



Entergy Operations, Inc  
Waterford 3 SES  
17265 River Road  
Killona, LA 70057  
Tel 504 739 6650

W3B0-2005-0002  
A4.06  
PR

January 24, 2005

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

Subject: Issuance of LPDES Permit - LA0007374  
Waterford Steam Electric Station - Unit 3 (Waterford 3)  
Docket No. 50-382  
License No. NPF-38

Dear Sir or Madam:

Please find enclosed a copy of Waterford 3's Louisiana Pollutant Discharge Elimination System (LPDES) Permit Number LA0007374 for your records. This permit was issued by the Louisiana Department of Environmental Quality on December 28, 2004 with an effective date of February 1, 2005. Also included, is the Louisiana Department of Environmental Quality's response to comments submitted by Entergy during the public notice period.

There are no commitments contained in this submittal.

Should you have any questions or comments, please contact Mr. Mark J. Louque at (504) 464-3267.

Sincerely,

A handwritten signature in cursive script, appearing to read "John L. Hornsby".

John L Hornsby  
Superintendent,  
Chemistry & Environmental

JLH/MJL/mjl

0001

LPDES Permit Number LA0007374  
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cc Dr. Bruce S. Mallett  
Regional Administrator  
U. S. Nuclear Regulatory Commission  
Region IV  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-8064

NRC Senior Resident Inspector  
Waterford Steam Electric Station Unit 3  
P.O. Box 822  
Killona, LA 70066-0751

U. S. Nuclear Regulatory Commission  
Attn: Mr. N. Kalyanam  
Mail Stop O-07D1  
Washington, DC 20555-0001

Wise, Carter, Child & Caraway  
ATTN: J. Smith  
P.O. Box 651  
Jackson, MS 39205

Winston & Strawn  
ATTN: N.S. Reynolds  
1400 L Street, NW  
Washington, DC 20005-3502



**State of Louisiana**  
**Department of Environmental Quality**



KATHLEEN BABINEAUX BLANCO  
 GOVERNOR

DEC 29 2004

MIKE D. McDANIEL, Ph.D.  
 SECRETARY

**CERTIFIED MAIL 7004 0750 0003 5676 3119 -RETURN RECEIPT REQUEST**

EPA Certified# 7004 0750 0003 5676 3126

File No.: LA0007374

AI No.: 35260

Activity No.: PER20040001

Mr. Mark J. Louque, Environmental Engineer  
 Entergy Operations, Inc.  
 Waterford 3 Steam Electric Station  
 17265 River Road  
 Killona, Louisiana 70057

**RECEIVED JAN 05 2005**  
*MJ*

**RE:** Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge once through non-contact cooling water, intermittent discharges including utilities and maintenance wastewaters, and stormwater to the Mississippi River (Outfall 001) and the intermittent discharge of stormwater runoff and maintenance wastewaters (Outfall 004) and treated sanitary wastewater (Outfall 005) to the 40 Arpent Canal thence to Lac Des Allemands from an existing steam electric generating station located at 17265 River Road in Killona, St. Charles Parish.

Dear Mr. Louque:

This Office has not received comments from the general public in response to the public notice published in the Office of Environmental Services Public Notice Mailing List on November 19, 2004 and THE ST. CHARLES HERALD-GUIDE of Boutte on November 20, 2004. This Office did, however, receive comments from Entergy Operations, Inc. by a letter dated December 13, 2004. The comments and this Department's response to comments are below:

**Comment #1:** *"Part I: Internal Outfall 1001, description of Outfall -- Please insert in the outfall description after "Optional discharges to Final Outfall 004 may occur during maintenance periods" and during rain events that compromise the capacity of discharge pumps. Waterford 3 anticipates under certain heavy rainfall events, the capacity of the pumps directing flow to Outfall 001 may be compromised causing an overflow of contained area. In this event, a controlled flow to Final Outfall 004 assumes best management practices."*

**Response to Comment #1:** As per your request, the following phrase has been added to the outfall description for Internal Outfall 1001: "and during rain events that compromise the capacity of the discharge pumps"

**Comment #2:** *"Part II Specific Conditions, Section X, Compliance with 316(b) and the regulations promulgated there under -- Entergy requests that this section be removed from the LPDES permit and be replaced by a letter agreement between Entergy and LDEQ that contains the same provisions. Entergy does not object to the provisions of the section and believes that the allowance of 3.5 years from the effective date of EPA's Phase II 316(b) rules, or January 7, 2008,*

OFFICE OF ENVIRONMENTAL SERVICES • P.O. BOX 4313 • BATON ROUGE, LOUISIANA 70821-4313



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for the submission of a Comprehensive Demonstration Study is appropriate in this instance. The Phase II Rule, however, has been challenged by both environmental and industry petitioners, including Entergy, and a probability exists that the Rule, its deadlines, and its substance will be stayed or modified in some fashion as a result of the current litigation.”

“This stay or modification likely would change the timing and method of Entergy’s compliance with the final rule. Placement of the deadline for compliance with the current version of the Rule in this permit would cause a difficulty if and when the current Rule is struck down by the courts, remanded to EPA, or modified by EPA. In other words, the deadlines and method of compliance stated in this section of the draft permit are likely to change, and both Entergy and LDEQ will gain flexibility to respond to this changing regulatory landscape if plans for 316(b) compliance are, at this stage, included in a letter agreement instead of in a permit condition. Otherwise, the necessity for a permit modification is likely, and Entergy will face the danger of at least technical permit violations or citizen suits based strictly on the permit language even through the underlying regulation has changed.”

“Entergy does request that the 3.5 year period for compliance be granted, as is discussed at 69 Fed. Reg. 41576, 41631 (July 9, 2004), and is proposed by the draft permit language. EPA Region I recently has granted, by letter, this request for extension by Entergy for its Pilgrim nuclear facility in Massachusetts. As here, the NPDES permit for Pilgrim was pending re-issuance at the publication of Phase II rule.”

**Response to Comment #2:** Part II language regarding 316(b) compliance was placed in the Waterford 3 permit in accordance with current EPA Region VI policy. This Office finds it necessary to place this Phase II 316(b) language in permits for applicable facilities in order to establish a mechanism for enforcement of the rule. A written letter agreement between the Office of Environmental Services and the permittee would not be enforceable under the LPDES regulations and by the Office of Environmental Compliance. This Office is aware that the final Phase II 316(b) has been challenged by industry; however, at this time, the rule is still in effect. If the courts stay the rule in its entirety, the 316(b) requirements in the permit, in essence, will become null and void until a final ruling is made by the courts. Please be advised that neither this Office nor the Office of Environmental Compliance will seek enforcement action against Entergy or any other permittee with Phase II 316(b) permit language if the portion(s) of the rule applicable to the 316(b) permit requirements are stayed. Additionally, if in the near future the rule is stayed, upon written request by Entergy, this Office will consider modifying Waterford 3's LPDES permit to remove the Phase II 316(b) requirements.

**Comment #3:** *“Part I, Page 2 & 3 of 16, Whole Effluent Toxicity Testing Frequency; Part II, Specific Conditions, Biomonitoring Requirements; Fact Sheet and Rationale, Appendix C --* Entergy recognizes that the Department requires the use of the most recent EPA biomonitoring protocols. It also would like to point out that the regulations minimally require annual monitoring only. Although annual monitoring is a minimal requirement, Entergy requests that the biomonitoring frequency be reduced from quarterly, as outlined in the permit, to semiannual. Entergy expresses that its views that the two sampling events (early spring and fall) would be representative of the discharge over the course of one year. In addition, previous biomonitoring results at this outfall have been favorable and no changes in plant operations are anticipated that

would alter future results. Entergy formally requests a copy of the statement of basis for the implementation of increase Whole Effluent Toxicity Testing.”

**Response to Comment #3:** The biomonitoring requirements established in the draft and final permit are in accordance with LDEQ’s biomonitoring policy set forth by the *EPA Region VI Post-Third Round Whole Effluent Toxicity Testing Frequencies* (Revised June 30, 2000) guidance document. In this policy, it is stated that “All major dischargers, and those minor dischargers identified by EPA or the State permitting authority (based on available information on a case-by-case basis) as posing a significant unaddressed toxic risk, will be required to perform Whole Effluent Toxicity (WET) testing at a frequency of once per quarter for the vertebrate and invertebrate test species for the first year of a new or reissued permit. This represents the minimum WET testing frequency requirements.” The policy further establishes that if there are no significant lethal or sublethal effects demonstrated at or below the critical dilution during the first four quarters of testing, the permittee may certify fulfillment of the WET testing requirements in writing to the permitting authority, and at that time, WET testing may be reduced to not less than once per six months for the more sensitive species and not less than once per year for the less sensitive species for the remainder of the life of the permit. The requirements established by the policy are imposed upon all applicable facilities in the State of Louisiana. Therefore, the WET testing frequency found in the draft permit shall remain in the final permit.

**Comment #4:** *“Part II, Page 8 of 22, Section V; Part II, Specific Conditions, Stormwater Discharges; Page 37 of Fact Sheet and Rationale --* Entergy formally requests that the Stormwater Pollution Prevention Plan (SWPPP) language in Part II Section V of the Waterford 3 Steam Electric Station LPDES Permit LA0007374 be removed from the Part II text since all of the facility’s areas of industrial activity have been covered by the facility’s individual LPDES permit and no water quality violations as a result of industrial activities have been noted during the term of the individual permit. In addition, Entergy believes that criteria outlined in the SWPP plans duplicates information outlined in the facilities Spill Prevention, Control and Countermeasure Plan, Hazardous Material Response Procedures and Event Notification Procedures. This request coincides with permit appeals currently being pursued by Entergy Gulf States, Inc. concerning the Roy S. Nelson Coal Plant water discharge permit LA0059030 (in appeal of similar language found in Part II Section M), the Willow Glen Plant water discharge discharge permit LA0005851 (in appeal of similar language found in Part II Section Q), and Entergy Louisiana, Inc. - Little Gypsy Plant water discharge permit LA0003191 (in appeal of similar language found in Part II Section O).”

