

ADEM

ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: ALABAMA POWER COMPANY
FARLEY NUCLEAR PLANT

FACILITY LOCATION: HOUSTON COUNTY HIGHWAY 95 SOUTH
COLUMBIA, ALABAMA

PERMIT NUMBER: AL0024619

RECEIVING WATERS: Wilson Creek, Chattahoochee River and
Unnamed Tributary to the Chattahoochee River

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

ISSUANCE DATE: AUGUST 15, 1990

EFFECTIVE DATE: SEPTEMBER 1, 1990

EXPIRATION DATE: AUGUST 31, 1995

A handwritten signature in cursive script, appearing to read "James Wilson".

Alabama Department of Environmental Management

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PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN001: Main combined facility discharge

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

Effluent Characteristic	Discharge Limitations*		Monitoring Requirements**		
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	Daily	Totalizer or Pump Log
pH	6.0 s.u.	9.0 s.u.	-	1/week	Grab
Intake Temperature	-	monitor	monitor	Daily	Grab
Temperature***	-	-	-	Daily	Grab
Total Residual Chlorine****	-	0.019 mg/l	0.011 mg/l	1/week	Grab
Hydrazine*****	-	0.05 mg/l	0.01 mg/l	1/week	Multiple Grabs

There shall be no discharge of visible oil, nor shall there be discharge of floating solids or visible foam except in trace amounts.

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge or combination with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

***The discharge shall not exceed 90°F or raise the influent temperature by more than 5°F. If the influent temperature exceeds 90°F the influent temperature shall become the maximum allowable discharge temperature.

****When chlorination is occurring, grab samples shall be taken at least once per 30 minute period of chlorination to verify compliance with total residual chlorine limitations. Sampling is required only during chlorination.

*****Samples to be collected during period of discharge after layup where hydrazine has been added to layup water.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

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

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations*</u>			<u>Monitoring Requirements**</u>	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type

The addition of chlorine is authorized for these discharge points but only at concentrations which will not exceed the total residual chlorine limitation in the main combined facility discharge, DSN001.

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3.

**Samples collected to comply with the monitoring requirements specified above except intake temperature shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

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

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/week	Calculation or Pump Log
Total Residual Chlorine***	-	-	-	1/week*****	Multiple Grabs***
Free Available Chlorine***	-	0.50 mg/l	0.20 mg/l	1/week*****	Multiple Grabs***
Chromium, Total	-	0.20 mg/l	0.20 mg/l	2/month****	Composite*****
Zinc, Total	-	1.0 mg/l	1.0 mg/l	2/month****	Composite*****
Time of Total Residual Chlorine Discharge	-	120 min/unit/day	monitor	Daily*****	Clock

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to mixing with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

***Neither free available nor total residual chlorine may be discharged from any single generating unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the permittee can demonstrate that the units at the permitted location cannot operate at or below this level of chlorination. When blowdown is occurring, grab samples shall be taken at least every 30 minutes to verify compliance with free available chlorine limitations unless the permittee verifies that free available chlorine levels are less than detectable prior to blowdown, and no chlorination occurs during the blowdown event. In this event, sampling for free available chlorine may be by a single representative grab sample only. The permittee shall not use cooling tower maintenance chemicals which contain any of the 126 priority pollutants, found in Appendix A to 40 CFR 423, in detectable amounts, except for chromium, total and zinc, total, which shall be limited as above.

****Monitoring frequency shall be 1/year if cooling tower maintenance chemicals containing these compounds is not initiated by the permittee.

*****Composited over the time of blowdown, not to exceed 24 hours.

*****To be monitored when chlorine is added directly to cooling towers

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN009: M. C. sewage treatment plant 1

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/month	Instantaneous
pH	6.0 s.u.	9.0 s.u.	-	1/month	Grab
Biochemical Oxygen Demand (5-day)	-	45.0 mg/l	30.0 mg/l	1/month	Composite***
Total Suspended Solids	-	45.0 mg/l	30.0 mg/l	1/month	Composite***
Fecal Coliform	-	300 ORG/100 ml	300 ORG/100 ml	1/month	Grab

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

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance. Limitations do not apply if discharge is to the ash pond, if the permitted facility has an ash pond.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location after treatment and prior to combination with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

