the permit;
  - d. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
  - e. The permittee's discharge threatens human life or welfare or the maintenance of water quality standards;
  - f. Permanent closure of the facility generating the wastewater permitted to be discharged by this permit or permanent cessation of wastewater discharge;
  - g. New or revised requirements of any applicable standard or limitation that is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA that the Director determines cannot be complied with by the permittee.
  - h. Any other cause allowed by the ADEM Administrative Code, Chapter 335-6-6.
6. This permit may be suspended during its term for noncompliance until the permittee has taken action(s) necessary to achieve compliance.
7. The filing of a request by the permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term or condition.

**F. COMPLIANCE WITH TOXIC POLLUTANT STANDARD OR PROHIBITION**

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), for a toxic pollutant discharged by the permittee and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Provision I. A. of this permit, or controls a pollutant not limited in Provision I. A. of this permit, this permit shall be modified to conform to the toxic pollutant effluent standard or prohibition and the permittee shall be notified of such modification. If this permit has not been modified to conform to the toxic pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the permittee shall attain compliance with the requirements of the standard or prohibition within the time period required by the standard or prohibition and shall continue to comply with the standard or prohibition until this permit is modified or reissued.

**G. DISCHARGE OF WASTEWATER GENERATED BY OTHERS**

The discharge of wastewater, generated by any process, facility, or by any other means not under the operational control of the permittee or not identified in the application for this permit or not identified specifically in the description of an outfall in this permit is not authorized by this permit.

**PART III**

**A. CIVIL AND CRIMINAL LIABILITY**

**1. Tampering**

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under the permit shall, upon conviction, be subject to penalties as provided by the AWPCA.

**2. False Statements**

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be subject to penalties as provided by the AWPCA.

**3. Permit Enforcement**

a. Any NPDES permit issued or reissued by the Department is a permit for the purpose of the AWPCA and the FWPCA and as such any terms, conditions, or limitations of the permit are enforceable under state and federal law.

b. Any person required to have a NPDES permit pursuant to ADEM Administrative Code Chapter 335-6-6 and who discharges pollutants without said permit, who violates the conditions of said permit, who discharges pollutants in a manner not authorized by the permit, or who violates applicable orders of the Department or any applicable rule or standard of the Department, is subject to any one or combination of the following enforcement actions under applicable state statutes.

- (1) An administrative order requiring abatement, compliance, mitigation, cessation, clean-up, and/or penalties;
- (2) An action for damages;
- (3) An action for injunctive relief; or
- (4) An action for penalties.

**4. Relief from Liability**

Except as provided in Provision II. C. 1. (Bypass) and Provision II. C. 2. (Upset), nothing in this permit shall be construed to relieve the permittee of civil or criminal liability under the AWPCA or FWPCA for noncompliance with any term or condition of this permit.

**B. OIL AND HAZARDOUS SUBSTANCE LIABILITY**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under Section 311 of the FWPCA, 33 U.S.C. Section 1321.

**C. PROPERTY AND OTHER RIGHTS**

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 persons or property or invasion of other private rights, or any infringement of federal, state, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the state or of the United States.

**D. AVAILABILITY OF REPORTS**

Except for data determined to be confidential under Code of Alabama 1975, Section 22-22-9(c), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential.

**E. EXPIRATION OF PERMITS FOR NEW OR INCREASED DISCHARGES**

1. If this permit was issued for a new discharger or new source, this permit shall expire eighteen months after the issuance date if construction of the facility has not begun during the eighteen-month period.
2. If this permit was issued or modified to allow the discharge of increased quantities of pollutants to accommodate the modification of an existing facility and if construction of this modification has not begun during the eighteen month period after issuance of this permit or permit modification, this permit shall be modified to reduce the quantities of pollutants allowed to be discharged to those levels that would have been allowed if the modification of the facility had not been planned.
3. Construction has begun when the owner or operator has:
  - a. begun, or caused to begin as part of a continuous on-site construction program:
    - (1) any placement, assembly, or installation of facilities or equipment; or
    - (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
  - b. entered into a binding contractual obligation for the purpose of placement, assembly, or installation of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under the paragraph. The entering into a lease with the State of Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.