“As outlined in last Waterford 3 NPDES permits prior to submittal of this LPDES permit, Entergy Operations, Inc. confirms that all of the Waterford 3 areas of industrial activity have been and continue to be covered by this facility’s individual LPDES permit.”

“In has been LDEQ’s intention to require stormwater pollution prevention language in all steam electric permit(s) regardless if the current permit or the renewed permit already reflects monitoring of all stormwater Outfalls. The Department continues to stress:

‘Industrial LPDES permits are currently incorporating Storm Water Pollution Prevention Plan (SWPPP) requirements in Part II, Other Requirements, for stormwater discharge

associated with industrial activity in the form of specific SWPPP and/or Best Management Practice Plans. In lieu of this LPDES requirement, Entergy could submit a Notice of Intent to be covered under the terms and conditions of the Multi-Sector General Permit, Sector O.'

This excerpt is taken from LDEQ's response to comments for the Little Gypsy Plant LPDES permit LA0003191, via letter dated October 1, 2002."

"Even if the facility requested coverage under the Multi-Sector General Permit (MSGP), Entergy will exercise its rights outlined in the language on page 19 of this Multi-Sector General Permit and automatically terminate coverage. The language in the MSGP reads as follows:

'Note: Submittal of a NOT (Notice of Termination) is not required if all storm water discharges associated with industrial activity at the facility become covered under an alternative LPDES permit. The applicability of this permit is automatically terminated on the effective date of the coverage by the alternate permit.'

It is clear that the intent and the purpose of the Multi-Sector General Permit is to act as an option to permittees that do not have individual LPDES permits. Second, because the permit is written to cover specific types of discharges inherent to the steam electric industry (Sector O), the MSGP reduces the technical evaluation that the agency must perform when developing an individual LPDES permit. However, it is very clear that once the same point sources are incorporated into the facility individual LPDES permit, the MSGP becomes duplicative and the reasons to continue to operate under the language of both permits only identifies monitoring conflicts."

**Response to Comment #4:** EPA described the Multi-Sector General Permit as "designed to comply with the technology-based standards of the CWA (BAT/BCT)," (Final National Pollutant Discharge Elimination System Storm Water Multi-Sector General Permit for Industrial Activities, 60 FR 50812, September 29, 1995). According to the "Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits," the interim permitting approach uses best management practices (BMPs) in first-round stormwater permitting, and expanded or better-tailored BMPs in subsequent permits, where necessary, to provide for the attainment of water quality standards. Section 301 of the CWA requires that discharger permits include effluent limitations necessary to meet State or Tribal water quality standards. Section 502 defines "effluent limitation" to mean any restriction on quantities, rates and concentrations of constituents discharged from point sources. The CWA does not say that effluent limitations need to be numeric. As a result, EPA and States have flexibility in terms of how to express effluent limitations. EPA has, through regulation, interpreted the statute to allow for non-numeric limitations (e.g. "best management practices," see 40 CFR 122.2) to supplement or replace numeric limitations in specific instances that meet the criteria specified at 40 CFR 122.44(k). This permit requires monitoring in addition to SWPPP language in order to assess the effectiveness of the industrial storm water pollution prevention plan in reducing these contaminants. The SWPPP language is needed to address other pollutants not covered in the permit limitations or in-place of more stringent limitations.

Entergy Operations, Inc.  
LA0007374, AI No. 35260, Activity No. PER20040001  
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Pursuant to the Clean Water Act (33 U.S.C. 1251 *et seq.*), and the Louisiana Environmental Quality Act (La. R.S. 30:2001, *et seq.*), the attached LPDES permit has been issued. Provisions of this permit may be appealed in writing pursuant to La. R.S. 2024(A) within 30 days from receipt of the permit. Only those provisions specifically appealed will be suspended by a request for hearing unless the secretary or the assistant secretary elects to suspend other provision(s) as well. A request for hearing must be sent to the following:

Louisiana Department of Environmental Quality  
Office of the Secretary  
Attention: Hearings Clerk, Legal Division  
Post Office Box 4302  
Baton Rouge, Louisiana 70821-4302

In accordance with Part II, Paragraph W of the permit, monitoring results shall be reported on a Discharge Monitoring Report (DMR) form per the schedule specified by the permit. A copy of the form to be used is attached for your convenience. Copies to be submitted to the regional office should be sent to the Southeast Regional Office at the following address:

Southeast Regional Office  
Office of Environmental Compliance  
Surveillance Division  
201 Evans Road  
Bldg. 4, Suite 420  
New Orleans, Louisiana 70123-5230

This permit shall replace the previously effective LPDES permit. All future correspondence regarding this permit shall use the Agency Interest (AI) number 35260 and LPDES permit number LA0007374.

Should you have any questions concerning this permit, please feel free to contact Melanie Connor of the Office of Environmental Services, at the letterhead address or telephone (225) 219-3107.

Sincerely,



Karen K. Gautreaux  
Deputy Secretary

mbc

Attachment(s)

**c: cover letter and title page:**

**Mr. Scott Guilliams  
Ms. Cheryl LeJeune  
Permits Division**

**c: cover letter only:**

**Mr. Douglas Vincent, P.E.  
Public Health Chief Engineer  
Office of Public Health  
Department of Health and Hospitals**

**c: cover letter, Part I - II:**

**Ms. Melanie Connor  
Permits Division**

**Permit Compliance Unit  
Office of Environmental Compliance**

**c. cover letter, permit, and all attachments:**

**Ms. Evelyn Rosborough (6WQ-CA)  
U.S. Environmental Protection Agency,  
Region VI (by Certified Mail)**

**IO-W File**



PERMIT NUMBER  
LA0007374  
AI No.: 35260  
Activity No.: PER20040001

OFFICE OF ENVIRONMENTAL SERVICES  
**Water Discharge Permit**

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

Entergy Operations, Inc.  
Waterford 3 Steam Electric Station  
17265 River Road  
Killona, Louisiana 70057

**Type Facility:** Steam electric generating station  
**Location:** 17265 River Road in Killona  
St. Charles Parish  
**Receiving Waters:** Mississippi River (Outfall 001)  
40 Arpent Canal thence to Lac Des Allemands (Outfall 004 and Outfall 005)

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

This permit shall become effective on February 1, 2005

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on December 28, 2004

  
\_\_\_\_\_  
Karen K. Gautreaux  
Deputy Secretary

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## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall 001)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 001, the continuous discharge of once through non-contact cooling water, and previously monitored intermittent discharges including but not limited to: steam generator blowdown, cooling tower blowdown, metal cleaning wastewaters, low volume wastewaters, and stormwater.

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

<u>Effluent Characteristic</u>		<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
	STORET Code			Other Units (lbs/day, UNLESS STATED)			
Flow-MGD (*1)	50050	Report	1518	---	---	Continuous	Recorder
Temperature (°F)	00011	Report(*2)	118(*3)	---	---	Continuous	Recorder
Heat	00015	---	(*4)	---	---	Continuous	Recorder
TRC	50060	---	211	---	---	1/week(*5)	Grab
<u>WHOLE EFFLUENT (ACUTE)</u>		(Percent %, UNLESS STATED)					
<u>TOXICITY TESTING</u>	STORET Code			Monthly Avg Minimum	48-Hour Minimum	Measurement Frequency	Sample Type
NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 48-Hour Acute, <u>Pimephales promelas</u>	TEM6C	---	---	Report	Report	1/quarter	24-hr. Composite
NOEC, Value [%], Lethality, Static Renewal, 48-Hour Acute, <u>Pimephales promelas</u>	TOM6C	---	---	Report	Report	1/quarter	24-hr. Composite
NOEC, Value [%], Coefficient of Variation, Static Renewal, 48-Hour Acute, <u>Pimephales promelas</u>	TQM6C	---	---	Report	Report	1/quarter	24-hr. Composite
NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 48-Hour Acute, <u>Daphnia pulex</u>	TEM3D	---	---	Report	Report	1/quarter	24-hr. Composite

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall 001, continued)

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>	<u>Monitoring Requirements</u>	
		Other units (Percent %, UNLESS STATED)	Sample Type
<u>WHOLE EFFLUENT (ACUTE)</u>		Monthly Avg 48-Hour Minimum	Measurement Frequency
<u>TOXICITY TESTING</u>	STORET Code	Minimum	Minimum
NOEC, Value [%], Lethality, Static Renewal, 48-Hour Acute <u>Daphnia pulex</u>	TOM3D --- ---	Report	Report
NOEC, Value [%], Coefficient of Variation, Static Renewal, 48-Hour Acute <u>Daphnia pulex</u>	TQM3D --- ---	Report	Report

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 001, at the point of discharge from the circulating water system discharge structure prior to entering the Mississippi River.

FOOTNOTE(S):

- (\*1) Discharge flow is to be determined from calibrated pumping curves or calculated using appropriate heat balance methodology.
- (\*2) See Part II.P.
- (\*3) Instantaneous maximum.
- (\*4) Daily maximum limitation of  $9.5 \times 10^3$  MBTU/hour.
- (\*5) Sample shall be representative of any periodic episodes of chlorination, biocide usage, or other potentially toxic substance discharged on an intermittent basis.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 101)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 101, the intermittent discharge from the liquid waste management system to Final Outfall 001 via the turbine condenser cooling system. The liquid waste management system receives low volume wastewater from the following sources, including but not limited to: the turbine and reactor building equipment and floor drains, primary plant water makeup, laboratory drains, and other low volume wastewater sources as defined in 40 CFR 423.

