Southern Nuclear

Justin T. Wheat
Nuclear Licensing Manager

40 Inverness Center Parkway
Post Office Box 1295
Birmingham, AL 35242
205 992 5998 tel
205 992 7601 fax

jtwheat@southernco.com

AUG 23 2017

Docket Nos.: 50-321
50-366

NL-17-1441

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

Edwin I. Hatch Nuclear Plant
National Pollutant Discharge Elimination System (NPDES) Permit Renewal

Ladies and Gentlemen:

In accordance with Section 3.2 of the Edwin I. Hatch Nuclear Plant (HNP) Environmental Protection Plan, Units 1 and 2, Appendix B to Facility Operating License Nos. DPR-57 and NPF-5, enclosed is a copy of the renewed HNP National Pollutant Discharge Elimination System (NPDES) Permit Number GA0004120 issued by the Georgia Environmental Protection Division.

This letter contains no NRC commitments. If you have any questions, please contact Ken McElroy at 205.992.7369.

Respectfully submitted,

Justin T. Wheat
Nuclear Licensing Manager

JTW/RMJ

Enclosure: Hatch NPDES Permit (No. GA0004120)

Cc: Regional Administrator, Region II
NRR Project Manager – Hatch
Senior Resident Inspector – Hatch
RTYPE: CHA02.004

Edwin I. Hatch Nuclear Plant
National Pollutant Discharge Elimination System (NPDES) Permit Renewal

Enclosure

Hatch NPDES Permit (No. GA0004120)

GEORGIA
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

EPD Director's Office
2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

JUL 24 2017

Mr. Thomas C. Moorer
Env. Affairs, Chemicals, & Radiation Svcs. Manager
Southern Nuclear Operating Company
P.O. Box 1295
Birmingham, AL 35201

RE: Permit Modification
Hatch Nuclear Plant
Permit No. GA0004120
Baxley, Appling County

Dear Mr. Moorer:

Pursuant to the Georgia Water Quality Control Act, as amended, the Federal Clean Water Act, as amended, and the Rules and Regulations promulgated thereunder, we have modified the attached permit for the above-referenced facility to correct minor typographical errors.

Your facility has been assigned to the following EPD office for reporting and compliance. Signed copies of all required reports shall be submitted to the following address:

Environmental Protection Division
Coastal District (Brunswick)
400 Commerce Center Dr.
Brunswick, GA 31523

Please be advised that on and after the effective date indicated in the permit, the permittee must comply with all terms, conditions, and limitations of the permit. If you have questions concerning this correspondence, please contact Audra Dickson at 404.463.4934 or *audra.dickson@dnr.ga.gov*.

Sincerely,

Richard E. Dunn
Director

RED:ad
Enclosure(s)

cc: EPD Coastal District Office, Denali Trimble (e-mail)

Permit No. GA0004120
Issuance Date: JUL 24 2017

GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

National Pollutant Discharge Elimination System Permit

In accordance 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
P.O. Box 1295
Birmingham, Alabama 35201

is issued a permit to discharge from a facility located at

Hatch Nuclear Plant, Units 1 & 2
11028 Hatch Parkway North, Baxley, Georgia
Appling County,

to receiving waters

Altamaha River (all external outfalls) in the Altamaha River Basin

in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit.

This permit is issued in reliance upon the permit application signed on December 29, 2011 and updated on March 13, 2017 any other applications upon which this permit is based, supporting data entered therein or attached thereto, and any subsequent submittal of supporting data.

This is a modification of the permit originally effective on June 1, 2017. This permit modification shall become effective on August 1, 2017.

This permit and the authorization to discharge shall expire at midnight May 31, 2022.

STATE OF GEORGIA CONSTITUTION 1776

Richard E. Dunn, Director
Environmental Protection Division

PART I

A. Effluent Limitations and Monitoring Requirements

A.1. During the period specified on the first page of this permit, the permittee is authorized to discharge from external outfall numbers. 01 and 02 – Units 1 & 2 Combined Waste Streams.

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

Effluent Characteristics (Units)	Discharge Limitations				Monitoring Requirements[1]		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	Report	Report			Refer to footnote 4 below	Refer to footnote 4 below	Refer to footnote 4 below
Temperature (°F)			Report	Report	1/Week	Grab	Refer to footnote 2 below
Free Available Chlorine (FAC)[5]			Report	Report	1/Week	Multiple Grabs[3]	Refer to footnote 2 below
Total Residual Chlorine (TRC)[5]			Report	Report	1/Week	Multiple Grabs[3]	Refer to footnote 2 below

If bromine or a combination of bromine and chlorine is utilized for control of biofouling, monitoring requirements for TRC and FAC shall be applicable to TRO (Total Residual Oxidants) and FAO (Free Available Oxidants).