***Over time of predominant discharge, but not less than from 7:00 a.m. - 6:00 p.m. If manually composited, maximum time between individual aliquots is two (2) hours.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN010: Sewage treatment plant 2A
DSN011: Sewage treatment plant 2B

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/month	Instantaneous
pH	6.0 s.u.	9.0 s.u.	-	1/month	Grab
Biochemical Oxygen Demand (5-day)	-	45.0 mg/l	30.0 mg/l	1/month	Composite***
Total Suspended Solids	-	45.0 mg/l	30.0 mg/l	1/month	Composite***
Fecal Coliform	-	300 ORG/100 ml	300 ORG/100 ml	1/month	Grab

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

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance. Limitations do not apply if discharge is to the ash pond, if the permitted facility has an ash pond.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location after treatment and prior to combination with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

***Over time of predominant discharge, but not less than from 7:00 a.m. - 6:00 p.m. If manually composited, maximum time between individual aliquots is two (2) hours.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN012: Chemical metal cleaning wastes***

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	Daily	Instantaneous or Pump Log
pH	6.0 s.u.	9.0 s.u.	-	Daily	Grab
Oil and Grease	-	20.0 mg/l	15.0 mg/l	Daily	Grab
Total Suspended Solids	-	100.0 mg/l	30.0 mg/l	Daily	Composite****
Copper, Total	-	1.0 mg/l	1.0 mg/l	Daily	Composite****
Iron, Total	-	1.0 mg/l	1.0 mg/l	Daily	Composite****

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3 Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: If the permittee uses option IV.B.1 at the nearest accessible point prior to discharge to combination with other waste streams, and discharge to the boiler cleaning pond and after treatment. If the permittee uses options IV.B.1., IV.B.2. at the nearest accessible point after discharge from the metal cleaning pond and prior to combination with any other waste stream. If the permittee uses option IV.B.4., at a point appropriate to the method used, and approved by the Department. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

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

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

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN013: Treated chromate bearing wastewater

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/batch	Totalized
Chromium, Total	-	0.50 mg/l	0.50 mg/l	1/batch	Grab
Oil and Grease	-	20.0 mg/l	15.0 mg/l	1/quarter	Grab
Total Suspended Solids	-	100.0 mg/l	30.0 mg/l	1/quarter	Grab

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN014: Waste settling pond

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/week	Instantaneous or Calculated
pH	6.0 s.u.	9.0 s.u.	-	1/month	Grab
Oil and Grease	-	20.0 mg/l	15.0 mg/l	1/month	Grab
Total Suspended Solids	-	100.0 mg/l	30.0 mg/l	1/month	24-Hr. Composite

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to mixing with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN015: Turbine building sump, unit 1

DSN016: Turbine building sump, unit 2

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/month	Instantaneous or Calculated
Oil and Grease***	-	20.0 mg/l	15.0 mg/l	1/month	Grab
Total Suspended Solids***	-	100.0 mg/l	30.0 mg/l	1/month	Grab

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to mixing with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

***When water from the main condenser boxes enter these points during outages, these limitations do not apply. During these events total residual chlorine shall be monitored at a frequency of 1/week.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

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

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/6 months	Instantaneous or Calculated
Oil and Grease	-	20.0 mg/l	15.0 mg/l	1/6 months	Grab
Total Suspended Solids	-	100.0 mg/l	30.0 mg/l	1/6 months	Grab
Boron, Total***	-	monitor	monitor	1/6 months	Grab

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to mixing with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

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

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN019: Liquid radwaste system, unit 1

DSN020: Liquid radwaste system, unit 2

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Chromium, Total	-	0.50 mg/l	0.50 mg/l	1/month	Grab
Oil and Grease	-	20.0 mg/l	15.0 mg/l	1/6 months	Grab
Total Suspended Solids	-	100.0 mg/l	30.0 mg/l	1/quarter	Grab

All wastes discharged through this serial number shall, as a minimum, receive treatment consisting of filtration. The permittee shall comply with all U.S. Nuclear Regulatory Commission requirements relative to this discharge.

*See Part II, A., 4; Part II, A., 5; and Part II, B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN021: Plant transformer area runoff

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type

There shall be no discharge of visible oil, nor shall there be discharge of floating solids or visible foam except in trace amounts.