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

<u>Effluent Characteristic</u>	<u>STORET Code</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency(*1)	Sample Type
Flow-MGD	50050	---	Report	---	---	1/batch	Totalized
TSS	00530	---	---	---	100	1/month	Grab
Oil & Grease	03582	---	---	---	20	1/month	Grab
pH - Standard Units	00400	---	---	6.0 (*2) (Min)	9.0 (*2) (Max)	1/batch	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 101, at the point of discharge from the liquid waste management system prior to combining with the waters of Final Outfall 001.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

**EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 201)**

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 201, the intermittent discharge from the boron management system to Final Outfall 001 via the turbine condenser cooling system. The boron management system receives low volume wastewater from the following sources, including but not limited to: the turbine and reactor building equipment and floor drains, primary plant water makeup, laboratory drains, and other low volume wastewater sources as defined in 40 CFR 423.

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

<u>Effluent Characteristic</u>	<u>STORET Code</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency(*1)	Sample Type
Flow-MGD	50050	---	Report	---	---	1/batch	Totalized
TSS	00530	---	---	---	100	1/month	Grab
Oil & Grease	03582	---	---	---	20	1/month	Grab
pH - Standard Units	00400	---	---	6.0 (*2) (Min)	9.0 (*2) (Max)	1/batch	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 201, at the point of discharge from the boron management system prior to combining with the waters of Final Outfall 001.

**FOOTNOTE(S):**

(\*1) When discharging.

(\*2) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 301)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 301, the intermittent discharge of filter flush water from the primary water treatment system.

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>	<u>Other Units</u>				<u>Monitoring Requirements</u>	
		(lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		Measurement	Sample
STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Frequency(*1)	Type	
Flow-MGD Clarifying Agents (*2)	50050 ---	Report	---	---	Weekly	Totalized	

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 301, at the point of discharge from the primary water treatment system prior to combining with the waters of Final Outfall 001.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) The quantity and types of all clarifying agents (coagulants) used in the primary water treatment system during the sampling month shall be recorded. Records of the quantity and type of clarifying agents used shall be retained for three (3) years following Part III.C.3. No DMR reporting shall be required.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 401)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 401, the intermittent discharge of steam generator blowdown and other low volume wastewaters as defined in 40 CFR 423.

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

<u>Effluent Characteristic</u>	<u>STORET Code</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency(*1)	Sample Type
				Other Units (lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)			
Flow-MGD(*2)	50050	---	Report	---	---	Daily	Totalized
TSS	00530	---	---	---	100	1/week	Grab
Oil and Grease	03582	---	---	---	20	1/week	Grab
pH - Standard Units	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/week	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 401, at the point of discharge from the secondary steam plant system prior to combining with the waters of Final Outfall 001.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) When low volume wastewaters are discharged, the flow must be estimated.

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 501)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 501, the intermittent discharge from Auxiliary Component Cooling Water Basin A. Low volume wastewater include, but not limited to: auxiliary component cooling water, component cooling water, Mississippi River water used for flow testing, and stormwater.

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>	<u>Other Units</u>				<u>Monitoring Requirements</u>	
		(lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		Measurement Frequency(*1)	Sample Type
STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum			
Flow-MGD	50050	---	Report	---	---	1/week	Estimate
TOC	00680	---	---	---	50	1/week	Grab
TSS(*2)	00530	---	---	---	100	1/week	Grab
Oil & Grease	03582	---	---	---	20	1/week	Grab
pH - Standard Units	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/week	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 501, at the point of discharge from Auxiliary Component Cooling Water Basin A prior to combining with the waters of Final Outfall 001.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) During circulating water flow testing, sampling for TSS is not required (when Mississippi River water is used for the flow test).

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 601)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 601, the intermittent discharge from Auxiliary Component Cooling Water Basin B. Low volume wastewater include, but not limited to: auxiliary component cooling water, component cooling water, secondary plant water system wastewater, Mississippi River water used for flow testing, and stormwater.

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

<u>Effluent Characteristic</u>	<u>STORET Code</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency(*1)	Sample Type
				Other Units (lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)			
Flow-MGD	50050	---	Report	---	---	1/week	Estimate
TOC	00680	---	---	---	50	1/week	Grab
TSS(*2)	00530	---	---	---	100	1/week	Grab
Oil & Grease	03582	---	---	---	20	1/week	Grab
pH - Standard Units	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/week	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 601, at the point of discharge from Auxiliary Component Cooling Water Basin B prior to combining with the waters of Final Outfall 001.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) During circulating water flow testing, sampling for TSS is not required (when Mississippi River water is used for the flow test).

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 701)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 701, the intermittent discharge of cooling tower blowdown and low volume wastewaters from Dry Cooling Tower Sump #1. Low volume wastewater as defined in 40 CFR 423 include, but are not limited to: wet cooling tower leakage, auxiliary component cooling water, component cooling water, secondary plant water system wastewater, and stormwater. Optional discharge to Final Outfall 004 via the plant drainage ditches may occur during periods when the circulating water system is unavailable.

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>	<u>Other Units</u>				<u>Monitoring Requirements</u>	
		(lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		Measurement Frequency(*1)	Sample Type
STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum			
Flow-MGD	50050	---	Report	---	---	1/month	Estimate
TOC	00680	---	---	---	50	1/quarter	Grab
TSS	00530	---	---	---	100	1/month	Grab
Oil & Grease	03582	---	---	---	20	1/month	Grab
FAC (*2)	50064	---	---	---	0.5	1/month	Grab
Total Chromium(*2)	01034	---	---	---	0.2	1/year	Grab
Total Zinc(*2)	01092	---	---	---	1.0	1/month	Grab
pH - Standard Units	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 701, at the point of discharge from Dry Cooling Tower Sump #1 prior to combining with the waters of Final Outfall 001 or Final Outfall 004.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) Sample shall be representative of periods during cooling tower blowdown discharge.

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 801)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 801, the intermittent discharge of cooling tower blowdown and low volume wastewaters from Dry Cooling Tower Sump #2. Low volume wastewater as defined in 40 CFR 423 include, but are not limited to: wet cooling tower leakage, auxiliary component cooling water, component cooling water, secondary plant water system wastewater, and stormwater. Optional discharge to Final Outfall 004 via the plant drainage ditches may occur during periods when the circulating water system is unavailable.

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

<u>Effluent Characteristic</u>	<u>STORET Code</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency(*1)	Sample Type
				Other Units (lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)			
Flow-MGD	50050	---	Report	---	---	1/month	Estimate
TOC	00680	---	---	---	50	1/quarter	Grab
TSS	00530	---	---	---	100	1/month	Grab
Oil & Grease	03582	---	---	---	20	1/month	Grab
FAC(*2)	50064	---	---	---	0.5	1/month	Grab
Total Chromium(*2)	01034	---	---	---	0.2	1/year	Grab
Total Zinc(*2)	01092	---	---	---	1.0	1/month	Grab
pH - Standard Units	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 801, at the point of discharge from Dry Cooling Tower Sump #2 prior to combining with the waters of Final Outfall 001 or Final Outfall 004.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) Sample shall be representative of periods during cooling tower blowdown discharge.

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 901)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 901, the mobile intermittent discharge of metal cleaning wastewaters (both chemical and non-chemical) from various plant equipment components including, but not limited to: the steam generator, cooling water heat exchangers, and piping.

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

<u>Effluent Characteristic</u>	STORET Code	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency(*1)	Sample Type
				Other Units (lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)			
Flow-MGD	50050	---	Report	---	---	1/week	Estimate
TSS	00530	---	---	---	100	1/week	Grab
Oil & Grease	03582	---	---	---	20	1/week	Grab
Total Copper	01042	---	---	---	1.0	1/week	Grab
Total Iron	01045	---	---	---	1.0	1/week	Grab
pH - Standard Units	00400	---	---	6.0 (*2) (Min)	9.0 (*2) (Max)	1/week	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 901, at the point of discharge from the mobile cleaning process unit(s) prior to combining with the waters of Final Outfall 001.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

**EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 1001)**

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 1001, the intermittent discharge from the yard oil separator system. Wastewater includes auxiliary boiler blowdown, stormwater, and low volume wastewaters from various sources, including plant floor drains and discharge from the industrial waste systems defined in 40 CFR 423. Low volume wastewater sources include, but are not limited to: secondary water system drains, system leakage, auxiliary boiler sumps, turbine building equipment and floor drains, turbine building floor wash downs, and laboratory drains. Optional discharge to Final Outfall 004 may occur during maintenance periods and during rain events that compromise the capacity of the discharge pumps.

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>	<u>Other Units</u>				<u>Monitoring Requirements</u>	
		(lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		Measurement Frequency(*1)	Sample Type
STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum			
Flow-MGD	50050 ---	Report	---	---	1/month	Estimate	
TSS	00530 ---	---	---	100	1/month	Grab	
Oil and Grease	03582 ---	---	---	20	1/month	Grab	
pH -Standard Units	00400 ---	---	6.0 (*2)	9.0 (*2)	1/month	Grab	
				(Min)	(Max)		

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 1001, at the point of discharge from the yard oil separator system prior to combining with the waters of Final Outfall 001 or Final Outfall 004.

**FOOTNOTE(S):**

(\*1) When discharging.

