



September 30, 2016

WESTMORELAND SANITARY LDFL LLC
111 CONNER LN
BELLE VERNON PA 15012-4569

Re: Reissuance of PAG-03 General Permit
SANI LDFL
NPDES Permit No. PAR506110

Dear Permittee:

On September 24, 2016, the Department of Environmental Protection (DEP) published a final, reissued NPDES General Permit for Discharges of Stormwater Associated with Industrial Activity (PAG-03) in the *Pennsylvania Bulletin*. You are receiving this letter because, according to our records, you currently have coverage under the PAG-03 General Permit, and DEP would like to explain how the reissuance of the PAG-03 General Permit affects you.

The PAG-03 General Permit and supporting documents are available through DEP's website, www.elibrary.dep.state.pa.us (select Permit and Authorization Packages, Clean Water, and PAG-03 NPDES General Permit for Discharges of Stormwater Associated with Industrial Activity). **Please visit this site and download and print the Sample Permit document (3850-PM-BCW0083d). As of September 24, 2016, the terms and conditions of your NPDES permit coverage have changed. The Sample Permit document contains the new terms and conditions of your NPDES permit coverage.** It is important that you download and print the General Permit from DEP's website. The General Permit will not be sent to you by mail.

General Permit Changes

The following highlights the significant differences between the reissued PAG-03 General Permit (2016 General Permit) and the PAG-03 General Permit that was issued December 5, 2010 (2010 General Permit), which is no longer in effect and has been replaced with the 2016 General Permit.

- **Renewal of Coverage** – Unless specifically required by DEP, the submission of a Notice of Intent (NOI) to renew your coverage is no longer necessary. Annual reports (see below) will

serve as the notice of intent for continued coverage. If you have already submitted your renewal NOI to DEP, DEP may return the NOI to you without taking an action because you are already covered by the 2016 General Permit.

- **Annual Reports** – An annual report must be submitted to DEP by May 1st of each year to document the pollution prevention and monitoring activities that have been undertaken by the permittee during the previous calendar year (January 1 – December 31). **The first annual report is due on May 1, 2017** for facilities that have been covered by the PAG-03 General Permit anytime during calendar year 2016. **You must use DEP’s annual report template, 3850-PM-BCW0083h**, which is available through DEP’s website noted above. The annual report must be submitted to the DEP regional office that approved coverage under the PAG-03 General Permit. The annual report is also used to document that you wish to continue coverage under the PAG-03 General Permit, and may be used to request termination of that coverage. Forms used by the 2010 General Permit for reporting self-inspections and information regarding stormwater sampling events are obsolete and should no longer be used as a result of the new annual report.
- **Annual NOI Installment Payment** – An annual NOI installment payment is due by May 1st of each year in the amount of \$500. **The first payment (check or money order) must be submitted by May 1, 2017.** This payment must be sent to DEP’s Bureau of Clean Water (BCW). DEP BCW intends to send an invoice to you approximately three months prior to each due date. If an electronic system is developed for these payments, DEP will notify you.
- **New and Reorganized Appendices** – DEP has added new sector-specific appendices and eliminated others, resulting in a reorganization of appendices in the PAG-03 General Permit. This reorganization may or may not affect you. For a crosswalk between the 2010 General Permit and 2016 General Permit appendices, please review DEP’s fact sheet, 3850-PM-BCW0083i, available through DEP’s website noted above. **Based on the Standard Industrial Classification (SIC) Code that DEP has on file for your facility, DEP believes that you will need to comply with the monitoring requirements and Best Management Practices (BMPs) contained in Appendix C.** However, if you believe that a different appendix is applicable to your facility, contact the DEP regional office that approved permit coverage for resolution.
- **Monitoring Requirements** – New monitoring requirements are in effect for all sectors (appendices). Stormwater monitoring requirements apply to each sector with a sampling frequency of twice per year, with certain exceptions. The reporting periods are calendar semiannual periods, i.e., January 1 – June 30 and July 1 – December 31, with Discharge Monitoring Reports (DMRs) due on July 28 and January 28, respectively. Certain sectors must collect samples at specific times within the reporting periods. Please review the PAG-03 General Permit and the applicable appendix carefully and contact DEP with any questions. **The first reporting period under the 2016 General Permit will begin on January 1, 2017. You are not required to collect samples for the remainder of 2016.** If you have already collected samples in 2016 that have not been reported, you must report the

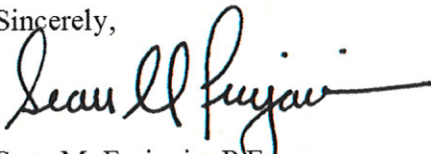
sample results on a DMR by January 28, 2017. Stormwater sampling must be conducted at all outfalls that are representative of the permittee's industrial activities. Representative outfalls must be reported to DEP on annual reports.