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week on the final effluent by a grab sample.

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

[1] All the parameters must be monitored if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part 1.D of this permit.

[2] Monitoring will be at the mixing chamber, which is the last point before discharge to river after combining of all waste streams.

[3] During periods of chlorinated water discharge. Samplings should cover the entire period from beginning to end of chlorinated water discharge and shall be taken at 15 minute intervals.

[4] Refer to Part III.C.6 - Special Conditions of this permit.

[5] Residual oxidant monitoring (TRC, FAC, TRO, and FAO) is only required when the dechlorination system is not in service.

A.2. Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from internal outfall numbers 01A, 02A, 01B, 02C, and external outfall numbers 01J, and 02B – Cooling Tower Blowdown from Units 1 and 2, Cooling Tower flume Overflow from Units 1 and 2, and Unit 1and 2 Cooling Tower Basin Overflows and Drains to Storm Drains.

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

Effluent Characteristics (Units)	Discharge Limitations[1]				Monitoring Requirements[2]		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow	Report	Report					Blowdown Line
Free Available Chlorine (FAC)[3]			0.2	0.5	1/Week	Multiple Grabs	Blowdown Line
Total Residual Chlorine (TRC)[3]			Report	Report	1/Week	Multiple Grabs	Blowdown Line
TRC Time (minutes/day/unit)			120		1/Week	Total	Blowdown Line
Chromium, Total Recoverable			0.2	0.2	1/Year	Grab	Blowdown Line
Zinc, Total Recoverable			1.0	1.0	1/Year	Grab	Blowdown Line

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.

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week on the final effluent by a grab sample.

There shall be no discharge of floating solids or visible foam in other than amounts for discharges direct to the river.

[1] All numerical discharge limitations and monitoring requirements apply to the individual cooling tower blowdown from each generating unit. Refer to Part III.C.3, 4, and 9 - Special Conditions of this permit.

[2] All the parameters must be monitored if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part 1.D of this permit.

[3] Multiple grab samples are to be collected at 15 minute intervals during periods of FAC and TRC discharges. Samples are to be taken before each individual cooling tower blowdown combines with waste streams from other sources.

A.3. Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from internal outfall numbers 01E and 02E Low Volume Wastes (Liquid Radwaste System, Units 1 and 2).

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

Effluent Characteristics (Units)	Discharge Limitations				Monitoring Requirements[1]		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location[2]
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	Report	Report			Refer to footnote 3 below	Refer to footnote 3 below	Refer to footnote 3 below
Total Suspended Solids			30	100	1/Quarter	Grab	Discharge Line
Oil & Grease			15	20	1/Quarter	Grab	Discharge Line

The permittee may drain chiller water containing sodium nitrite, disodium molybdate, and/or other approved corrosion inhibitors through this discharge. Alternate corrosion inhibitors may be used in accordance with applicable permit requirements in Part III.C.8 of this permit

The radioactive component of this discharge is regulated by the US Nuclear Regulatory Commission (10 CFR Part 20).

There shall be no discharge of floating solids or visible foam in other than amounts for discharges direct to the river.

[1] All the parameters must be monitored if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part 1.D of this permit.

[2] Prior to mixing with other waste streams.

[3] Refer to Part III.C.6 - Special Conditions of this permit.

A.4. Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from internal outfall number 01G - Low Volume Waste (neutralization tank).

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

Effluent Characteristics (Units)	Discharge Limitations				Monitoring Requirements[1]		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location[2]
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	Report	Report			Refer to footnote 3 below	Refer to footnote 3 below	Refer to footnote 3 below
Total Suspended Solids			30	100	1/Quarter	Grab	Discharge Line[2]
Oil & Grease			15	20	1/Quarter	Grab	Discharge Line[2]

There shall be no discharge of floating solids or visible foam in other than amounts for discharges direct to the river.

[1] All the parameters must be monitored if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part 1.D of this permit.

[2] Prior to mixing with any other waste streams.

[3] Refer to Part III.C.6 - Special Conditions of this permit.

A.5. Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from internal outfall number 01H - Low Volume Waste (pressure filter backwash).