(\*2) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall 004)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 004, the intermittent discharge from the plant drainage ditch system consisting of stormwater, potable water from the fire water system, maintenance wastewaters including, but not limited to: hydrostatic test water, air conditioning condensate, low volume wastewaters including, but not limited to: reverse osmosis reject water and demineralized water. The plant drainage ditch system receives treated carwash wastewater (Internal Outfall 204), and during maintenance activities discharges from Dry Cooling Tower Sump #1 (Internal Outfall 701), Dry Cooling Tower Sump #2 (Internal Outfall 801), and treated discharge from the yard oil separator system including, but not limited to: plant floor drains and discharge from the industrial waste system (Internal Outfall 1001).

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

<u>Effluent Characteristic</u>	<u>STORET Code</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Other Units		Measurement Frequency(*1)	Sample Type
				Monthly Average	Daily Maximum		
Flow-MGD	50050	---	Report	---	---	1/3 months	Estimate
TOC	00680	---	---	---	50	1/3 months	Grab
TSS(*2)	00530	---	---	---	100	1/3 months	Grab
Oil and Grease	03582	---	---	---	15	1/3 months	Grab
pH - Standard Units	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/3 months	Grab

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 004, at the point of discharge from the stormwater drainage ditch south of the plant laydown area and prior to combining with the waters of the 40 Arpent Canal.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) Samples shall be representative of periods during discharge of low volume wastewaters as defined in 40 CFR 423 (excludes Mississippi River water that accumulates in the condenser water boxes).

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Internal Outfall 204)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Internal Outfall 204, the intermittent internal discharge of treated carwash wastewater.

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

<u>Effluent Characteristic</u>	<u>STORET Code</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
		Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency(*1)	Sample Type
				Other Units (lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)			
Flow-MGD	50050	Report	Report	---	---	1/3 months	Estimate
COD	00340	---	---	200	300	1/3 months	Grab
TSS	00530	---	---	---	45	1/3 months	Grab
Oil and Grease	03582	---	---	---	15	1/3 months	Grab
pH - Standard Units	00400	---	---	6.0 (*2) (Min)	9.0 (*2) (Max)	1/3 months	Grab
Soaps and/or Detergents(*3)	-----	---	---	Report	---	1/3 months	Inventory Calculation

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outfall 204, at the point of discharge from the carwash treatment system prior to combining with the waters of Final Outfall 004.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

(\*3) The quantity and types of all Soaps and/or Detergents used during the sampling month shall be recorded. Records of the quantity and types of Soaps and/or Detergents used shall be retained for three (3) years following Part III.C.3. Additionally, a Material Safety Data Sheet for each material used shall be retained. No DMR reporting shall be required.

## EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall 005)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 005, the intermittent discharge of treated sanitary wastewater and a *de minimis* discharge from the HVAC unit from the Entergy Energy Education Center.

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>	<u>Other Units</u>				<u>Monitoring Requirements</u>	
		(lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		Measurement	Sample
STORET Code	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Frequency(*1)	Type	
Flow-MGD	50050	---	Report	---	---	1/6 months	Estimate
BOD <sub>5</sub>	00310	---	---	---	45	1/6 months	Grab
TSS	00530	---	---	---	45	1/6 months	Grab
Fecal Coliform colonies/100 ml (*2)	74055	---	---	---	400	1/6 months	Grab
pH - Standard Units	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/6 months	Grab

There shall be no discharge of floating solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 005, at the point of discharge from the sewage treatment plant prior to combining with the waters of the 40 Arpent Canal.

FOOTNOTE(S):

(\*1) When discharging.

(\*2) Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit.

(\*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

PART II

OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part III, the Office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations.

- A. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations or additional restrictions, if necessary, to maintain the water quality integrity and the designated uses of the receiving water bodies.
- B. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.
- C. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.
- D. For definitions of monitoring and sampling terminology see Part III, Section F.
- E. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.6.e.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

Pollutant(s):

Total Chromium  
Total Copper  
Total Zinc

- F. 40 CFR PART 136 (See LAC 33:IX.4901) ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (See LAC 33:IX.4901).

## OTHER REQUIREMENTS (continued)

G. FLOW MEASUREMENT "ESTIMATE" SAMPLE TYPE

If the flow measurement sample type in Part I is specified as "estimate", flow measurements shall not be subject to the accuracy provisions established at Part III.C.6 of this permit. The daily flow value may be estimated using best engineering judgement.

H. MINIMUM QUANTIFICATION LEVEL (MQL)

If any individual analytical test result is less than the minimum quantification level listed below, a value of zero (0) may be used for that individual result for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

<u>NONCONVENTIONAL</u>	<u>MQL (<math>\mu\text{g/L}</math>)</u>
Phenolics, Total Recoverable (4AAP)	5
Chlorine (Total Residual)	100
3-Chlorophenol	10
4-Chlorophenol	10
2,3-Dichlorophenol	10
2,5-Dichlorophenol	10
2,6-Dichlorophenol	10
3,4-Dichlorophenol	10
2,4-D	10
2,4,5-TP (Silvex)	4

<u>METALS AND CYANIDE</u>	<u>MQL (<math>\mu\text{g/L}</math>)</u>
Antimony (Total)	60
Arsenic (Total)	10
Beryllium (Total)	5
Cadmium (Total)	1
Chromium (Total)	10
Chromium (3+)	10
Chromium (6+)	10
Copper (Total)	10
Lead (Total)	5
Mercury (Total)	0.2
Molybdenum (Total)	30
Nickel (Total) Freshwater	40
Nickel (Total) Marine	5
Selenium (Total)	5
Silver (Total)	2
Thallium (Total)	10
Zinc (Total)	20
Cyanide (Total)	20

## OTHER REQUIREMENTS (continued)

<u>DIOXIN</u>	<u>MOL (<math>\mu\text{g/L}</math>)</u>
2,3,7,8-TCDD	0.00001
<u>VOLATILE COMPOUNDS</u>	<u>MOL (<math>\mu\text{g/L}</math>)</u>
Acrolein	50
Acrylonitrile	50
Benzene	10
Bromoform	10
Carbon Tetrachloride	10
Chlorobenzene	10
Chlorodibromomethane	10
Chloroethane	50
2-Chloroethylvinylether	10
Chloroform	10
Dichlorobromomethane	10
1,1-Dichloroethane	10
1,2-Dichloroethane	10
1,1-Dichloroethylene	10
1,2-Dichloropropane	10
1,3-Dichloropropylene	10
Ethylbenzene	10
Methyl Bromide [Bromomethane]	50
Methyl Chloride [Chloromethane]	50
Methylene Chloride	20
1,1,2,2-Tetrachloroethane	10
Tetrachloroethylene	10
Toluene	10
1,2-trans-Dichloroethylene	10
1,1,1-Trichloroethane	10
1,1,2-Trichloroethane	10
Trichloroethylene	10
Vinyl Chloride	10
<u>ACID COMPOUNDS</u>	<u>MOL (<math>\mu\text{g/L}</math>)</u>
2-Chlorophenol	10
2,4-Dichlorophenol	10
2,4-Dimethylphenol	10
4,6-Dinitro-o-Cresol [2-Methyl-4,6-Dinitrophenol]	50
2,4-Dinitrophenol	50
2-Nitrophenol	20
4-Nitrophenol	50
p-Chloro-m-Cresol [4-Chloro-3-Methylphenol]	10
Pentachlorophenol	50
Phenol	10
2,4,6-Trichlorophenol	10

## OTHER REQUIREMENTS (continued)

<u>BASE/NEUTRAL COMPOUNDS</u>	<u>MOL (<math>\mu\text{g/L}</math>)</u>
Acenaphthene	10
Acenaphthylene	10
Anthracene	10
Benzidine	50
Benzo(a)anthracene	10
Benzo(a)pyrene	10
3,4-Benzofluoranthene	10
Benzo(ghi)perylene	20
Benzo(k)fluoranthene	10
Bis(2-chloroethoxy) Methane	10
Bis(2-chloroethyl) Ether	10
Bis(2-chloroisopropyl) Ether	10
Bis(2-ethylhexyl) Phthalate	10
4-Bromophenyl Phenyl Ether	10
Butylbenzyl Phthalate	10
2-Chloronaphthalene	10
4-Chlorophenyl Phenyl Ether	10
Chrysene	10
Dibenzo(a,h)anthracene	20
1,2-Dichlorobenzene	10
1,3-Dichlorobenzene	10
1,4-Dichlorobenzene	10
3,3'-Dichlorobenzidine	50
Diethyl Phthalate	10
Dimethyl Phthalate	10
Di-n-Butyl Phthalate	10
2,4-Dinitrotoluene	10
2,6-Dinitrotoluene	10
Di-n-octyl Phthalate	10
1,2-Diphenylhydrazine	20
Fluoranthene	10
Fluorene	10
Hexachlorobenzene	10
Hexachlorobutadiene	10
Hexachlorocyclopentadiene	10
Hexachloroethane	20
Indeno(1,2,3-cd)pyrene [2,3-o-Phenylene Pyrene]	20
Isophorone	10
Naphthalene	10
Nitrobenzene	10
n-Nitrosodimethylamine	50
n-Nitrosodi-n-Propylamine	20
n-Nitrosodiphenylamine	20
Phenanthrene	10
Pyrene	10
1,2,4-Trichlorobenzene	10

## OTHER REQUIREMENTS (continued)

<u>PESTICIDES</u>	<u>MQL (<math>\mu\text{g/L}</math>)</u>
Aldrin	0.05
Alpha-BHC	0.05
Beta-BHC	0.05
Gamma-BHC [Lindane]	0.05
Delta-BHC	0.05
Chlordane	0.2
4,4'-DDT	0.1
4,4'-DDE [p,p-DDX]	0.1
4,4'-DDD [p,p-TDE]	0.1
Dieldrin	0.1
Alpha-Endosulfan	0.1
Beta-Endosulfan	0.1
Endosulfan Sulfate	0.1
Endrin	0.1
Endrin Aldehyde	0.1
Heptachlor	0.05
Heptachlor Epoxide [BHC-Hexachlorocyclohexane]	0.05
PCB-1242	1.0
PCB-1254	1.0
PCB-1221	1.0
PCB-1232	1.0
PCB-1248	1.0
PCB-1260	1.0
PCB-1016	1.0
Toxaphene	5.0

The permittee may develop an effluent specific method detection limit (MDL) in accordance with Appendix B to 40 CFR Part 136 (See LAC 33:IX.4901). For any pollutant for which the permittee determines an effluent specific MDL, the permittee shall send to this Office a report containing QA/QC documentation, analytical results, and calculations necessary to demonstrate that the effluent specific MDL was correctly calculated. An effluent specific minimum quantification level (MQL) shall be determined in accordance with the following calculation:

$$\text{MQL} = 3.3 \times \text{MDL}$$

Upon written approval by this Office, the effluent specific MQL may be utilized by the permittee for all future Discharge Monitoring Report (DMR) calculations and reporting requirements.