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to mixing with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

- DSN022: River water building sump discharge, unit 1 to the intake canal
- DSN023: River water building sump discharge, unit 2 to the intake canal

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type
Flow (MGD)	-	monitor	monitor	1/quarter	Instantaneous or Pump Log
pH	monitor	monitor	-	1/quarter	Grab
Oil and Grease	-	20.0 mg/l	15.0 mg/l	1/quarter	Grab

There shall be no discharge of visible oil, nor shall there be discharge of floating solids or visible foam except in trace amounts.

*See Part II, A., 4; Part II, A., 5; and Part II, B., 3. Where fewer than two samples per month are taken, the monthly average limit shall apply to the sample result in assessing compliance.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to mixing with any other waste stream. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

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

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type

There shall be no discharge of visible foam; there be discharge of floating solids or visible foam except in trace amounts.

See Part IV.A of this permit for additional requirements relating to this discharge.

*See Part II., A., 4; Part II., A., 5; and Part II., I., 3.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

- DSN030: Intake screen backwash water, units 1 and 2, to the intake canal
- DSN031: Service water structure sump discharge
- DSN032: River water pumps mini-flow, unit 1, to the intake canal
- DSN033: River water pumps mini-flow, unit 2, to the intake canal

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency	Sample Type

There shall be no discharge of visible oil, or shall there be discharge of floating solids or visible foam except in trace amounts.

This discharge is permitted with no monitoring requirements or limitations, provided the permittee adds no pollutants to the discharge.

*See Part II, A., 4; Part II, A., 5; and Part II, B., 3.
**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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

DSN034: Miscellaneous low flow, noncontact cooling water sources***

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

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Maximum	Monthly Average	Measurement Frequency;	Sample Type

There shall be no discharge of visible oil, or shall there be discharge of floating solids or visible foam except in trace amounts.

This discharge is permitted with no monitoring requirements or limitations, provided the permittee adds no pollutants to the discharge.

*See Part II., A., 4; Part II., A., 5; and Part II., B., 3.

**Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge. Samples taken shall then be analyzed for the specific parameters in accordance with Part I.B.2.

***Miscellaneous, low volume, noncontact cooling waters means noncontact cooling waters with a maximum flow less than 5,000 gpd, and subject to addition of no other pollutants other than heat.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge stormwater from diked petroleum storage or handling areas, provided the following conditions are met:

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

1. The facility will have a valid SPCC Plan pursuant to 40 CFR 112, and
2. Best Management Practices (BMP) are used in draining the diked area. BMP is defined as use of a portable oil skimmer or similar device or the use of absorbant material to remove oil and grease (as indicated by the presence of a sheen) immediately prior to draining.
3. Monitoring records shall be maintained in the form of a log and shall contain the following information, as a minimum:
 - a. Date and time of discharge
 - b. Estimated volume of discharge
 - c. Initials of person making visual inspection and authorizing discharge
 - d. Observed conditions of stormwater discharged

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 and shall be in accordance with the provisions of this permit.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, U.S.C. Section 1314(h). If more than one method for analysis of a substance is approved for use, a method having a detection limit lower than the permit limit shall be used. If the detection limit of all methods is higher than the permit limit the method having the lowest detection limit shall be used and a report of less than detection limit shall constitute compliance, however should EPA approve a method with a lower detection limit during the term of this permit the permittee shall use the newly approved method.

3. Recording of Results

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

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

4. Records Retention and Production

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the above reports or the application for this

permit, for a period of at least three years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time. If litigation or other enforcement action, under the AWPCA and/or the FWPCA, is ongoing which involves any of the above records, the records shall be kept until the litigation is resolved. Upon the written request of the Director or his designee, the permittee shall provide the Director with a copy of any record required to be retained by this paragraph.