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

Effluent Characteristics (Units)	Discharge Limitations				Monitoring Requirements[1]		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location[2]
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	Report	Report			Refer to footnote 3 below	Refer to footnote 3 below	Refer to footnote 3 below
Total Suspended Solids			30	100	Semi-annually	Grab	Discharge Line[2]
Oil & Grease			15	20	Semi-annually	Grab	Discharge Line[2]

[1] All the parameters must be monitored if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part 1.D of this permit.

[2] Prior to mixing with any other waste streams.

[3] Refer to Part III.C.6 - Special Conditions of this permit.

A.6. Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from external outfall numbers 03 and 03A – Intake Screen and Strainer Backwash.

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

This discharge shall consist only of intake screen and strainer backwash. If the Director determines that water quality standards are not being met 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.

Effluent Characteristics (Units)	Discharge Limitations				Monitoring Requirements[1]		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	Report	Report			Refer to footnote 2 below	Refer to footnote 2 below	Refer to footnote 2 below

[1] All the parameters must be monitored if there is any discharge. If there is no discharge, state such in the discharge monitoring report in accordance with the reporting requirements in Part 1.D of this permit.

[2] Refer to Part III.C.6 - Special Conditions of this permit.

A.7. Effluent Limitations and Monitoring Requirements

During the period specified on the first page of this permit, the permittee is authorized to discharge from external outfall number 04 – Blowdown and Draining of Water from the Chiller Systems to Storm Drains.

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

The discharges are to contain uncontaminated chiller water blowdown water only. This is to be confirmed in writing on an annual basis by January 28th by the permittee. The permittee must list the chemicals and amounts being added to the cooling tower and certify that the chemicals being added for slime and algae control are nonmetallic and biodegradable. This information must be submitted annually by January 28th of each year.

Chemical dosage must not exceed manufacturer's recommendations. Other chemicals must be approved by EPD prior to being used by the permittee.

The effluent discharge may not cause or contribute to a water quality violation.

B. 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. The permittee shall maintain a written sampling plan and schedule onsite.

2. Sampling Period

a. Unless otherwise specified in this permit, quarterly samples shall be taken during the periods January-March, April-June, July-September, and October-December.

b. Unless otherwise specified in this permit, semiannual samples shall be taken during the periods January-June and July-December.

c. Unless otherwise specified in this permit, annual samples shall be taken during the period of January-December.

3. Monitoring Procedures

Analytical methods, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and methods listed in 40 CFR Part 136. The analytical method used shall be sufficiently sensitive. EPA-approved methods must be applicable to the concentration ranges of the NPDES permit samples.

4. Detection Limits

All parameters will be analyzed using the appropriate detection limits. If the results for a given sample are such that a parameter is not detected at or above the specified detection limit, a value of "NOT DETECTED" will be reported for that sample and the detection limit will also be reported.

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 Discharge Monitoring Report . Such increased monitoring frequency shall also be indicated. EPD 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 EPD 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 EPD.

C. Definitions

a. The "daily average" mass means the total discharge by mass 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" mass means the total discharge by mass 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. 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 treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that 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.

h. "EPD" as used herein means the Environmental Protection Division of the Department of Natural Resources.

i. "State Act" as used herein means the Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).

j. "Rules" as used herein means the Georgia Rules and Regulations for Water Quality Control.

D. Reporting Requirements

1. The permittee must electronically report the DMR, OMR and additional monitoring data using the web based electronic NetDMR reporting system, unless a waiver is granted by EPD.

   a. The permittee must comply with the Federal National Pollutant Discharge Elimination System Electronic Reporting regulations in 40 CFR §127. The permittee must electronically report the DMR, OMR, and additional monitoring data using the web based electronic NetDMR reporting system online at: https://netdmr.epa.gov/netdmr/public/home.htm

   b. Monitoring results obtained during the calendar month shall be summarized for each month and reported on the DMR. The results of each sampling event shall be reported on the OMR and submitted as an attachment to the DMR.

   c. The permittee shall submit the DMR, OMR and additional monitoring data no later than 11:59 p.m. on the 15th day of the month following the sampling period.

   d. All other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

2. **No later than December 21, 2020,** the permittee must electronically report the following compliance monitoring data and reports using the online web based electronic system approved by EPD, unless a waiver is granted by EPD:

   a. CWA Section 316(b) Annual Reports;
   b. Sewer Overflow/Bypass Event Reports;
   c. Noncompliance Notification;
   d. Other noncompliance; and
   e. Bypass