**F. COMPLIANCE WITH WATER QUALITY STANDARDS**

1. On the basis of the permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this permit should assure compliance with the applicable water quality standards.
2. Compliance with permit terms and conditions notwithstanding, if the permittee's discharge(s) from point sources identified in Provision I. A. of this permit cause or contribute to a condition in contravention of state water quality standards, the Department may require abatement action to be taken by the permittee in emergency situations or modify the permit pursuant to the Department's Rules, or both.
3. If the Department determines, on the basis of a notice provided pursuant to this permit or any investigation, inspection or sampling, that a modification of this permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the discharge until the permit has been modified.

## G. GROUNDWATER

Unless specifically authorized by a permit issued by the Department, the discharge of pollutants to groundwater is prohibited. Should a threat of groundwater contamination occur, the Director may require groundwater monitoring to properly assess the degree of the problem and the Director may require that the permittee undertake measures to abate any such discharge and/or contamination.

## H. DEFINITIONS

1. Average monthly discharge limitation - means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
2. Average weekly discharge limitation - means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
3. AWPCA - means the Alabama Water Pollution Control Act.
4. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
5. Daily discharge - means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
6. Daily maximum - means the highest value of any individual sample result obtained during a day.
7. Daily minimum - means the lowest value of any individual sample result obtained during a day.
8. Day - means any consecutive 24-hour period.
9. Department - means the Alabama Department of Environmental Management.
10. Director - means the Director of the Department.
11. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state". Code of Alabama 1975, Section 22-22-1(b)(9).
12. Discharge monitoring report (DMR) - means the form approved by the Director to accomplish reporting requirements of an NPDES permit.
13. EPA - means the United States Environmental Protection Agency.
14. FWPCA - means the Federal Water Pollution Control Act.
15. Permit application - means forms and additional information that is required by ADEM Administrative Code Rule 335-6-6-.08 and applicable permit fees.
16. Point source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, . . . from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. Section 1362(14).
17. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics specified in Provision I. A. of this permit.
18. Severe property damage - means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.



19. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge 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.
20. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, Section 22-22-1(b)(2). Waters "include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.
21. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.

#### I. SEVERABILITY

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

### PART IV

#### A. OTHER CONDITIONS

1. The permittee shall contact the Department within 24 hours of detecting a reportable spill, as defined under 40 CFR Part 112, SPCC Regulations, or 40 CFR Part 117, Hazardous Substances Regulations.
2. In the event that waste streams from various sources are combined for treatment or discharge, the quantity of each pollutant attributable to each controlled waste source shall not exceed the specified limitations for the waste. The permittee shall not combine sources for treatment or discharge without prior approval by the Department.
3. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts from any surface water discharge allowed by this permit. The permittee shall report all visible discharges or observations of floating materials or oil sheens on the receiving streams to the Department within 24 hours, or the next working day, whichever ever is sooner. Field data sheets shall have appropriate spaces to record observations.
5. The permittee shall not store oil or other similar erodible materials in a manner in which runoff is uncontrolled, or conduct construction activities in a manner which produces uncontrolled runoff unless such runoff and practices have been specifically approved by the Department. "Uncontrolled" shall mean, without sedimentation basins or other controls approved by the Department. This permit may be modified to include limitations for the discharge from such facilities when installed.
6. Discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which may ultimately be released to waters of the state is prohibited unless specifically authorized elsewhere in this permit. This requirement is not applicable to products used for lawn and agricultural purposes. The discharge of chlorine is authorized in Part I of this permit.
7. The discharge of any hazardous wastes to any waste stream which ultimately discharges to any receiving stream is prohibited, unless specifically authorized elsewhere in the permit.
8. The permittee shall comply with all U.S. Nuclear Regulatory Commission requirements relative to discharges. Copies of all routine radiological liquid effluent and water quality monitoring reports submitted to the NRC shall be made available upon the request of the State Director or his designee.
9. Permittee shall document the reapplication of wood preservative chemicals in the tower and the expected maximum concentrations of toxicants that are expected in the cooling tower blowdown and in DSN001. The documentation shall be maintained at the facility and shall be made available upon the request of the State Director or his designee. During the first week of cooling operations following an application of wood preservatives, the permittee shall begin a toxicity testing program required by Part IV, Page 15, of this permit unless directed otherwise by the Director. Additionally, documentation and retesting shall be required at the time of any future retreatment of the tower.