I. Prohibition of PCB Discharges

There shall be no discharge of polychlorinated biphenyls (PCB's). The minimum quantification level for PCB's is 1.0  $\mu\text{g/l}$ . If any individual

OTHER REQUIREMENTS (continued)

analytical test result for PCB's is less than the minimum quantification level, then a value of zero (0) shall be used for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

J. PROHIBITION OF 126 PRIORITY POLLUTANTS

There shall be no discharge of any 126 priority pollutants (40 CFR 423 Appendix A) associated with the chemicals added for cooling tower maintenance, except Total Chromium and Total Zinc. The minimum quantification levels for the 126 priority pollutants are found in Part II, Paragraph H.

K. CHEMICAL METAL CLEANING WASTE

The term "chemical metal cleaning waste" means any wastewater resulting from the cleaning of any metal process equipment with chemical compounds including, but not limited to boiler tube cleaning.

L. METAL CLEANING WASTE

The term "metal cleaning waste" means any wastewater resulting from cleaning (with or without chemical cleaning compounds) any metal process equipment including, but not limited to, boiler tube cleaning, boiler fireside cleaning, and air preheater cleaning.

M. LOW VOLUME WASTE SOURCES

The term "low volume waste sources" means, taken collectively as if from one source, wastewater from all sources except those for which specific limitations are otherwise established. Low volume waste sources include, but are not limited to: wastewaters from wet scrubber air pollution control systems, ion exchange water treatment systems, water treatment evaporator blowdown, laboratory and sampling streams, boiler blowdown, floor drains, cooling tower basin cleaning wastes, and recirculating house service water systems. Sanitary and air conditioning wastewaters are not included.

N. TOTAL RESIDUAL CHLORINE

The term "total residual chlorine" (or total residual oxidants for intake water with bromides) means the value obtained using the amperometric method for total residual chlorine described in 40 CFR Part 136.

Total residual chlorine may not be discharged from any single generating unit for more than two hours per day.

Simultaneous multi-unit chlorination is permitted.

OTHER REQUIREMENTS (continued)

O. FREE AVAILABLE CHLORINE

The term "free available chlorine" shall mean the value obtained using the amperometric titration method for free available chlorine described in the latest edition of Standard Methods for the Examination of Water and Wastewater.

Free available chlorine may not be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available chlorine at any one time.

P. TEMPERATURE

Daily temperature discharge is defined as the flow-weighted average (FWAT) and, on a daily basis, shall be monitored and recorded in accordance with Part I of this permit. FWAT shall be calculated at equal time intervals not greater than two hours. The method of calculating FWAT is as follows:

$$\text{FWAT} = \frac{\text{SUMMATION (INSTANTANEOUS FLOW X INSTANTANEOUS TEMPERATURE)}}{\text{SUMMATION (INSTANTANEOUS FLOW)}}$$

"Daily average temperature" (also known as average monthly or maximum 30 day value) shall be the arithmetic average of all FWATs calculated during the calendar month.

Q. HEAT

Discharge of heat shall be continuously calculated and recorded as:

$$[\text{Instantaneous } \Delta T \text{ (circulating water temperature rise through the plant in } ^\circ\text{F)}] \times [\text{Instantaneous flow rate in MGD}] \times [3.48 \times 10^5]$$

OR AS

$$[\text{Heat transferred to the turbine generator cycle (BTU/hour)}] - [\text{Gross electrical output (BTU/hour)}].$$

R. NON-RADIOACTIVE WASTEWATERS

Certain low volume and chemical wastewaters from this facility with no detectable radioactivity, as defined by the Nuclear Regulatory Commission plant effluent release limits may be commingled and treated with similar wastes from Waterford 1 & 2 and controlled under terms of NPDES Permit Number LA0007439.

OTHER REQUIREMENTS (continued)

S. WATER TREATMENT CLARIFIER SLUDGE WASTES

Water treatment clarifier sludge wastes may be returned to the stream without treatment if not previously combined with any other untreated waste source, including demineralizer and softener wastes.

T. ZEBRA MUSSEL TREATMENT:

The terms and conditions of the zebra mussel treatment program submitted by Entergy Operations, Inc., Waterford 3, and approved by this Office on June 23, 1998 shall be enforceable as if part of this permit.

According to section 3.d., "Samples and Composites", of the biomonitoring requirements paragraph of this permit, the permittee must collect composite samples that "are representative of any periodic episodes of chlorination, biocide usage, or other potentially toxic substance discharged on an intermittent basis". Anytime the treatment method involves an increase in the concentration of a treatment chemical, a change in type of treatment chemical used, or if any event occurs that creates the potential for an effluent with a higher toxic nature, additional biomonitoring according to the terms and conditions of the biomonitoring section of Part II of this permit shall be required.

The permittee must notify this Office if changes occur in the zebra mussel control plan and obtain approval prior to initiating the new treatment. If chlorine is applied to control zebra mussels, the permittee must comply with a daily maximum Total Residual Chlorine (TRC) concentration limit of 0.2 mg/L. Monitoring shall be performed at a frequency of 1/day, by grab sample, during periods of chlorine application.

- U. The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

Effective date of the permit

V. STORMWATER DISCHARGES

1. This section applies to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. The purpose of the pollution prevention plan is to identify potential sources of pollution that would reasonably be expected to affect the quality of stormwater and identify the practices that will be used to prevent or reduce the pollutants in stormwater discharges.

OTHER REQUIREMENTS (continued)

2. Any runoff leaving the developed areas of the facility, other than the permitted outfall(s), exceeding 50 mg/L TOC, 15 mg/L Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually as described in Paragraph 4 below.
3. The permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The terms and conditions of the SWP3 shall be an enforceable Part of the permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. EPA document 833-R-92-006 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained by writing to the Water Resource Center (RC\_4100), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington D.C. 20460 or by calling (202) 566-1729 or via the Wetlands Helpline (800) 832-7828.
4. The following conditions are applicable to all facilities and shall be included in the SWP3 for the facility.
  - a. The permittee shall conduct an annual inspection of the facility site to identify areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed.
  - b. The permittee shall develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantities leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff.
  - c. Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural condition of (e.g. precipitation), or other circumstances which result in

OTHER REQUIREMENTS (continued)

significant amounts of pollutants reaching surface waters, the SWP3 should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

- d. The permittee shall maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the SWP3, and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the date and time of inspection, name of inspector(s), conditions found, and changes to be made to the SWP3.
- e. The summary report and the following certification shall be signed in accordance with LAC 33:IX.2503. The summary report is to be attached to the SWP3 and provided to the Department upon request.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signatory requirements for the certification may be found in Part III, Section D.10 of this permit.

- f. The permittee shall make available to the Department, upon request, a copy of the SWP3 and any supporting documentation.
5. The following shall be included in the SWP3, if applicable.
- a. The permittee shall utilize all reasonable methods to minimize any adverse impact on the drainage system including but not limited to:
    - i. maintaining adequate roads and driveway surfaces;
    - ii. removing debris and accumulated solids from the drainage system; and
    - iii. cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods.

OTHER REQUIREMENTS (continued)

- b. All spilled product and other spilled wastes shall be immediately cleaned up and disposed of according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with State or Federal safety regulations (i.e., requirement for non-slippery work surface) except where the cleanup practice does not result in a discharge and does not leave residues exposed to future storm events. In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.
- c. All equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other materials exposed to stormwater shall be maintained in a manner which prevents contamination of stormwater by pollutants.
- d. All waste fuel, lubricants, coolants, solvents, or other fluids used in the repair or maintenance of vehicles or equipment shall be recycled or contained for proper disposal. Spills of these materials are to be cleaned up by dry means whenever possible.
- e. If applicable, all storage tank installations (with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area) shall be constructed so that a secondary means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.
- f. All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. All drains from diked areas shall be equipped with valves which shall be kept in the closed condition except during periods of supervised discharge.
- g. All check valves, tanks, drains, or other potential sources of pollutant releases shall be inspected and maintained on a regular basis to assure their proper operation and to prevent the discharge of pollutants.
- h. The permittee shall assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law

OTHER REQUIREMENTS (continued)

(L.R.S. 30:2151, etc.). Management practices required under above regulations shall be referenced in the SWP3.

- i. The permittee shall amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.
- j. If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements.

6. Facility Specific SWP3 Conditions:

None

W. DISCHARGE MONITORING REPORTS

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit.

If there is a no discharge event at any of the monitored outfall(s) during the reporting period, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report.

Reporting periods shall end on the last day of the month. Monitoring results for each month shall be summarized on a Discharge Monitoring Report (DMR) Form and submitted to this Department per schedule below, postmarked no later than the 15th day of the month following each reporting period.