3. **Other Reports**

   All other reports required in this permit not listed above in Part I.D.2 or unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

4. **Other Noncompliance**

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

5. **Signatory Requirements**

   All reports, certifications, data or information submitted in compliance with this permit or requested by EPD must be signed and certified as follows:

   a. Any State or NPDES Permit Application form submitted to the EPD shall be signed as follows in accordance with the Federal Regulations, 40 C.F.R. 122.22:

      1. For a corporation, by a responsible corporate officer. A responsible corporate officer means:

         i 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

         ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

      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 facility, by either a principal executive officer or ranking elected official.

b. All other reports or requests for information required by the permit issuing authority shall be signed by a person designated in (a) above or a duly authorized representative of such person, if:

1. The representative so authorized is responsible for the overall operation of the facility from which the discharge originates, e.g., a plant manager, superintendent or person of equivalent responsibility;

2. The authorization is made in writing by the person designated under (a) above; and

3. The written authorization is submitted to the Director.

c. Any changes in written authorization submitted to the permitting authority under (b) above which occur after the issuance of a permit shall be reported to the permitting authority by submitting a copy of a new written authorization which meets the requirements of (b) and (b.1) and (b.2) above.

d. Any person signing any document under (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."

PART II

A. Management Requirements

1. Notification of Changes

a. The permittee shall provide EPD at least 90 days advance notice of any planned physical alterations or additions to the permitted facility that meet the following criteria:

1. 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);

2. 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 40 CFR 122.42(a)(1); or

3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

b. The permittee shall give at least 90 days advance notice to EPD of any planned changes to the permitted facility or activity which may result in noncompliance with permit requirements.

c. Following the notice in paragraph a. or b. of this condition the permit may be modified. The permittee shall not make any changes, or conduct any activities, requiring notification in paragraph a. or b. of this condition without approval from EPD.

d. The permittee shall provide at least 30 days advance notice to EPD of:

1. any planned expansion or increase in production capacity; or

2. any planned installation of new equipment or modification of existing processes that could increase the quantity of pollutants discharged or result in the discharge of pollutants that were not being discharged prior to the planned change

if such change was not identified in the permit application(s) upon which this permit is based and for which notice was not submitted under paragraphs a. or b. of this condition.

e. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD 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.

f. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD 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.

g. Upon the effective date of this permit, the permittee shall submit to EPD an annual certification in January of each year certifying whether or not there has been any change in processes or wastewater characteristics as described in the submitted NPDES permit application that required notification in paragraph a., b., or d. of this condition. The permittee shall also certify annually in January whether the facility has received offsite wastes or wastewater and detail any such occurrences.

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 EPD 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 EPD 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 EPD, the permittee may be required to submit a plan and schedule for reducing bypasses, overflows, and infiltration in the system.

6. Sludge Disposal Requirements

Sludge shall be disposed of in accordance with the regulations and guidelines established by EPD and the Federal Clean Water Act, Section 405(d) and (e), and the Resource Conservation and Recovery Act (RCRA). In land applying nonhazardous sludge, the permittee shall comply with the general criteria outlined in the most current version of EPD's "Guidelines for Land Application of Sewage Sludge (Biosolids) at Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17. EPD may require more stringent control of this activity. Before disposing of sludge by land application or any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a sludge management plan to EPD for written approval. This plan will become a part of the NPDES permit after approval and modification of the permit.

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 EPD with the Operation Monitoring Report Forms required under Part I.D 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 EPD, 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 of EPD 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 EPD'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. Section 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 EPD. 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 of 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 establishes 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

The 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 EPD at least 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 EPD 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, in-plant transfer, process and material handling; loading and unloading operations; plant site runoff; and sludge and waste disposal.

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 EPD, 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. Duty to Comply

a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) and is grounds for enforcement action; for permit termination; revocation and reissuance, or modification; or for denial of a permit renewal application. Any instances of noncompliance must be reported to EPD as specified in Part I. D and Part II.A. of this permit.

b. Penalties for violations of permit conditions. The Federal Clean Water Act and the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required 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 Georgia Water Quality Control Act (Act) also provides 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.

17. 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.

PART III

A. Previous Permits

1. All previous State wastewater 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. 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.

