# Georgia Department of Natural Resources

2 Martin Luther King, Jr. Drive, S.E., Suite 1152 East Tower, Atlanta, Georgia 30334-9000
Lonice C. Barrett, Commissioner
Carol A. Couch, Ph.D., Director
Environmental Protection Division
404/656-4713


XC - TOM File

May 21, 2004

Mr. Wayne C. Carr
Manager, Environmental Services
Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201

RE: NPDES Permit No. GA0026786
Plant Vogtle-Burke County

Dear Mr. Carr:

The Environmental Protection Division (EPD) has received your application for a permit to discharge treated wastewater to the waters of the State of Georgia.

As you may know, EPD has initiated a strategy to issue permits within the same river basin concurrently with a goal of establishing basin wide permitting. According to EPD's Basin Permitting Strategy, permits for facilities located in a certain basin groups will be issued within a scheduled calendar year. We are currently in the process of reissuing permits for facilities located in the Chattahoochee and Flint river basins. Facilities located in the Coosa, Tallapoosa, and Tennessee river basins will be reissued in 2004 and facilities located in the Savannah and Ogeechee river basins will be reissued in 2005.

Any permits that are expiring prior to being reissued in accordance with the scheduled basin issuance cycle may be extended until such time that the permit can be reissued.

Your facility fits the criteria for a permit extension. Therefore EPD is hereby extending the above referenced permit.

Sincerely,

Carol A.Couch, Ph.D.
Director

RECEIVED
Environmental Services

CAC/shg

cc: Environmental Protection Agency

Angela Westin, EPD

Allison Cregger, EPD

PERMIT NO. GA0026786

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the "State Act;" the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq.), hereinafter called the "Federal Act;" and the Rules and Regulations promulgated pursuant to each of these Acts,

Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201-1295

is authorized to discharge from a facility located at

Vogtle Electric Generating Plant
Waynesboro, Burke County, Georgia

to receiving waters

Savannah River and Beaver Dam Creek

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II and III hereof.

This permit shall become effective on June 30, 1999

This permit and the authorization to discharge shall expire at midnight, May 31, 2004.

Signed this 6th day of June, 1999.

Director,
Environmental Protection Division

STATE OF GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning effective date and lasting through May 31, 2004, the permittee is authorized to discharge from outfall(s) serial number(s) 001 - Final Plant Discharge (Combined Plant Waste Streams Units 1 & 2) to the Savannah River.

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

| Effluent Characteristic (Specify Units) | Discharge Limitations | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|
| | Mass Based | | Concentration Based | | Measurement Frequency | Sample Type | Sample Location |
| | Daily Avg. | Daily Max. | Daily Avg. | Daily Max. | | | |
| Flow (MGD) | - | - | - | - | *1 | *1 | *1 |
| Hydrazine*2 | - | - | - | - | *3 | Grab | Final Outfall |

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored twice per month by grab sample.

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

*1 See Part III, Special Requirements, Item 9.

*2 See Part III, Special Requirements, Item 16.

*3 This sample is to be collected when requested by the EPD.

2. During the period beginning effective date and lasting through May 31, 2004, the permittee is authorized to discharge from outfall(s) serial number(s) 002 and 003 - Unit 1 Cooling Tower Blowdown and Unit 2 Cooling Tower Blowdown, respectively, to final outfall 001, and 002A and 003A - Unit 1 and Unit 2 Emergency Overflows to storm drains.

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

| Effluent Characteristic (Specify Units) | Discharge Limitations | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|
| | Mass Based | | Concentration Based mg/l | | Measurement Frequency | Sample Type | Sample Location |
| | Daily Avg. | Daily Max. | Daily Avg. | Daily Max. | | | |
| Flow (MGD) | - | - | - | - | *2 | *2 | *2 |
| Free Available Chlorine | - | - | 0.2 mg/l*6 | 0.5 mg/l | 1/Week | Multiple*5 Grabs | *1 |
| Total Residual Chlorine | - | - | - | - | 1/Week | Multiple*5 Grabs | *1 |
| Time of TRC Discharge*3 | - | - | - | 120 minutes/ day per unit | 1/Week | Multiple*5 Grab | *1 |
| Total Chromium*8 | - | - | - | 0.2 mg/l | 1/Quarter | Grab | *4 |
| Total Zinc | - | - | - | 1.0 mg/l | 1/Quarter | Grab | *4 |