Permittees shall be required to submit DMR's according to the following schedule or as established in the permit:

For parameter(s) with monitoring frequency(ies) of 1/month or more frequent:

Submit DMR by the 15th day of the following month.

OTHER REQUIREMENTS (continued)

For parameter(s) with monitoring frequency(ies) of 1/quarter:

<u>Monitoring Period</u>	<u>DMR Due Date</u>
January 1 - March 31	April 15th
April 1 - June 30	July 15th
July 1 - September 30	October 15th
October 1 - December 31	January 15th

For parameter(s) with monitoring frequency(ies) of semi-annual:

<u>Monitoring Period</u>	<u>DMR Due Date</u>
January 1 - June 30	July 15th
July 1 - December 31	January 15th

For parameter(s) with monitoring frequency(ies) of 1/year:

<u>Monitoring Period</u>	<u>DMR Due Date</u>
January 1 - December 31	January 15th

Duplicate copies of DMR's (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503, and all other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit, and the appropriate DEQ regional office (one set of copies) at the following addresses:

Department of Environmental Quality  
Office of Environmental Compliance  
Permit Compliance Unit  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312

Southeast Regional Office  
Office of Environmental Compliance  
Surveillance Division  
201 Evans Road  
Bldg. 4, Suite 420  
New Orleans, Louisiana 70123-5230

- X. The permittee shall initiate compliance with Section 316(b) Phase II Rule requirements [Section 316(b) of the Clean Water Act] and the applicable state regulations for cooling water intake structures, as required, per the schedule specified in the Final Rule (Federal Register - Volume 69, Number 131, pages 41575 - 41693). This shall include, but not be limited to the submission of the comprehensive demonstration study and other

OTHER REQUIREMENTS (continued)

information required by 40 CFR 125.95 as expeditiously as practicable but no later than January 7, 2008.

Y. 48 HR ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

1. SCOPE AND METHODOLOGY

- a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO OUTFALL(S):	001
REPORTED ON DMR AS FINAL OUTFALL:	TX1Q
CRITICAL DILUTION:	46%
EFFLUENT DILUTION SERIES:	61%, 46%, 34%, 26%, and 19%
COMPOSITE SAMPLE TYPE:	Defined at PART I
TEST SPECIES/METHODS:	40 CFR Part 136 (See LAC 33:IX.4901)

Daphnia pulex acute static renewal 48-hour definitive toxicity test using EPA 821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

Pimephales promelas (Fathead minnow) acute static renewal 48-hour definitive toxicity test using EPA 821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

- b. The NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.
- c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

OTHER REQUIREMENTS (continued)

- d. Test failure is defined as a demonstration of statistically significant sub-lethal or lethal effects to a test species at or below the effluent critical dilution.

2. PERSISTENT LETHALITY

The requirements of this subsection apply only when a toxicity test demonstrates significant lethal effects at or below the critical dilution. Significant lethal effects are herein defined as a statistically significant difference at the 95% confidence level between the survival of the appropriate test organism in a specified effluent dilution and the control (0% effluent).

a. Part I Testing Frequency Other Than Monthly

- i. The permittee shall conduct a total of two (2) additional tests for any species that demonstrates significant lethal effects at the critical dilution. The two additional tests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two additional tests in lieu of routine toxicity testing, unless the specified testing frequency for the species demonstrating significant lethal effects is monthly. The full report shall be prepared for each test required by this section in accordance with procedures outlined in item 4 of this section and submitted with the period discharge monitoring report (DMR) to the permitting authority for review.
- ii. If one or both of the two additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall initiate Toxicity Reduction Evaluation (TRE) requirements as specified in item 5 of this section. The permittee shall notify this Office in writing within 5 days of the failure in any retest, and the TRE initiation date will be the test completion date of the first failed retest. A TRE may also be required due to a demonstration of intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.
- iii. If one or both of the two additional tests demonstrates significant lethal effects at or below the critical dilution, the frequency of testing for this species shall be once per quarter for the life of the permit.

OTHER REQUIREMENTS (continued)

- iv. The provisions of item 2.a are suspended upon submittal of the TRE Action Plan.

b. Part I Testing Frequency of Monthly

The permittee shall initiate the Toxicity Reduction Evaluation (TRE) requirements as specified in item 5 of this section when any two of three consecutive monthly toxicity tests exhibit significant lethal effects at the critical dilution. A TRE may be also required due to demonstration of intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.

3. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

- i. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.
- ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: Daphnia pulex survival test; and Fathead minnow survival test.
- iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal effects are exhibited for: Daphnia pulex survival test; and Fathead minnow survival test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

For the Daphnia pulex survival test and the Fathead minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for

OTHER REQUIREMENTS (continued)

determining the No Observed Effect Concentration (NOEC) as described in EPA 821-R-02-012, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 90% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test regardless of the NOEC, and the permittee shall report a NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

c. Dilution Water

- i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness and alkalinity to the closest downstream perennial water for;
  - (A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and
  - (B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.
  
- ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:
  - (A) a synthetic dilution water control which fulfills the test acceptance requirements of item 3.a was run concurrently with the receiving water control;
  - (B) the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);
  - (C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by item 4 below; and
  - (D) the synthetic dilution water shall have a pH, hardness and alkalinity similar to that of the receiving water or

OTHER REQUIREMENTS (continued)

closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

- i. The permittee shall collect two flow-weighted composite samples from the outfall(s) listed at item 1.a above.
- ii. The permittee shall collect a second composite sample for use during the 24-hour renewal of each dilution concentration for both tests. The permittee must collect the composite samples so that the maximum holding time for any effluent sample shall not exceed 36 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first composite sample. Samples shall be chilled between 0 and 6 degrees Centigrade during collection, shipping and/or storage.
- iii. The permittee must collect the composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.
- iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in item 4. of this section.
- v. MULTIPLE OUTFALLS: If the provisions of this section are applicable to multiple outfalls, the permittee shall combine the composite effluent samples in proportion to the average flow from the outfalls listed in item 1.a above for the day the sample was collected. The permittee shall perform the

OTHER REQUIREMENTS (continued)

toxicity test on the flow-weighted composite of the outfall samples.

4. REPORTING

- a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA 821-R-02-012, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C.3 of this permit. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to:

Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
P.O. Box 4312  
Baton Rouge, Louisiana 70821-4312  
Attn: Permit Compliance Unit

- b. A valid test for each species must be reported on the DMR during each reporting period specified in Part I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. Only ONE set of biomonitoring data for each species is to be recorded on the DMR for each reporting period. The data submitted should reflect the LOWEST Survival results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached to the DMR for this Office to review.

If a test failure has occurred and the required retests have been performed, the test results are to be reported on the DMR as follows:

<u>Parameter Code</u>	<u>Report</u>
Retest #1 22415	0 Pass, or, 1 Fail
Retest #2 22416	0 Pass, or, 1 Fail

- c. The permittee shall report the following results of each valid toxicity test on the subsequent monthly DMR for that reporting period in accordance with Part III.D.4 of this permit. Submit retest information clearly marked as such with the following month's DMR. Only results of valid tests are to be reported on

OTHER REQUIREMENTS (continued)

the DMR. The permittee shall submit the Table I summary sheet with each valid test.

i. Pimephales promelas (Fathead minnow)

- (A) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM6C.
- (B) Report the NOEC value for survival, Parameter No. TOM6C.
- (C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM6C.

ii. Daphnia pulex

- (A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM3D.
- (B) Report the NOEC value for survival, Parameter No. TOM3D.
- (C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM3D.

The permittee shall submit the toxicity testing information contained in Table 1 of this permit with the DMR subsequent to each and every toxicity test reporting period. The DMR and the summary table should be sent to the address indicated in 4.a. The permittee is not required to send the first complete report nor summary tables to EPA.

Monitoring Frequency Reduction

- i. The permittee may apply for a testing frequency reduction upon the successful completion of the first four consecutive quarters of testing for one or both test species, with no lethal or sub-lethal effects demonstrated at or below the critical dilution. If granted, the monitoring frequency for that test species may be reduced to not less than once per year for the less sensitive species (usually the Fathead minnow) and not less than once per six months for the more sensitive test species (usually the *Daphnia pulex*). Monitoring frequency reduction shall not apply to monitoring frequencies of once per year.

OTHER REQUIREMENTS (continued)

- ii. CERTIFICATION - The permittee must certify in writing that no test failures have occurred and that all tests meet all test acceptability criteria in item 3.a. above. In addition, the permittee must provide a list with each test performed including test initiation date, species, NOEC's for lethal and sub-lethal effects and the maximum coefficient of variation for the controls. Upon review and acceptance of this information the agency will issue a letter of confirmation of the monitoring frequency reduction. A copy of the letter will be forwarded to the agency's Permit Compliance Unit to update the permit reporting requirements.
- iii. SURVIVAL FAILURES - If any test fails the survival endpoint at any time during the life of this permit, two monthly retests are required and the monitoring frequency for the affected test species shall be increased to once per quarter until the permit is reissued. Monthly retesting is not required if the permittee is performing a TRE.
- iv. This monitoring frequency reduction applies only until the expiration date of this permit, at which time the monitoring frequency for both test species reverts to once per quarter until the permit is reissued.