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

5. Reporting

- a. Monitoring results obtained during the previous quarterly reporting period shall be summarized on a Discharge Monitoring Report (DMR) Form approved by the Department, and received by the Director no later than the 28th day of the month following this monitoring period. The first report is due OCTOBER 28, 1990 . if the permittee, using approved analytical methods as specified in Part I.,B.,2., monitors any discharge from a point source identified in Part I., A. of this permit more frequently than required by this permit, the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form and the increased frequency shall be indicated on the DMR Form. In the event no discharge from a point source identified in Part I.,A. of this permit and described more fully in the permittee's application occurs during a monitoring period, the permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- b. All reports and forms required to be submitted by this permit, the AWPCA and the Department's rules and regulations, shall be signed by "responsible official" of the permittee as defined in ADEM Admin. Code Rule 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Admin. Code Rule 335-6-6-.09 and shall bear the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and

complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- c. All reports and forms required to be submitted by this permit, the AWPCA and the Department's rules and regulations, shall be addressed to:

Director
Alabama Department of Environmental Management
1751 Cong. W.L. Dickinson Drive
Montgomery, Alabama 36130
Attention: Industrial Branch, Water Division

6. Noncompliance Notification

- a. If for any reason, the permittee's discharge (1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Part I., A. of this permit which is denoted by an "(X)", (2) threatens human health or welfare, fish or aquatic life, or water quality standards, (3) does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), (4) contains a quantity of a hazardous substance which has been determined may be harmful to public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. Section 1321(b)(4), or (5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset, the permittee shall orally report the occurrence and circumstances of such discharge to the Director within 24-hours after the permittee becomes aware of the occurrence of such discharge. In addition to the oral report, the permittee shall submit to the Director a written report as provided in c. below, no later than five (5) days after becoming aware of the occurrence of such discharge.
- b. If for any reason, the permittee's discharge does not comply with any daily maximum or minimum discharge limitation specified in Part I., A. of this permit, the permittee shall submit to the Director a written report as provided in c. below, which report shall be submitted with the next Discharge Monitoring Report required to be submitted by Part I., B., 5. of this permit after becoming aware of the occurrence of such discharge.
- c. Any written report required to be submitted to the Director by a. or b. shall include the following information:

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

7. Reduction, Suspension, or Termination of Monitoring and/or Reporting

- a. The Director may, with respect to any point source identified in Part I., A. of this permit, authorize the permittee to reduce, suspend or terminate the monitoring and/or reporting required by this permit upon the submission of a written request for such reduction, suspension or termination by the permittee, supported by sufficient data which demonstrates to the satisfaction of the Director that the discharge from such point source will continuously meet the discharge limitations specified in Part I., A. of this permit.
- b. It remains the responsibility of the permittee to comply with the monitoring and reporting requirements of this permit until written authorization to reduce, suspend or terminate such monitoring and/or reporting is received by the permittee from the Director.

C. SCHEDULE OF COMPLIANCE

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

Operational Level Attained - - - Effective Date of Permit

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

D. TERMINATION OF DISCHARGE

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

PART II

A. MANAGEMENT REQUIREMENTS

1. Facilities Operation and Management

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

2. Best Management Practices

- a. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director or his designee has granted prior written authorization.
- b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112.1-.7 if required thereby.
- c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee. When submitted and approved, the BMP Plan shall become a part of this permit and all requirements of the BMP Plan shall become requirements of this permit.

3. Duty to Mitigate

The permittee shall promptly take all reasonable steps to mitigate and minimize any adverse impact to waters resulting from noncompliance with any discharge limitation specified in Part I., A. of this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Bypass

a. Any bypass is prohibited except as provided in b. and c. below:

b. A bypass is not prohibited if:

- (1) It does not cause any discharge limitation specified in Part I., A. of this permit to be exceeded; and
- (2) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system.

c. A bypass is not prohibited and need not meet the discharge limitations specified in Part I., A. of this permit if:

- (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
- (2) There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime; and
- (3) The permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.

d. The permittee has the burden of establishing that each of the conditions of b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in a. and an exemption, where applicable, from the discharge limitations specified in Part I., A. of this permit.

5. Upset

a. A discharge which results from an upset need not meet the discharge limitations specified in Part I., A., of this permit if:

1. No later than 24-hours after becoming aware of the occurrence of the upset, the permittee orally reports the occurrence and circumstances of the upset to the Director or his designee; and
2. No later than five (5) days after becoming aware of the occurrence of the upset, the permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, or other relevant evidence, demonstrating that (i) an upset occurred; (ii) the permittee can identify the specific cause(s) of the upset; (iii) the permittee's facility was being properly operated at the time of the upset; and (iv) the permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

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

6. Removed Substances

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

7. Loss or Failure of Treatment Facilities

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

B. RESPONSIBILITIES

1. Duty to Comply

- a. The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the ANRCA and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification; or denial of a permit renewal application.
- b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the FWPCA for toxic pollutants 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.