*1 Monitored immediately following dechlorination system when dechlorination system is in use. At other times it will be monitored at the individual cooling towers.
*2 See Part III, Special Requirements, Item 9.
*3 See Part III, Special Requirements, Item 4.
*4 Monitored prior to mixing with other waste streams.
*5 Multiple grab samples are to be collected on 15 minute intervals during periods of FAC and TRC discharge attributable to cooling tower chlorination at these outfalls.
*6 During periods of dechlorination this limit is 0.02 mg/l at the blowdown sump mixing box.
*7 If bromine or a combination of bromine and chlorine is utilized for control of bifouling, limitations for TRC and FAC shall be applicable to TRO (Total Residual Oxidants) and FAO (Free Available Oxidants). There is no difference in test methods between TRC/FAC and TRO/FAO.
*8 Monitoring Frequency shall be 1/year if use of cooling tower maintenance chemicals containing this metal is not initiated by permittee.

The permittee shall certify yearly that no priority pollutant other than chromium or zinc is above detectable limits in this discharge. This certification may be based on manufacturer's certifications or engineering calculations.

3. During the period beginning effective date and lasting through May 31, 2004, the permittee is authorized to discharge from outfall(s) serial number(s) 004 and 005 - Unit 1 Waste Water Retention Basin and Unit 2 Waste Water Retention Basin, respectively, to final outfall 001.

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

| Effluent Characteristic (Specify Units) | Discharge Limitations | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|
| | Mass Based | | Concentration Based mg/l | | Measurement Frequency | Sample Type | Sample Location |
| | Daily Avg. | Daily Max. | Daily Avg. | Daily Max. | | | |
| Flow (MGD) | - | - | - | - | *2 | *2 | *1 |
| Total Suspended Solids (2) | - | - | 30.0 | 100.0 | 2/Month | Grab | Discharge Line |
| Oil & Grease | - | - | 15.0 | 20.0 | 2/Month | Grab | Discharge Line |

*1 Prior to mixing with any other wast streams.

*2 See Part III, Special Requirements, Item 9.

*3 See Part III, Special Requirements, Item 10.

4. During the period beginning effective date and lasting through May 31, 2004, the permittee is authorized to discharge from outfall(s) serial number(s) 006 - Sewage Treatment Plant Emergency Overflow to Savannah River.*1

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

| Effluent Characteristic (Specify Units) | Discharge Limitations | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|
| | Mass Based | | Concentration Based mg/l | | Measurement Frequency | Sample Type | Sample Location |
| | Daily Avg. | Daily Max. | Daily Avg. | Daily Max. | | | |
| Flow (MGD) | - | - | - | - | 1/Discharge | Estimate | Outfall |
| $BOD_5$ | - | - | 30.0 | 45.0 | 1/Discharge | Grab | Outfall |

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per discharge event.

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

*1 This is an emergency outfall and is only to be used during upset or bypass conditions.

5. During the period beginning effective date and lasting through May 31, 2004, the permittee is authorized to discharge from outfall(s) serial number(s) 007 and 008 - Liquid Radwaste Systems Discharge Unit 1 and Liquid Radwaste System Unit 2, respectively, to final outfall 001.

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

| Effluent Characteristic (Specify Units) | Discharge Limitations | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|
| | Mass Based | | Concentration Based mg/l | | Measurement Frequency | Sample Type | Sample *1 Location |
| | Daily Avg. | Daily Max. | Daily Avg. | Daily Max. | | | |
| Flow (MGD) | - | - | - | - | *2 | *2 | Discharge Line |
| Total Suspended Solids | - | - | 30.0 | 100.0 | 1/Quarter | Grab | Discharge Line |
| Oil and Grease | - | - | 15.0 | 20.0 | 1/Quarter | Grab | Discharge Line |

The pH shall be monitored at the combined Outfall 001.

*1 Prior to mixing with any other waste streams.

*2 See Part III, Special Requirements, Item 9.

Note: The radioactive component of this discharge is regulated by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act.

6. During the period beginning effective date and lasting through May 31, 2004, the permittee is authorized to discharge from outfall(s) serial number(s) 009 - Nuclear Service Cooling Tower Blowdown (Units 1 and 2), to outfall 001.