5. TOXICITY REDUCTION EVALUATION (TRE)

- a. Within ninety (90) days of confirming lethality in the retests, the permittee shall submit a Toxicity Reduction Evaluation (TRE) Action Plan and Schedule for conducting a TRE. The TRE Action Plan shall specify the approach and methodology to be used in performing the TRE. A Toxicity Reduction Evaluation is an investigation intended to determine those actions necessary to achieve compliance with water quality-based effluent limits by reducing an effluent's toxicity to an acceptable level. A TRE is defined as a step-wise process which combines toxicity testing and analyses of the physical and chemical characteristics of a toxic effluent to identify the constituents causing effluent toxicity and/or treatment methods which will reduce the effluent toxicity. The TRE Action Plan shall lead to the successful elimination of effluent toxicity at the critical dilution and include the following:
  - i. Specific Activities. The plan shall detail the specific approach the permittee intends to utilize in conducting the TRE. The approach may include toxicity characterizations, identifications and confirmation activities, source

OTHER REQUIREMENTS (continued)

evaluation, treatability studies, or alternative approaches. When the permittee conducts Toxicity Characterization Procedures the permittee shall perform multiple characterizations and follow the procedures specified in the document "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA-600/6-91/003) or alternate procedures. When the permittee conducts Toxicity Identification Evaluations and Confirmations, the permittee shall perform multiple identifications and follow the methods specified in the documents "Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081), as appropriate.

The documents referenced above may be obtained through the National Technical Information Service (NTIS) by phone at (703) 487-4650, or by writing:

U.S. Department of Commerce  
National Technical Information Service  
5285 Port Royal Road  
Springfield, Va. 22161

- ii. Sampling Plan (e.g., locations, methods, holding times, chain of custody, preservation, etc.). The effluent sample volume collected for all tests shall be adequate to perform the toxicity test, toxicity characterization, identification and confirmation procedures, and conduct chemical specific analyses when a probable toxicant has been identified;

Where the permittee has identified or suspects specific pollutant(s) and/or source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical specific analyses for the identified and/or suspected pollutant(s) and/or source(s) of effluent toxicity. Where lethality was demonstrated within 24 hours of test initiation, each composite sample shall be analyzed independently. Otherwise the permittee may substitute a composite sample, comprised of equal portions of the individual composite samples, for the chemical specific analysis;

OTHER REQUIREMENTS (continued)

- iii. Quality Assurance Plan (e.g., QA/QC implementation, corrective actions, etc.); and
  - iv. Project Organization (e.g., project staff, project manager, consulting services, etc.).
- b. The permittee shall initiate the TRE Action Plan within thirty (30) days of plan and schedule submittal. The permittee shall assume all risks for failure to achieve the required toxicity reduction.
- c. The permittee shall submit a quarterly TRE Activities Report, with the Discharge Monitoring Report in the months of January, April, July and October, containing information on toxicity reduction evaluation activities including:
- i. any data and/or substantiating documentation which identifies the pollutant(s) and/or source(s) of effluent toxicity;
  - ii. any studies/evaluations and results on the treatability of the facility's effluent toxicity; and
  - iii. any data which identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution.

The TRE Activities Report shall be submitted to the following addresses:

Department of Environmental Quality  
Office of Environmental Compliance  
Enforcement Division  
P.O. Box 4312  
Baton Rouge, Louisiana 70821-4312  
Attn: Permit Compliance Unit

U.S. Environmental Protection Agency, Region 6  
Water Enforcement Branch, 6 EN-WC  
1445 Ross Avenue  
Dallas, Texas 75202

- d. The permittee shall submit a Final Report on Toxicity Reduction Evaluation Activities no later than twenty-eight (28) months from

OTHER REQUIREMENTS (continued)

confirming lethality in the retests, which provides information pertaining to the specific control mechanism selected that will, when implemented, result in reduction of effluent toxicity to no significant lethality at the critical dilution. The report will also provide a specific corrective action schedule for implementing the selected control mechanism.

A copy of the Final Report on Toxicity Reduction Evaluation Activities shall also be submitted to the above addresses.

- e. Quarterly testing during the TRE is a minimum monitoring requirement. LDEQ recommends that permittees required to perform a TRE not rely on quarterly testing alone to ensure success in the TRE, and that additional screening tests be performed to capture toxic samples for identification of toxicants. Failure to identify the specific chemical compound causing toxicity test failure will normally result in a permit limit for whole effluent toxicity limits per federal regulations at 40 CFR 122.44(d)(1)(v) and state regulations at LAC 33:IX.2707.D.1.e.

TABLE 1  
SUMMARY SHEET

Daphnia pulex ACUTE SURVIVAL TEST RESULTS

PERMITTEE: Entergy Operations, Inc.  
 FACILITY SITE: Waterford 3 Steam Electric Station  
 LPDES PERMIT NUMBER: LA0007374, 35260  
 OUTFALL IDENTIFICATION: 001  
 OUTFALL SAMPLE IS FROM \_\_\_\_\_ SINGLE \_\_\_\_\_ MULTIPLE DISCHARGES  
 BIOMONITORING LABORATORY: \_\_\_\_\_  
 DILUTION WATER USED: \_\_\_\_\_ RECEIVING WATER \_\_\_\_\_ LAB WATER  
 CRITICAL DILUTION 46% DATE TEST INITIATED \_\_\_\_\_

Are the test results to be considered valid? \_\_\_yes \_\_\_no  
 If Xno (test invalid), what are the reasons for invalidity?

Is this a retest of a previous invalid test? \_\_\_yes \_\_\_no  
 Is this a retest of a previous test failure? \_\_\_yes \_\_\_no

NOEC = \_\_\_\_\_% effluent  
 LC<sub>50</sub>48 = \_\_\_\_\_% effluent

DILUTION SERIES RESULTS  
percent survival

TIME OF READING	REP	0%	61%	46%	34%	26%	19%
24-HOUR	A						
	B						
	C						
	D						
	E						
48-HOUR	A						
	B						
	C						
	D						
	E						
MEAN							

Is the mean survival at 48 hours significantly less (p=0.05) than the control survival for the low flow or critical dilution?

\_\_\_\_\_yes \_\_\_\_\_no

TABLE 2  
SUMMARY SHEET

Pimephales promelas ACUTE SURVIVAL TEST RESULTS

PERMITTEE: Entergy Operations, Inc.  
 FACILITY SITE: Waterford 3 Steam Electric Station  
 LPDES PERMIT NUMBER: LA0007374, 35260  
 OUTFALL IDENTIFICATION: 001  
 OUTFALL SAMPLE IS FROM \_\_\_\_\_ SINGLE \_\_\_\_\_ MULTIPLE DISCHARGES  
 BIOMONITORING LABORATORY: \_\_\_\_\_  
 DILUTION WATER USED: \_\_\_\_\_ RECEIVING WATER \_\_\_\_\_ LAB WATER  
 CRITICAL DILUTION 46% DATE TEST INITIATED \_\_\_\_\_

Are the test results to be considered valid? \_\_\_yes \_\_\_no  
 If Xno (test invalid), what are the reasons for invalidity?

Is this a retest of a previous invalid test? \_\_\_yes \_\_\_no  
 Is this a retest of a previous test failure? \_\_\_yes \_\_\_no

NOEC = \_\_\_\_\_% effluent  
 LC<sub>50</sub>48 = \_\_\_\_\_% effluent

DILUTION SERIES RESULTS  
percent survival

TIME OF READING	REP	0%	61%	46%	34%	26%	19%
24-HOUR	A						
	B						
	C						
	D						
	E						
48-HOUR	A						
	B						
	C						
	D						
	E						
MEAN							

Is the mean survival at 48 hours significantly less (p=0.05) than the control survival for the low flow or critical dilution?  
 \_\_\_\_\_yes \_\_\_\_\_no

## STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS1. Introduction

In accordance with the provisions of LAC 33:IX.2701, et. seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions

- a. LA. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. LA. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).
- b. Any person may be assessed an administrative penalty by the State Administrative Authority under LA. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants

- a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.
- b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply

- a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.
- b. General Permits. General permits expire five years after the effective date. Unless otherwise specified in the general permit, or notified by the Secretary or his designee, a permittee must submit an NOI/application for the permitted activity.

6. Permit Action

This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

- a. Noncompliance by the permittee with any condition of the permit;
- b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant acts, or the permittee's misrepresentation of any relevant facts at any time;
- c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;
- d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge; or
- e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13;
- f. Change of ownership or operational control;

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information

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

9. Criminal and Civil Liability

Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. 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 Clean Water Act.

11. State Laws

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 established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability

If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution

A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

**SECTION B. PROPER OPERATION AND MAINTENANCE**

**1. Need to Halt or Reduce not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**2. Duty to Mitigate**

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

**3. Proper Operation and Maintenance**

a. 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 this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

**4. Bypass of Treatment Facilities**

a. **Bypass**. The intentional diversion of waste streams from any portion of a treatment facility.

b. **Bypass not exceeding limitations**. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.

**c. Notice**

(1) **Anticipated bypass**. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Permits Division, if possible at least ten days before the date of the bypass.

(2) **Unanticipated bypass**. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6, (24-hour notice) and Section D.6.e. of these standard conditions.

**d. Prohibition of bypass**

(1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were 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,

(c) The permittee submitted notices as required by Section B.4.c of these standard conditions.

(2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions

a. Upset. An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
- (2) The permitted facility was at the time being properly operated; and
- (3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii. and Section D.6.e.(2) of these standard conditions; and
- (4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal

For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3. and B.3.

**SECTION C. MONITORING AND RECORDS**

**1. Inspection and Entry**

The permittee shall allow the state administrative authority, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the 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 this permit.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

- b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

- e. **Sample Collection**

- (1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.

- (2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

- f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

- g. Upon written request copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) will be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records

Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), 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 this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The time(s) analyses were begun and ended
- e. The individual(s) who performed the analyses;
- f. The analytical techniques or methods used;
- g. The results of such analyses; and
- h. The results of all quality control procedures.