- c. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of the permit shall not be a defense for a permittee in an enforcement action.
- d. The discharge of wastewater from a source not specifically identified in the permit application for this permit and not specifically included in the description of an outfall in this permit is not authorized and shall constitute noncompliance with this permit.

2. Change in Discharge

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

- (b) one milligram per liter for antimony;
- (c) ten times the maximum concentration value reported for that pollutant in the permit application.

3. Compliance with Toxic Pollutant Effluent Standard or Prohibition

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the FWF 1, 33 U.S.C. Section 1317(a), for a toxic pollutant discharged by the permittee and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Part I., A. of this permit, or controls a pollutant not limited in Part I., A. of this permit, this permit shall be modified to conform to the toxic pollutant effluent standard or prohibition and the permittee shall be notified of such modification. If this permit has not been modified to conform to the toxic pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the authorization to discharge in this permit shall be void to the extent that any discharge limitation on such pollutant in Part I., A. of this permit exceeds or is inconsistent with the established toxic pollutant effluent standard or prohibition.

4. Compliance with Water Quality Standards and Other Provisions

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

5. Right of Entry and Inspection

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

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

6. Updating Information

- a. The permittee shall inform the Director of any change in the permittee's mailing address or telephone number or in the permittee's designation of a facility contact or office(s) having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's rules and regulations and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, the permittee shall furnish the Director with an update of any information provided in the permit application.
- b. If the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

7. Permit Modification, Suspension, Termination and Revocation

- a. This permit may be modified, suspended, terminated or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:
 - (1) Violation of any term or condition of this permit;
 - (2) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
 - (3) Materially false or inaccurate statements or information in the permit application or the permit;
 - (4) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

- (5) Errors in calculation of discharge limitations or typographical or clerical errors;
- (6) The permittee's discharge threatens human life or welfare;
- (7) Permanent closure of the facility generating the wastewater permitted to be discharged by this permit or permanent cessation of wastewater discharge; or
- (8) Any other cause allowed by the ADEM Administrative Code, Chapter 335-6-6.

b. The filing of a request by the permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term or condition.

8. Duty to Provide Information

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

9. Transfer of Permit

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

10. Duty to Reapply

- a. If the permittee intends to continue to discharge beyond the expiration date of this permit, the permittee shall file a complete permit application for reissuance of this permit at least 180 days prior to its expiration.
- b. Failure of the permittee to apply for reissuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code Rule 335-6-6-.06.

11. Groundwater

Unless specifically authorized in Part I of this permit, this permit does not authorize any discharge to groundwater. Should a threat of groundwater contamination occur, the Director may require groundwater monitoring to properly assess the degree of the problem and the Director may require that the permittee undertake measures to abate any such discharge and/or contamination.

12. Discharge of Wastewater Generated by Others

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

13. Cooling Water Additives

(a) The company shall notify the Director in writing not later than sixty (60) days prior to instituting use of any biocide corrosion inhibitor or chemical additive used in a cooling system, not identified in the application for this permit, from which discharge is allowed by this permit. Such notification shall include:

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

(b) unless previously approved or permitted for specific discharge points, the use of biocide containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in cooling system(s) regulated by this permit is prohibited. The use of any additive not identified in this permit prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive is prohibited.

PART III

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

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

2. False Statements

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished as provided by applicable State and Federal law.