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

| Effluent Characteristic (Specify Units) | Discharge Limitations | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|
| | Mass Based | | Concentration Based mg/l | | Measurement Frequency | Sample Type | Sample Location |
| | Daily Avg. | Daily Max. | Daily Avg. | Daily Max. | | | |
| Flow (MGD) | - | - | - | - | *1 | *1 | *1 |
| Free Available Chlorine*4 | - | - | 0.2*3 | 0.5 | 1/Discharge Event | Grab | *2 |

*1 See Part III, Special Requirements, Item 9.

*2 Monitored Immediately following dechlorination system, when dechlorination system is in use. At other times it will be monitored a the blowdown.

*3 During periods of dechlorination this limit is 0.02 mg/l at the blowdown sump mixing box.

*4 If bromine or a combination of bromine and chlorine is utilized for control of biofouling, limitations for TRC and FAC shall be applicable to TRO (Total Residual Oxidants) and FAO (Free Available Oxidants). There is no difference in test methods between TRC/FAC and TRO/FAO.

7. During the period beginning effective date and lasting through May 31, 2004,
The permittee is authorized to discharge from outfall(s) serial number(s) 010 - Radwaste Dilution Flow to outfall 001.

This is an internal waste stream consisting of river water with no additives.

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored at the final outfall (001).

8. During the period beginning effective date and lasting through May 31, 2004, the permittee is authorized to discharge from outfall(s) serial number(s) 011 - Intake Screen Backwash to the Savannah River.

The discharge shall consist only of intake screen backwash. If the Director determines that Water Quality Standards are not being protected as the result of this discharge and so notifies the permittee in writing, the permittee shall take all reasonable steps to minimize any adverse impact to waters of the State.

There shall be no discharge of floating oil or grease in other than trace amounts.

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

N/A

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

**Note:** EPD as used herein means the Environmental Protection Division of the Department of Natural Resources.

C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous three months shall be summarized for each month and reported on an Operation Monitoring Report (Form WQ 1.45). Forms other than Form WQ 1.45 may be used upon approval by EPD. These forms and any other required reports and information shall be completed, signed and certified by a principal executive officer or ranking elected official, or by a duly authorized representative of that person, and submitted to the Division, postmarked no later than the 28th day of the month following the reporting period. Signed copies of these and all other reports required herein shall be submitted to the following address:

Environmental Protection Division
Industrial Wastewater Unit
4220 International Parkway, Suite 101
Atlanta, Georgia 30354

All instances of noncompliance not reported under Part I. B. and C. and Part II. A. shall be reported at the time the operation monitoring report is submitted.

3. Definitions

a. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days sampled during the calendar month when the measurements were made.

b. The "daily maximum" discharge means the total discharge by weight during any calendar day.

c. The "daily average" concentration means the arithmetic average of all the daily determinations of concentrations made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample.

d. The "daily maximum" concentration means the daily determination of concentration for any calendar day.

e. For the purpose of this permit, a calendar day is defined as any consecutive 24-hour period.

f. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

g. "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.

4. Test Procedures

Monitoring must be conducted according to test procedures approved pursuant to 40 CFR Part 136 unless other test procedures have been specified in this permit.

5. Recording of Results

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

a. The exact place, date, and time of sampling or measurements, and the person(s) performing the sampling or the measurements;

b. The dates the analyses were performed, and the person(s) who performed the analyses;

c. The analytical techniques or methods used; and

d. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Operation Monitoring Report Form (WQ 1.45). Such increased monitoring frequency shall also be indicated. The Division may require by written notification more frequent monitoring or the monitoring of other pollutants not required in this permit.

7. Records Retention

The permittee shall retain records of all monitoring information, including all records of analyses performed, calibration and maintenance of 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 three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Division at any time.

8. Penalties

The Federal Clean Water Act and the Georgia Water Quality Control Act provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The Federal Clean Water Act and the Georgia Water Quality Control Act also provide procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of the Division.