5. Monitoring Procedures

- a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use or disposal, approved under 40 CFR part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR part 503, unless other test procedures have been specified in this permit. This includes procedures contained in the latest EPA approved edition of the following publications:

(1) "Standard Methods for the Examination of Water and Waste Water". This publication is available from the American Public Health Association, Publication Sales, P. O. Box 753, Waldorf, MD 20604-0573, Phone number (301) 893-1894, Fax number (301) 843-0159.

(2) "Annual Book of Standards, Vols 1101-1103, Water I, Water II, and Atmospheric Analysis". This publication is available from the American Society for Testing Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, Phone number (610) 832-9500.

(3) "Methods for Chemical Analysis of Water and Wastes, Revised, March 1983," U.S. Environmental Protection Agency, Analytical Quality Control Laboratory, Cincinnati, Ohio. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-84-128677.

- b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.

- c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. General sampling protocol shall follow guidelines established in the "Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982" U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503. General laboratory procedures including glassware cleaning, etc. can be found in the "Handbook for Analytical Quality Control in Water and Wastewater Laboratories, 1979," U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory. This publication is available from the Environmental Protection Agency, Phone number (513) 569-7562. Order by EPA publication number EPA-600/4-79-019.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

- a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.
- b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.
- c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering: Penalties

- a. LA R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.
- b. LA R.S. 30:2076.2 provides for penalties for 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 non compliance.

8. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation

- a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:
- (1) Submitted on behalf of any facility, as defined in R.S.30:2004;
  - (2) Required as part of any permit application;
  - (3) Required by order of the department;
  - (4) Required to be included on any monitoring reports submitted to the department;
  - (5) Required to be submitted by contractor
  - (6) Otherwise required by department regulations.
- b. The department laboratory accreditation program is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not accredited under these regulations will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

Where retesting of effluent is not possible (i.e. data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

- c. Regulations on the Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation, are available on the department website located at:

<http://www.deq.state.la.us/laboratory/index.htm>.

Questions concerning the program may be directed to (225) 765-0582.

**SECTION D. REPORTING REQUIREMENTS**

**1. Facility Changes**

The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.
- c. **For Municipal Permits.** Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

**2. Anticipated Noncompliance**

The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

**3. Transfers**

This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

- a. **Transfers by modification.** Except as provided in LAC 33: IX.2901.B, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX.2903. A.2.b), or a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.
- b. **Automatic transfers.** As an alternative to transfers under LAC 33:IX.2901.A, any LPDES permit may be automatically transferred to a new permittee if:
  - (1) The current permittee notifies the state administrative authority at least 30 days in advance of the proposed transfer date in Section D.3.b.(2) below;
  - (2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them;
  - (3) The state administrative authority does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this subsection may also be a minor modification under LAC 33:IX.2905. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Section D.3.b.(2) of these standard conditions.

**4. Monitoring Reports**

Monitoring results shall be reported at the intervals and in the form specified in the narrative portion of the Facility Specific Requirements document.

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) on the form specified in the permit. Preprinted DMRs are provided to majors/92-500's and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit  
Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, LA 70821-4312

Copies of blank DMR templates, plus instructions for completing them, and EPA's LPDES Reporting Handbook are available at the department website located at:

<http://www.deq.state.la.us/enforcement/index.htm>

**5. Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

**6. Requirements for Notification****a. Emergency Notification**

As required by LAC 33:1.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Verbal Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within seven calendar days after the telephone notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:1.3925.B.

**b. Prompt Notification**

As required by LAC 33:1.3917, in the event of an unauthorized discharge which exceeds reportable quantity specified in LAC 33:1.Subchapter E, but does not cause an emergency condition, the discharger shall notify the Office of Environmental Compliance by e-mail utilizing the Incident Report Form and procedures found at [www.deq.state.la.us/surveillance](http://www.deq.state.la.us/surveillance) or by telephone within 24 hours after learning of the discharge. Otherwise, verbal notification should be made to the Office of Environmental Compliance at (225) 219-3640 during office hours or (225) 342-1234 after hours, weekends, and holidays.

- c. **Information for Verbal Notifications.** The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:
- (1) name of person making the notification and telephone number where any return calls from response agencies can be placed;
  - (2) name and location of facility or site where the unauthorized discharge is imminent or has occurred using common landmarks. In the event of an incident involving transport, include the name and address of transporter and generator;
  - (3) date and time the incident began and ended, or estimated time of continuation if discharge is continuing;
  - (4) extent of any injuries and identification of any known personnel hazards which response agencies may face;
  - (5) common or scientific chemical name, U.S. Department of Transportation hazard classification, and best estimate of amounts of any and all discharged pollutants;
  - (6) brief description of the incident sufficient to allow response agencies to formulate level and extent of response activity.
- d. **Written Notification Procedures.** Written reports for any unauthorized discharge that requires verbal notification under Section D.6.a. or 6.b., or that requires written notification under LAC 33:I.3925, will be submitted by the discharger to the department in accordance with this section within seven calendar days after the telephone notification. Written notification reports will include, but are not limited to, the following information:
- (1) name of person, company, or other party who is filing the written report;
  - (2) time and date of verbal notification, name of person making the notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;
  - (3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;
  - (4) details of the circumstances and events leading to any emergency condition, including incidents of loss of sources of radiation;
  - (5) common or scientific chemical name, the CAS number, U.S. Department of Transportation hazard classification, and best estimate of amounts of any and all discharge pollutants, including methodology for calculations and estimates;
  - (6) statement of actual or probable fate or disposition of the pollutant or source of radiation;
  - (7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.

Please see LAC 33:I.3925.B for additional written notification procedures.

e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and; steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);
- (2) Any upset which exceeds any effluent limitation in the permit;
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in the narrative portion of the Facility Specific Requirements document to be reported within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Section D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information

Where 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 state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances

In addition to the reporting requirements under Section D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Permits Division as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:
  - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micro-grams per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC33:IX.2501.G.7; or
    - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F.; or
  - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.
- b. 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:
  - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

- (1) Five hundred micrograms per liter (500 µg/L);
- (2) One milligram per liter (1 mg/L) for antimony;
- (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
- (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F.; or

ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

#### 10. Signatory Requirements

All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

a. All permit applications shall be signed as follows:

- (1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
  - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,
  - (b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

**NOTE:** DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a.(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a.(1)(b). rather than to specific individuals.

- (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or
- (3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
  - (a) The chief executive officer of the agency, or
  - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described in Section D.10.a. of these standard conditions;
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,

(3) The written authorization is submitted to the state administrative authority.

- c. Changes to authorization. If an authorization under Section D.10.b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under Section D.10. a. or b. above, shall make 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 the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:

- a. The name and address of any permit applicant or permittee;
- b. Permit applications, permits, and effluent data.
- c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

**SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION****1. Criminal****a. Negligent Violations**

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$50,000 per day of violation, or imprisonment of not more than two years, or both.

**b. Knowing Violations**

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$100,000 per day of violation, or imprisonment of not more than six years, or both.

**c. Knowing Endangerment**

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

**d. False Statements**

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than \$10,000, or imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than \$20,000 per day of violation, or imprisonment of not more than 4 years, or both.

**2. Civil Penalties**

The Louisiana Revised Statutes LA. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than \$27,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

**(PLEASE NOTE: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)**

**SECTION F. DEFINITIONS**

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. **"Clean Water Act"** (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).
2. **"Accreditation"** means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.
3. **"Administrator"** means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.
4. **"Applicable effluent standards and limitations"** means all state and Federal effluent standards and limitations to which a discharge is subject under the Clean Water Act, including, but not limited to, effluent limitations, standards or performance, toxic effluent standards and prohibitions, and pretreatment standards.
5. **"Applicable water quality standards"** means all water quality standards to which a discharge is subject under the Clean Water Act.
6. **"Bypass"** means the intentional diversion of waste streams from any portion of a treatment facility.
7. **"Commercial Laboratory"** means any laboratory that performs analyses or tests for third parties for a fee or other compensation, except those commercial laboratories accredited by the Department of Health and Hospitals in accordance with R.S.49:1001 et seq.
8. **"Daily Discharge"** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily discharge determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected during that sampling day.
9. **"Daily Maximum"** discharge limitation means the highest allowable "daily discharge" during the calendar month.
10. **"Director"** means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.
11. **"Environmental Protection Agency"** means the U.S. Environmental Protection Agency.
12. **"Grab sample"** means an individual sample collected in less than 15 minutes.
13. **"Industrial user"** means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
14. **"LEQA"** means the Louisiana Environmental Quality Act.

15. "Louisiana Pollutant Discharge Elimination System (LPDES)" means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.
16. "Monthly Average" (also known as Daily Average), other than for fecal coliform bacteria, discharge limitations means the highest allowable average of "daily discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as a continuous record, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

17. "National Pollutant Discharge Elimination System" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.
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. "Sewage sludge" means the solids, residues, and precipitates separated from or created in sewage by the unit processes of a publicly owned treatment works. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff, that are discharged to or otherwise enter a publicly owned treatment works.
20. "Treatment works" means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof.
21. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
22. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
23. The term "MGD" shall mean million gallons per day.
24. The term "mg/L" shall mean milligrams per liter or parts per million (ppm).
25. The term "ug/L" shall mean micrograms per liter or parts per billion (ppb).

26. "Weekly average", other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the 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. The weekly average for fecal coliform bacteria is the geometric mean of the daily discharges over a calendar week.
27. "12-hour composite sample" consists of 12 effluent portions collected no closer together than one hour and composited according to flow. The daily sampling intervals shall include the highest flow periods.
28. "6-hour composite sample" consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
29. "3-hour composite sample" consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
30. "24-hour composite sample" consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample collected at frequent intervals proportional to flow over the 24-hour period.