3. Permit Enforcement

- a. Any NPDES permit issued or reissued by the Department is a permit for the purpose of the AWPCA and the FWPCA as such any terms, conditions, or limitations of the permit are enforceable under State and Federal law.
- b. Any person required to have a NPDES permit pursuant to this Chapter and who discharges pollutants without said permit, who violates the conditions of said permit, who discharges pollutants in a manner not authorized by the permit, or who violates this Chapter or applicable orders of the Department or any applicable rule or standard under this Division, is subject to any one or combination of the following enforcement actions under the AWPCA.
 - (1) An administrative order requiring abatement compliance, mitigation, cessation, clean-up, and/or penalties;
 - (2) An action for damages;
 - (3) An action for injunctive relief; or
 - (4) An action for penalties.
- c. Any order issued by the Department pursuant to the AWPCA requiring compliance with the AWPCA, its implementing rules, or an NPDES Permit shall specify a reasonable time within which noncompliance must cease. In appropriate cases a reasonable time may be immediately. Reasonableness shall be determined based upon the severity of the violation and the complexity and availability of the measures necessary to correct this violation.
- d. If the permittee is not in compliance with the conditions of an expiring or expired permit the Director may choose to do any or all of the following provided the permittee has made a timely application for reissuance of the permit.
 - (1) initiate enforcement action based upon the permit which has been continued;

- (2) issue a notice of intent to deny the permit reissuance. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;
- (3) reissue the new permit with appropriate conditions; or
- (4) take other actions authorized by these rules and the AWPCA.

4. Relief From Liability

Except as provided in Part II., A., 4. (Bypass) and Part II., A., 5. (Upset), nothing in this permit shall be construed to relieve the permittee of civil or criminal liability under the AWPCA or FWPCA for noncompliance with any term or condition of this permit.

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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

C. PROPERTY AND OTHER RIGHTS

This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion or other private rights, or any infringement of Federal, State, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the State or of the United States.

D. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Code of Alabama 1975, Section 22-22-9(c), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement in any such report may result in the imposition of criminal penalties as provided for in Section 309 of the FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

E. DEFINITIONS

1. Average monthly discharge limitation - means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month (zero discharge days shall not be included in the number of "daily discharges" measured).

2. Average weekly discharge limitation - means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week (zero discharge days shall not be included in the number of "daily discharges" measured).
3. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
4. Daily discharge - means the discharge of a pollutant measured during any consecutive 24 hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
5. Daily maximum - means the highest value of any individual sample result obtained during a day.
6. Daily minimum - means the lowest value of any individual sample result obtained during a day.
7. Day - means any consecutive 24-hour period.
8. Department - means the Alabama Department of Environmental Management.
9. Director - means the Director of the Department.
10. Discharge - means "[t]he addition, introduction, leaking, spilling or spitting of any sewage, industrial waste, pollutant or other waste into waters of the state." Code of Alabama 1975, Section 22-22-1(b)(9).
11. Discharge monitoring report (DMR) - means the form approved by the Director to accomplish reporting requirements of an NPDES permit.
12. Permit application - means forms and additional information that is required by ADEM Administrative Code Rule 335-6-6-.08 and applicable permit fees.
13. Point Source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, . . . from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. Section 1362(14).
14. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics, excluding flow, specified in Part I., A., of this permit.

15. 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.
16. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate facilities, lack of preventive maintenance, or careless or improper operation.
17. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, Section 22-22-1(b)(2). Waters "include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.
18. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.

F. 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

OTHER CONDITIONS

- A.**
- 1) The permittee shall contact the Department within 24 hours of detecting a reportable spill, as defined under 40 CFR Part 112, SPCC Regulations, or 40 CFR Part 117, Hazardous Substances Regulations.
 - 2) In the event that waste streams from various sources are combined for treatment or discharge, the quantity of each pollutant property attributable to each controlled waste source shall not exceed the specified limitation for that waste source. The permittee shall not combine various sources for treatment or discharge without prior approval by the Department.
 - 3) There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
 - 4) In addition to the requirements of Part I.B.5.A., the permittee shall submit with the quarterly monitoring reports, a tabulated summary of all permit limitation violations. This submittal shall be in a form acceptable to the Director.
 - 5) There shall be no discharge of floating solids or visible foam in other than trace amounts from any surface water discharge allowed by this permit. The permittee shall report all visible discharges or observations of floating materials, or oil sheens on the receiving stream, to the Department within 24 hours, or the next working day, whichever is sooner. Field data sheets shall have appropriate spaces to record observations.
 - 6) The permittee shall not store soil or other similar erodible materials in a manner in which runoff is uncontrolled, or conduct construction activities in a manner which produces uncontrolled runoff unless such runoff and practices have been specifically approved by the Department. 'Uncontrolled' shall mean, without sedimentation basins or other controls approved by the Department. This permit may be modified to include limitations for the discharge from such facilities when installed.
 - 7) Discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which may ultimately be released to waters of the state is prohibited unless specifically authorized elsewhere in this permit. This requirement is not applicable to products used for lawn and agricultural purposes. The discharge of chlorine is authorized in Part I of this permit.
 - 8) The discharge of any hazardous wastes to any waste stream which ultimately discharges to any receiving stream is prohibited, unless specifically authorized elsewhere in the permit.
 - 9) Copies of all routine radiological liquid effluent and water quality monitoring reports submitted to the NRC shall be made available upon the request of the State Director or his designee.