A. MANAGEMENT REQUIREMENTS

1. Change in Discharge

a. Advance notice to the Division shall be given of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Any anticipated facility expansions, production increases, or process modifications must be reported by submission of a new NPDES permit application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Division of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

b. All existing manufacturing, commercial, mining, and silviculture dischargers shall notify the Division as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (I) 100 µg/l, (ii) five times the maximum concentration reported for that pollutant in the permit application, or (iii) 200 µg/l for acrolein and acrylonitrile, 500 µg/l for 2,4 dinitrophenol and for 2-methyl-4-6-dinitrophenol, or 1 mg/l antimony.

c. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify the Division as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in any discharge on a nonroutine or infrequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (I) 500 µg/l, (ii) ten times the maximum concentration reported for that pollutant in the permit application, or (iii) 1 mg/l antimony.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with, or will be unable to comply with any effluent limitation specified in this permit, the permittee shall provide the Division with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

a. A description of the discharge and cause of noncompliance; and

b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

4. Adverse Impact

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, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

a. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Division at least 10 days (if possible) before the date of the bypass. The permittee shall submit notice of any unanticipated bypass with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

1. A description of the discharge and cause of noncompliance; and

2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

b. Any diversion or bypass of facilities covered by this permit is prohibited, except (I) where unavoidable to prevent loss of life, personal injury, or severe property damage; (ii) 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 the permittee could have installed adequate back-up equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and (iii) the permittee submitted a notice as required above. The permittee shall operate the treatment works, including the treatment plant and total sewer system, to minimize discharge of the pollutants listed in Part I of this permit from combined sewer overflows or bypasses. Upon written notification by the Division, the permittee may be required to submit a plan and schedule for reducing bypasses, overflows, and infiltration in the system.

6. Sludge Disposal Requirements

Hazardous sludge shall be disposed of in accordance with the regulations and guidelines established by the Division pursuant to the Federal Clean Water Act (CWA) and the Resource Conservation and Recovery Act (RCRA). For land application of nonhazardous sludge, the permittee shall comply with any applicable criteria outlined in the Division's "Guidelines for Land Application of Municipal Sludges." Prior to disposal of sludge by land application, the permittee shall submit a proposal to the Division for approval in accordance with applicable criteria in the Division's "Guidelines for Land Application of Municipal Sludges." Upon evaluation of the permittee's proposal, the Division may require that more stringent control of this activity is required. Upon written notification, the permittee shall submit to the Division for approval, a detailed plan of operation for land application of sludge. Upon approval, the plan will become a part of the NPDES permit. Disposal of nonhazardous sludge by other means, such as landfilling, must be approved by the Division.

7. Sludge Monitoring Requirements

The permittee shall develop and implement procedures to insure adequate year-round sludge disposal. The permittee shall monitor the volume and concentration of solids removed from the plant. Records shall be maintained which document the quantity of solids removed from the plant. The ultimate disposal of solids shall be reported monthly (in the unit of lbs/day) to the Division with the Operation Monitoring Report Forms required under Part I (C)(2) of this permit.

8. Power Failures

Upon the reduction, loss, or failure of the primary source of power to said water pollution control facilities, the permittee shall use an alternative source of power if available to reduce or otherwise control production and/or all discharges in order to maintain compliance with the effluent limitations and prohibitions of this permit.

If such alternative power source is not in existence, and no date for its implementation appears in Part I, the permittee shall halt, reduce or otherwise control production and/or all discharges from wastewater control facilities upon the reduction, loss, or failure of the primary source of power to said wastewater control facilities.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the Director of the Division, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials:

a. To enter upon the permittee's premises where a regulated activity or facility is located or conducted or where any records are required to be kept under the terms and conditions of this permit; and

b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters in any location.

2. Transfer of Ownership or Control

A permit may be transferred to another person by a permittee if:

a. The permittee notifies the Director in writing of the proposed transfer at least thirty (30) days in advance of the proposed transfer;

b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director at least thirty (30) days in advance of the proposed transfer; and

c. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of the Division's intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

3. Availability of Reports

Except for data deemed to be confidential under O.C.G.A. § 12-5-26 or by the Regional Administrator of the EPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at an office of the Division. Effluent data, permit applications, permittee's names and addresses, and permits shall not be considered confidential.

4. Permit Modification

After written notice and opportunity for a hearing, this permit may be modified, suspended, revoked or reissued in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any conditions of this permit;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;

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

d. To comply with any applicable effluent limitation issued pursuant to the order the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et.al. v. Russell E. Train, 8 ERC 2120(D.D.C. 1976), if the effluent limitation so issued:

(1) is different in conditions or more stringent than any effluent limitation in the permit; or

(2) controls any pollutant not limited in the permit.

5. Toxic Pollutants

The permittee shall comply with effluent standards or prohibitions established pursuant to Section 307(a) of the Federal Clean Water Act for toxic pollutants, which are present in the discharge within the time provided in the regulations

that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. 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 Federal Clean Water Act.