10. Storm water runoff may include non-storm discharges consisting of discharges from fire fighting activities, fire hydrant flushings, potable water sources including waterline flushings, irrigation drainage, lawn watering, routine external building washdown that does not use detergents or other compounds, pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used, air conditioning condensate, uncontaminated springs, uncontaminated groundwater, and foundation or footing drains where flows are not contaminated with process materials such as solvents.

## **B. CHEMICAL CLEANING WASTE**

The permittee shall not discharge chemical metal cleaning wastes as defined as 40 CFR 423.11.(c), to any surface impoundment unless one of the following conditions is met:

1. The permittee treats the wastes, prior to discharge to an earthen surface impoundment, to a level consistent with the limitations contained within this permit for metal cleaning wastes, and maintains the pH within the surface impoundment at above 6.0 standard units; or
2. The surface impoundment receiving the untreated wastes is constructed of a nonearthen material which is approved by the Department as being sufficiently impermeable; or
3. The permittee submits, within 180 days following the effective date of this permit, a proposed plan to monitor the groundwater around the surface impoundment, and implements said program within 120 days after Department approval. Such plan shall provide for monitoring of the uppermost aquifer under the surface impoundments, or for monitoring the leachate from the impoundment, such as with an underdrain system. Groundwater monitoring requirements for the impoundment, after approval by the Department, shall become part of this permit. Should monitoring results reveal that contamination is occurring, or has occurred, the permittee shall be required to terminate use of the impoundment, and possibly clean up contaminated groundwater; or
4. The permittee provides alternate treatment as approved by the Department.

In all cases where the EPA Guidelines apply to the discharges discussed above, a best professional judgement has been made that best conventional treatment (BCT) is equal to best practical treatment (BPT).

## **C. EFFLUENT TOXICITY LIMITATIONS AND BIOMONITORING REQUIREMENTS**

The permittee shall perform short-term chronic toxicity tests on the wastewater discharges required to be tested for chronic toxicity by Part I of this permit.

Test Requirements (screening test):

The samples shall be diluted, using an appropriate control water, to the Instream Waste Concentration (IWC) which is 9% effluent. The IWC is the actual concentration of effluent, after mixing, in the receiving stream during a 7-day, 10-year flow period.

Any test result that show a statistically significant reduction in survival, growth or reproduction between the control and the test at the 95% confidence level indicate chronic toxicity and constitute noncompliance with this permit.

General Test Requirements:

A minimum of three (3) 24-hour composite samples shall be obtained for use in each of the above biomonitoring tests. The holding time for each composite sample shall not exceed 36 hours. The control water shall be a water prepared in the laboratory in accordance with the EPA procedure referenced above or another control water selected by the permittee and approved by the Department.

Effluent toxicity tests in which the control survival is less than 80% or in which the other requirements of the EPA Test Procedure are not met shall be unacceptable and the permittee shall rerun the tests as soon as practical within the monitoring period.

Reporting Requirements:

Biomonitoring test results obtained during each monitoring period shall be summarized and reported using the appropriate report form approved by the Department and shall be submitted so that the report is received by the Department no later than 28 days following the last day of the monitoring period.