- 10) Not later than six months after the effective date of this permit, the permittee shall implement a study to quantify plant waste flows presented in the application within an accuracy of plus or minus 10 percent of actual flow. Report shall be submitted not later than two or three years following the effective date, and shall cover a period of 12 and 24 months, respectively. If flows are significantly different than provided in the application, the permit shall be modified to reflect the revised information.
 - 11) Permittee shall notify the Director not less than three months prior to the reapplication of wood preservative chemicals in the tower and the expected maximum concentration(s) of toxicants that are expected in the cooling tower blowdown and in DSN001. During the first week of cooling operation following a reapplication of wood preservatives, the permittee shall begin the toxicity testing program required by Part IV, Page 20 of this permit, unless directed otherwise by the Director. Additionally, notification and retesting shall be required at the time of any future retreatment of the tower.
- B. The permittee shall not discharge chemical metal cleaning wastes as defined at 40 CFR 423.11(c), to any surface impoundment unless one of the following conditions is met:
1. The permittee treats the wastes, prior to discharge to an earthen surface impoundment, to a level consistent with the limitations contained within this permit for metal cleaning wastes, and maintains the pH within the surface impoundment at above 6.0 standard units; or
 2. The surface impoundment receiving the untreated wastes is constructed of a nonearthen material which is approved by the Department as being sufficiently impermeable; or
 3. The permittee submits, within 180 days following the effective date of this permit, a proposed plan to monitor the groundwater around the surface impoundment, and implements said program within 120 days after Department approval. Such plan shall provide for monitoring of the uppermost aquifer under the surface impoundments, or for monitoring the leachate from the impoundment, such as with an underdrain system. Groundwater monitoring requirements for the impoundment, after approval by the Department, shall become part of this permit. Should monitoring results reveal that contamination is occurring, or has occurred, the permittee shall be required to terminate use of the impoundment, and possibly clean up contaminated groundwater; or
 4. The permittee provides alternate treatment as approved by the Department.

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

C. EFFLUENT TOXICITY LIMITATIONS AND BIOMONITORING REQUIREMENTS

1. The permittee shall perform short-term chronic screening tests on DSN001 effluent in accordance with the current edition of the "EPA Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms."
 - a. Fathead minnow (*Pimephales promelas*) Larval Survival and Growth Test Method 1000.0, Section 11.
 - b. Ceriodaphnia Survival and Reproduction Test Method 1002.0, Section 13.
2. The above biomonitoring tests shall begin 90 days after the effective date of this permit, and be performed once per six (6) months through the expiration date of this permit. Biomonitoring test results obtained during each period shall be summarized on the appropriate report form approved by the Department, and submitted no later than 28 days following the period. Samples collected for biomonitoring tests shall be collected during periods of cooling tower blowdown. After completion of two (2) years of conducting biomonitoring and all tests pass the criteria, then the testing frequency shall be reduced to once per year.
3. A minimum of three (3) 24 hour composite samples shall be obtained for use in each of the above biomonitoring tests. Holding time for each composite sample shall not exceed 72 hours. [The samples shall be diluted using an appropriate control water, to the Instream Waste Concentration (IWC) of 9% DSN001 effluent for each test.] An appropriate control water shall be selected by the permittee but must be approved by the Department prior to use in the above tests.
4. For effluent toxicity tests to be acceptable control survival shall be at least 80% and other requirements set forth in the EPA test method shall be met. In the event that any of these requirements are not met the results shall not be reported and the test shall be rerun except in the case where test results indicate no significant difference between the control and effluent as outlined in item 5. below.
5. Should results of any test required above indicate there is a statistically significant difference at the 95% confidence level between the control and the DSN001 effluent for either the fathead minnow survival and growth test or the Ceriodaphnia survival and reproduction test, the permittee shall perform that test at an accelerated frequency in accordance with the following requirements:
 - a. These additional biomonitoring tests shall begin 30 days after the DSN001 effluent has been found to be potentially toxic, and shall be performed one (1) per week for two (2) weeks. Biomonitoring test results obtained during each month shall be summarized on the appropriate report form approved by the Department, and submitted no later than 28 days after the month in which the tests were performed.
 - b. After the test period is complete and all test data is received, the Department will review the data to determine if the DSN001 effluent is chronically toxic. If more than 20% of the test organisms die in the control water during the test, the results shall not be reported, and the test shall be rerun.