8. Water Quality Standards

Nothing in this permit shall be construed to preclude the modification of any condition of this permit when it is determined that the effluent limitations specified herein fail to achieve the applicable State water quality standards.

9. Property Rights

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

10. Expiration of Permit

Permittee shall not discharge after the expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by the agency authorized to issue permits no later than 180 days prior to the expiration date.

11. Contested Hearings

Any person who is aggrieved or adversely affected by an action of the Director of the Division shall petition the Director for a hearing within thirty (30) days of notice of such action.

12. Severability

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

13. Best Management Practices

The permittee will implement best management practices to control the discharge of hazardous and/or toxic materials from ancillary manufacturing activities. Such activities include, but are not limited to, materials storage areas, in-plant transfer, process and material handling areas; loading and unloading operations; plant site runoff; and sludge and waste disposal areas.

14. Need to Halt or Reduce Activity 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.

15. Duty to Provide Information

a. The permittee shall furnish to the Director of the Division, within a reasonable time, any information which the Director 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 upon request copies of records required to be kept by this permit.

b. When 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 any report to the Director, it shall promptly submit such facts and information.

16. Upset Provisions

Provisions of 40 CFR 122.41(n)(1)-(4), regarding "Upset" shall be applicable to any civil, criminal, or administrative proceeding brought to enforce this permit.

A. PREVIOUS PERMITS

1. All previous State water quality permits issued to this facility, whether for construction or operation, are hereby revoked by the issuance of this permit. This action is taken to assure compliance with the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act, as amended. Receipt of the permit constitutes notice of such action. The conditions, requirements, terms and provisions of this permit authorizing discharge under the National Pollutant Discharge Elimination System govern discharges from this facility.

B. SPECIAL REQUIREMENTS

1. There shall be no discharge of polyclorinated biphenyl compounds such as those commonly used for transformer fluid.

2. Any metal cleaning wastes generated will be contained for further treatment or disposal in a manner to permit compliance at time of discharge with requirements listed below. This applies to any preoperational chemical cleaning of metal process equipment also. The treatment and disposal procedures shall be discussed in the flow monitoring and characterization submittal.

3. The quantity of pollutants discharged in metal cleaning waste shall not exceed the quantity determined by multiplying the flow of metal cleaning wastes times the concentrations listed below. All effluent characteristics shall be monitored 1/week by grab sampling when a discharge is occurring.

| Effluent Characteristic | Discharge Limitation (mg/l) | |
|---|---|---|
| | Daily Average | Daily Maximum |
| Total Suspended Solids | 30.0 | 100.0 |
| Oil and Grease | 15.0 | 20.0 |
| Copper | 1.0 | 1.0 |
| Iron | 1.0 | 1.0 |

4. Neither free available chlorine (FAC) nor total residual chlorine (TRC) may 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 or total residual chlorine at any one time unless the utility can demonstrate to the Director that the units in a particular location cannot operate at or below this level of chlorination.

5. The free available chlorine (FAC) average means the average over any individual chlorine release period which does not exceed 2 hours per day per unit. The FAC Maximum is the instantaneous maximum which may occur at any time. Further, the permittee will develop a system for monitoring and recording total time of FAC and TRC discharges. The results shall be reported in a suitably concise form beginning with the first scheduled Operation Monitoring Report (OMR) and continuing on each OMR thereafter.

6. The permittee shall certify annually that no priority pollutant other than chromium or zinc is above detectable limits in outfalls 002 and 003 (cooling tower bowdown or overflows). This certification may be based on manufacturers' certifications or engineering calculations.

7. In the event that waste streams from various sources are combined for treatment or discharge, the quantity of each pollutant or pollutant property controlled by this permit shall not exceed the specified limitations for that source except that the limitations for free available chlorine and total residual chlorine discharges from cooling tower blowdown shall apply following the dechlorination system when that system is in use.

8 The Director may modify any effluent limitation upon request of the permittee if such limitation is covered by an approved variance or by an amendment to the Federal Clean Water Act.

9. Annually, the permittee shall submit to the Director flow monitoring and characterization information regarding the various waste streams.