- **Reporting Requirements** – In addition to the submission of annual reports to DEP by May 1st each year (which are paper-based until DEP develops an electronic system), DEP is requiring the submission of DMRs through DEP's electronic DMR (eDMR) system to implement the national NPDES Electronic Reporting Rule. **You must submit the necessary paperwork to register for use of eDMR by December 21, 2016 if you are not already using the eDMR system.** When DEP notifies you that your account and reports are set up, you must use eDMR to submit your DMRs. In the interim, if you are not already using eDMR, you should continue to submit DMRs on paper to the DEP regional office that approved permit coverage. DEP's eDMR website is www.dep.pa.gov/edmr.
- **Benchmark Values** – Certain parameters in each appendix have benchmark values associated with them. These values are not effluent limitations; however, exceedances of the values for the same parameter at the same discharge point (outfall) for two or more consecutive reporting periods will result in the need for you to develop and submit a Corrective Action Plan (CAP) to the DEP regional office that approved permit coverage within 90 days of the end of the monitoring period triggering the need for the CAP.
- **Self-Inspection Requirements** – All permittees must conduct semiannual visual inspections of the permittee's facilities (see Part C III, Routine Inspections). These inspections must be documented on annual reports that are submitted to DEP by May 1st each year. The requirement to conduct semiannual visual inspections of your operation does not begin until January 1, 2017. If you have completed one self-inspection in 2016, this will satisfy the inspection requirements for the 2010 General Permit and should be documented on the first Annual Report due May 1, 2017.
- **BMP Requirements** – The 2016 General Permit contains some revised general and sector-specific BMPs (see Part C II, BMPs Applicable to All Permittees, and the sector-specific appendix applicable to your facility). Permittees with coverage under the 2010 General Permit have until September 24, 2017 to implement BMPs that were not prescribed by the 2010 General Permit. In addition, BMPs that are not identified in the 2016 General Permit but offer equivalent environmental protection may be approved by DEP in lieu of the specific BMPs identified in the 2016 General Permit.
- **Authorized Non-Stormwater Discharges** – While there have been no significant changes between the non-stormwater discharges authorized by the 2010 and 2016 General Permits, the 2016 General Permit includes new authorized non-stormwater discharges for certain sectors, as contained within the appendices, as well as prohibitions.
- **Eligibility Criteria** – The eligibility criteria for the 2016 General Permit have changed in comparison to the 2010 General Permit (see "Discharges Not Authorized By This General

Permit"). For example, facilities with stormwater discharges to waters with a Total Maximum Daily Load (TMDL) that have a wasteload allocation (WLA) are not eligible for the 2016 General Permit. You are encouraged to review these criteria closely to determine your eligibility for the 2016 General Permit. **If you determine that you are no longer eligible, or otherwise if you determine that you will be unable to comply with the 2016 General Permit, you must submit an application for an individual NPDES permit by December 23, 2016** (90 days following publication of the 2016 General Permit). In addition, DEP may, at any time during the term of your coverage under the PAG-03 General Permit, determine that you are ineligible for continued coverage and require the submission of an individual permit application.

These are the significant changes in the 2016 General Permit, but there are other changes that may affect you. **You are encouraged to visit DEP's website, download, and print all relevant PAG-03 documents and contact the DEP regional office that approved permit coverage if you have any questions.** If your coverage under the PAG-03 General Permit has expired and you have not submitted an NOI to DEP to renew your coverage, you are encouraged to submit a PAG-03 NOI or individual permit application as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean M. Furjanic", with a horizontal line extending to the right from the end of the signature.

Sean M. Furjanic, P.E.
Environmental Program Manager
Division of Operations, Monitoring, and Compliance