6. If the Department determines the DSN001 effluent to be chronically toxic at the IWC, the following will be required:
- a. Part One of a Toxicity Reduction Evaluation (TRE) shall be required to be submitted for review by the Department within 45 days after the permittee receives notice that the DSN001 effluent is considered chronically toxic. Following review of Part One of the TRE a schedule for submittal of Part Two will be established by the Department. Implementation of any corrective action required by the Part Two submittal shall be completed in accordance with the approved schedule contained in that submittal. Failure to comply with any requirement of the approved schedule shall be considered a permit violation.
 - b. Accelerated biomonitoring tests as discussed in item 5. above will not be required during the period of TRE preparation.
 - c. Following completion of the TRE and implementation of all required corrective action, the effluent limit for the biomonitoring tests required by item 1. above shall be no significant difference at the 95% confidence level between the control and the effluent for the fathead minnow survival and growth test and the ceriodaphnia survival and reproduction test.

7. Definitions

- a. Instream Waste Concentration (IWC) is the actual concentration of effluent in the receiving stream during a 7-day 10 year low flow period after mixing.
- b. A TRE is defined as a plan to determine what actions will be required for complying with effluent toxicity limitations. The TRE plan is completed in two parts; 1) Determination of which control options are to be evaluated, and 2) Evaluation of these control options to determine which will be optimum for attaining compliance. The second phase of the TRE shall include a schedule for implementing the required actions.

ATTACHMENT 2

BEFORE THE ENVIRONMENTAL MANAGEMENT COMMISSION OF THE
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

ALABAMA POWER COMPANY,

Petitioner,

v.

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT,

Respondent.

Docket No. 90-46

ORDER

This matter having come before the Commission on an Application for Stay, the parties having filed a Joint Motion for Stay, and the parties having represented to the Commission that they are negotiating a settlement of the appeal and that no environmental harm is expected to result from the granting of a temporary stay, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That a temporary stay of the chlorine and temperature limitations and monitoring requirements of NPDES Permit Number AL0024619 related to DSN 001 is hereby granted. Said stay shall be in effect until such time as the appeal is dismissed,

a final Order is entered by the Commission, or a settlement is reached by the parties.

2. During the pendency of the temporary stay, the Petitioner shall meet the chlorine discharge limitations associated with existing agreements between the Petitioner and the Department related to the NPDES permit issued immediately prior to the permit at issue.

3. If a resolution to this matter has not been reached by the time of the October, 1990 Commission meeting, or, if no Commission meeting is held in the month of October, 1990, by the time of the next regularly scheduled Commission meeting thereafter, the parties shall report to the Commission at said meeting their progress in reaching a settlement.

4. The parties have agreed to waive the requirement that the hearing on this matter be held within 45 days of filing of the appeal request, and, therefore, the hearing on this matter shall be indefinitely continued upon the agreement of the parties until such time as the Petitioner withdraws its request for a hearing, settlement is reached by the parties, or either party provides the other party with notice of termination of settlement negotiations. In the event that settlement negotiations are terminated, the time remaining for holding the hearing as of the date of this Order shall commence to

run ten days after notice of the termination of settlement negotiations has been received by the non-terminating party.

ORDERED this 22 day of August, 1990.

Cameron M. Sewell
Commissioner

Dell White, Jr.
Commissioner

Stanley J. [Signature]
Commissioner

Shan C. Bryant
Commissioner

J. H. Wentz
Commissioner

Commissioner

Claire Beckett
Commissioner

DISSENT:

Commissioner

Commissioner

Commissioner