10. The sewage Treatment plant must be properly operated and maintained. This applies to 004.

11. The permittee shall review the water treatment chemicals other than chlorine discharged to State waters. This includes, but is not limited to microbiocides, corrosion inhibitors, and dispersant. These chemicals shall be used and disposed of in accordance with the manufacturers' instructions unless other requirements are imposed by EPD. The permittee shall submit to EPD a current inventory of all water treatment chemicals discharged during the previous twelve months.

12. Summary of requirements from preceding items which are required every year:

    a. Metal cleaning waste treatment and disposal discussion.

    b. Flow monitoring and characterization information regarding various waste streams.

    c. Water treatment chemical inventory.

d. Cooling tower blowdown priority pollutant certification.

13. The effluent limits for all metals in this permit shall be defined and reported in terms of "total recoverable metal" in conformance with the appropriate language of the applicable Federal regulations.

14. Upon approval of the Director, the permittee shall, on a case-by-case basis, be able to utilize alternative analytical methods, conversion factors, methodology, procedures, or new technologies, to ensure that the biomonitoring and toxicity reduction requirements of Part III.C. and the testing/reporting requirements of the permit are adequately addressed.

15. The permittee shall report all visible discharges of floating materials, foam, and oil and grease.

16. No detectable level of Hydrazine is allowed at Outfall 001.

17. The Environmental Protection Division recognizes the inherent analytical variability in approved test methods and procedures and further agrees that such issues can be raised by the permittee as a defense in an enforcement action.

18. The provisions of 40 CFR 122.41(1)(6)(iii) regarding waiver of the five-day written report required by Part II.A.2 and Part II.A.5 of this permit shall be applicable and may be implemented on a case-by-case basis by EPD for non-compliances which are orally reported by the permittee within 24 hours of discovery of the non-compliance condition.

19. If the results for a given sample are such that a parameter is not detected at or above the method detection limit or reporting limit, a value of zero will be reported for that sample and the method detections limit or reporting limit will also be reported. Such sample shall be deemed to be in compliance with the permit.

20. The permittee is authorized to discharge stormwater from the out falls identified in Part I. Section A. of this permit provided that these discharges do not cause violations of State water quality standards in the receiving streams.

C. BIOMONITORING AND TOXICITY REDUCTION REQUIREMENTS

In order to determine whether the permittee is discharging wastes in concentrations or combinations which may have an adverse impact on the State's water quality, the Division can require the permittee to conduct a biomonitoring program.

If toxicity is believed to be present in the permittee's effluent, the Division may require the permittee to develop a biomonitoring screening program according to the following schedule:

1. Within 90 days of Division notification a screening program study plan detailing the test methodology and test organisms shall be submitted for conducting a forty-eight hour static acute test of the final effluent.

   Note: If residual chlorine is present in the final effluent from a treatment and/or disinfection process, a prechlorinated or dechlorinated sample will be tested.

2. Within 90 days of Division approval of the study plan, the permittee shall conduct and submit the results of the forty-eight hour static acute test.

The Division will then review the results of the forty-eight hour static acute test. If the test criteria specified in the study plan are exceeded, then the permittee shall within 90 days of written notification by the Division repeat steps 1. and 2. above replacing the forty-eight hour static acute test with the ninety-six hour test.

The Division will then review the results of the ninety-six hour test. If the criteria* detailed in the ninety-six hour test indicates toxicity, then the permittee shall within 90 days of written notification by the Division submit to the Division a plan to reduce the toxicity of the effluent. Within 270 days of Division approval of this plan, the permittee shall implement the plan and initiate follow-up biomonitoring of the effluent in accordance with the approved toxicity reduction plan. The toxicity reduction plan shall not be complete until the permittee meets the criteria detailed in the ninety-six hour test plan.

If there are substantial composition changes in the permittee's effluent, the permittee may be required to repeat the forty-eight hour static acute test upon notification by the Division. Unless otherwise advised, the permittee shall perform biomonitoring of the effluent as provided in C. 1. and 2. above, at a minimum of once every three years upon notification by the Division. On a case specific basis, chronic toxicity testing procedures may be required. Upon approval by the Division, all of the plans will become part of the requirements of this permit.

* The 96 hour criteria shall define toxicity as a greater than 10% mortality of the exposed test organisms in 96 hours or less when the test solution contains volumes of effluent and dilution water proportional to the plant daily average flow and the 7Q10 flow of the receiving stream, as determined using test procedures and methods, and statistical methods for evaluating test results, developed by the permittee and approved by the Division pursuant to this section or revised pursuant to Part III. B. 16. above.