C. Special Conditions

1. <u>No Discharge of Polychlorinated Biphenyl Compounds</u>

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

2. <u>Chemical Metal Cleaning Waste</u>

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 or disposed of in a manner approved EPD. 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. <u>Total Residual Chlorine</u>

a. Neither free available chlorine (FAC), total residual chlorine (TRC), free available oxidants nor total residual oxidants 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.

b. The free available chlorine (FAC) or free available oxidant (FAO) average means the average over any individual chlorine or oxidant release period which does not exceed 2 hours per day per unit. The FAC or FAO 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, FAO, TRO, and TRC discharges. The results shall be reported in a suitably concise form on the OMR and reported in accordance with the reporting requirements in Part I.D of this permit

4. Annual Certification

The permittee shall certify annually that no priority pollutant other than chromium or zinc is above detectable limits in outfall nos. 01A, 02A, 01B, 02B, 02C, 01I, or 01J (cooling tower blowdowns or overflows). This certification may be based on manufacturers certifications or engineering calculations.

5. Combined Flows

In the event that waste streams for 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.

6. Flow Monitoring & Characterization

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

7. Sanitary Waste Treatment Plant

The sewage treatment plant shall be properly operated and maintained.

8. Water Treatment Chemicals

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 dispersants. 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.

9. No Biocides or Slimicides May Be Added to the Cooling Tower System

No biocides or slimicides may be added to the cooling tower system, except for chlorine and bromine, without prior approval from the Georgia Environmental Protection Division. In some cases, it may be necessary to demonstrate that chemical additives are not in concentrations in the

receiving stream to be harmful to aquatic life. This will include bioassays and periodic testing for the biocide/slimicide active ingredient.

10. Sludge Management Plan

This permit authorizes onsite disposal of sludge from the domestic wastewater treatment plant in accordance with the conditions and requirements specified in the EPD-approved Sludge Management Plan. Sludge may also be disposed offsite at approved facilities in accordance with applicable permit requirements.

11. §316(b) of the Clean Water Act (CWA) & Cooling Water Intake Structures

This facility is subject to EPA's Requirements Applicable to Cooling Water Intake Structures for Existing Facilities Under Section 316(b) of the Clean Water Act. The permittee will demonstrate compliance with 316(b) through monitoring and reporting in accordance with Parts 125.96 and 125.97 of the rule.

12. Temperature Study

a. Within 6 months of the issuance date of this permit, the Permittee shall develop a temperature CORMIX model for outfall No. 01 and submit the model to EPD for review and approval to establish a designated mixing zone for temperature. The model shall reflect the critical periods of the year, the summer months during low flow for the 90° F maximum water quality standard and for the winter months for the delta T water quality standard.

b. Within 18 months of EPDs approval of the CORMIX model, the permittee shall conduct daily effluent and instream temperature monitoring and submit to EPD a temperature study to validate the EPD approved CORMIX model referenced above. The effluent and instream temperature monitoring data shall be submitted to EPD with the study.

c. Upon approval of the CORMIX model and temperature study, EPD may modify the permit to include the designated mixing zone and associated temperature effluent limitations for the final outfall.

d. The permittee shall submit semiannual progress reports to EPD in accordance with Part I.D of this permit.

D. Biomonitoring and Toxicity Reduction Requirements

The permittee shall comply with effluent standards or prohibitions established by section 307(a) of the Federal Act and with chapter 391-3-6-.03(5)(e) of the State Rules and may not discharge toxic pollutants in concentrations or combinations that are harmful to humans, animals, or aquatic life.

If toxicity is suspected in the effluent, EPD may require the permittee to perform any of the following actions:

a. Acute biomonitoring tests;

b. Chronic biomonitoring tests;

c. Stream studies;

d. Priority pollutant analyses;

e. Toxicity reduction evaluations (TRE); or

f. Any other appropriate study.

EPD will specify the requirements and methodologies for performing any of these tests or studies. Unless other concentrations are specified by EPD, the critical concentration used to determine toxicity in biomonitoring tests will be the effluent instream wastewater concentration (IWC) based on the representative plant flow of the facility and the critical low flow of the receiving stream (7Q10). The endpoints that will be reported are the effluent concentration that is lethal to 50% of the test organisms (LC50) if the test is for acute toxicity, and the no observed effect concentration (NOEC) of effluent if the test is for chronic toxicity.

The permittee must eliminate effluent toxicity and supply EPD with data and evidence to confirm toxicity elimination. When approved by EPD, all study plans and TRE plans will become part of the requirements of this permit.