**Additional Testing Requirements:**

If chronic toxicity is indicated (noncompliance with permit limit), the permittee shall perform two additional chronic toxicity tests in accordance with these procedures to determine the extent and duration of the toxic condition. The toxicity tests shall be performed once per week and shall be performed during the first two calendar weeks following the date on which the permittee became aware of the permit noncompliance and the results of these tests shall be submitted no later than 28 days following the month in which the tests were performed.

After evaluation of the results of the follow-up tests, the Department will determine if additional action is appropriate and may require additional testing and/or toxicity reduction measures.

**Test Methods:**

The tests shall be performed in accordance with the latest edition of the "EPA Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms." The Larval Survival and Growth Test, Methods 1000.0, shall be used for the fathead minnow (*Pimephales promelas*) test and the Survival and Reproduction Test, Method 1002.0, shall be used for the cladoceran (*Ceriodaphnia dubia*) test.

After evaluation of the results of the follow-up tests, the Department will determine if additional action is appropriate and may require additional testing and/or toxicity reduction measures.

**EFFLUENT TOXICITY TESTING REPORTS**

The following information shall be submitted with each discharge monitoring report. The Department may at any time suspend or reinstate this requirement or may decrease or increase the frequency of submittals.

1. Facility name and location
2. Permit number
3. Toxicity testing requirements of permit
4. Name of receiving water body

**Source of Effluent and Dilution Water**

1. Effluent samples
  - a. Sampling point
  - b. Collection dates and times
  - c. Sample collection method
  - d. Physical and chemical data  
(volume of waste flow, dissolved oxygen, water temperature, pH, alkalinity, hardness, specific conductance)
2. Dilution Water
  - a. Source
  - b. Collection/preparation date(s) and time(s)
  - c. Pretreatment (if applicable)
  - d. Physical and chemical characteristics  
(dissolved oxygen, water temperature, pH, alkalinity, hardness, specific conductance)

**Test Methods**

1. Toxicity test method utilized
2. End point(s) of test
3. Deviations from referenced method, if any, and reasons
4. Date and time test started
5. Date and time test terminated
6. Type and volume of test chambers
7. Volume of solution per chamber
8. Number of organisms per test chamber
9. Number of replicate test chambers per treatment
10. Test temperature (mean and range)

#### Test Organisms

1. Scientific name
2. Life stage and age
3. Source
4. Disease treatment (if applicable)

#### Quality Assurance

1. Standard toxicant utilized and source
2. Date and time of most recent test
3. Dilution water utilized in test
4. Results (LC50, NOEC, etc.)
5. Physical and chemical methods utilized

#### Results

1. Provide copies of laboratory bench sheets of all raw data
  - a. Physical/chemical data for test concentrations
  - b. Biological data – daily records on organisms
2. Indicate statistical methods utilized to calculate endpoints and provide copies of calculations.
3. Provide summary tables of calculations (LC50, NOEC, etc.) and physical/chemical data.

Adapted from "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", Third Edition, Lewis, Philip, et al., July 1994 (EPA/600/4-91/002), Section 10, Report Preparation

#### D. STORM WATER FLOW MEASUREMENT AND SAMPLING REQUIREMENTS

1. Storm Water Flow Measurement
  - a. All storm water samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches.
  - b. The total volume of storm water discharged for the event must be monitored, including the date and duration (in hours) and rainfall (in inches) for storm event(s) sampled. The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event must be a minimum of 72 hours. This information must be recorded as part of the sampling procedure and records retained according to Part I.B.4.b. of this permit.
  - c. The volume may be measured using flow measuring devices, or estimated based on a modification of the Rational Method using total depth of rainfall, the size of the drainage area serving a storm water outfall, and an estimate of the runoff coefficient of the drainage area. This information must be recorded as part of the sampling procedure and records retained according to Part I.B.4.b. of this permit.
2. Storm Water Sampling
  - a. A grab sample, if required by this permit, shall be taken during the first thirty minutes of the discharge (or as soon thereafter as practicable); and a flow-weighted composite sample, if required by this permit, shall be taken for the entire event or for the first three hours of the event.
  - b. All test procedures will be in accordance with part I.B.2. of this permit.