COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER STANDARDS AND FACILITY REGULATION

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE REQUIREMENTS FOR INDUSTRIAL WASTEWATER FACILITIES

NPDES PERMIT NO: PA0002143

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

Domtar Paper Co. LLC
100 Center Street
Johnsonburg, PA 15845-1301

is authorized to discharge from a facility known as **Domtar - Johnsonburg Mill**, located in **Johnsonburg Borough, Elk County**, to **Clarion River (Outfall 002), Riley Run (Outfall 001), West Branch Clarion River (Outfall 102) and East Branch Clarion River (Outfalls 003 & 004)** in Watershed **17-A** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON _____

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON _____

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.

2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))

3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d)(2))

   In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. (25 Pa. Code 92a.7 (b), (c))

4. This NPDES permit does not constitute authorization to construct or make modifications to wastewater treatment facilities necessary to meet the terms and conditions of this permit.

DATE PERMIT ISSUED _____ **ISSUED BY** _____

John A. Holden, P.E.
Clean Water Program Manager
Northwest Regional Office

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. A. For Outfall 002 **, Latitude** 41° 29' 06" **, Longitude** 78° 40' 38" **, River Mile Index** 102.4 **, Stream Code** 49224

which receives wastewater from pulp mill, bleach plant, paper mill, and miscellaneous wastewater.

1. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Daily Average	Daily Maximum	Minimum	Daily Average	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Recorded
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	Continuous	Recorded
Color (Pt-Co Units)	XXX	XXX	XXX	XXX	736	920	1/month	Grab
BOD5	10545	19400	XXX	90	XXX	225	1/week	24-Hr Composite
Total Suspended Solids	15360	29161	XXX	XXX	XXX	349	1/week	24-Hr Composite
Dioxin (pg/L)	XXX	XXX	XXX	0.09	XXX	0.22	1/quarter+	24-Hr Composite
Adsorbable Organic Halides	939	1433	XXX	XXX	XXX	XXX	1/week	Grab

+ -- Refer to Special Condition 10

Outfall 002, Continued (from Permit Effective Date through Permit Expiration Date)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Daily Average	Daily Maximum	Minimum	Daily Average	Daily Maximum	Instant. Maximum		
Temperature Jan 1-31	7890	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Feb 1-29	8010	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Mar 1-31	7450	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Apr 1-15	7360	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Apr 16-30	6760	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature May 1-15	6170	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature May 16-31	6080	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Jun 1-15	5990	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Jun 16-30	5670	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Jul 1-31	5590	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Aug 1-15	5500	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Aug 16-31	5290	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Sep 1-15	5350	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Sep 16-30	5410	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Oct 1-15	6580	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Oct 16-31	6810	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature Nov 1-15	7040	XXX	XXX	Report	XXX	XXX	1/day	I-S

Outfall 002, Continued (from Permit Effective Date through Permit Expiration Date)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Daily Average	Daily Maximum	Minimum	Daily Average	Daily Maximum	Instant. Maximum		
Temperature (MBTUs/day) (ºF) Nov 16-30	7,360	XXX	XXX	Report	XXX	XXX	1/day	I-S
Temperature (MBTUs/day) (ºF) Dec 1-31	7,870	XXX	XXX	Report	XXX	XXX	1/day	I-S

To demonstrate compliance, the thermal loading shall be calculated as: Waste Discharge (MGD) x (Temperature of the discharge (ºF) – Temperature of the intake (º F)) x 8.34

* -- For the purpose of reporting the monitoring results, report the highest daily average thermal loading and the corresponding temperature for the period and report the number of exceedances on the DMR.

See Special Conditions 6 & 7, related to Temperature.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfall 002 (the Flume Building) - prior to mixing with any other waters.

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. B. For Suboutfall 202 **, Latitude** --- **, Longitude** --- **, River Mile Index** --- **, Stream Code** ---

which receives wastewater from the bleach plant.

1. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	*	*
Chloroform**	6.2	10.4	XXX	XXX	XXX	XXX	2/month	8-Hr. Composite
Dioxin (pg/L)	XXX	XXX	XXX	XXX	10	XXX	***	
2,3,7,8-TCDF (pg/L)	XXX	XXX	XXX	XXX	31.9	XXX	***	
Pentachlorophenol (µg/L)	XXX	XXX	XXX	XXX	5	XXX	***	
2,3,4,6-Tetrachlorophenol (µg/L)	XXX	XXX	XXX	XXX	2.5	XXX	***	
3,4,5-Trichlorocatechol (µg/L)	XXX	XXX	XXX	XXX	5	XXX	***	
2,4,5-Trichlorophenol (µg/L)	XXX	XXX	XXX	XXX	2.5	XXX	***	
3,4,6-Trichlorocatechol (µg/L)	XXX	XXX	XXX	XXX	5	XXX	***	
3,4,5-Trichloroguaiacol (µg/L)	XXX	XXX	XXX	XXX	2.5	XXX	***	

Suboutfall 202, Continued (from Permit Effective Date through Permit Expiration Date)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Daily Average	Daily Maximum	Minimum	Daily Average	Daily Maximum	Instant. Maximum		
3,4,6-Trichloroguaiacol (µg/L)	XXX	XXX	XXX	XXX	2.5	XXX	***	
4,5,6-Trichloroguaiacol (µg/L)	XXX	XXX	XXX	XXX	2.5	XXX	***	
2,4,6-Trichlorophenol (µg/L)	XXX	XXX	XXX	XXX	2.5	XXX	***	
Trichlorosyringol (µg/L)	XXX	XXX	XXX	XXX	2.5	XXX	***	
Tetrachlorocatechol (µg/L)	XXX	XXX	XXX	XXX	5	XXX	***	
Tetrachloroguaiacol (µg/L)	XXX	XXX	XXX	XXX	5	XXX	***	

* -- In accordance with the approved mass balance flow measurement method used for dioxin analysis
** -- See Special Condition 4 in Part C of the permit
*** -- See Special Condition 9 in Part C of the permit.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Suboutfall 202 – After the bleach plant and prior to mixing with any other waters.

I. C. For Outfall 001 , **Latitude** 41°28'22" , **Longitude** 78°42'00" , **River Mile Index** 1.17 , **Stream Code** 50545

which receives wastewater from stormwater from the reclamation of Dill Hill Lagoon.

I. D. For Outfall 102 , **Latitude** 41°29'05" , **Longitude** 78°41'05" , **River Mile Index** 0.05 , **Stream Code** 50573

which receives wastewater from stormwater and steam trap discharge.

I. E. For Outfall 003 , **Latitude** 41°29'30" , **Longitude** 78°40'42" , **River Mile Index** 0.05 , **Stream Code** 50702

which receives wastewater from stormwater.

I. F. For Outfall 004 , **Latitude** 41°28'38" , **Longitude** 78°40'27" , **River Mile Index** 0.35 , **Stream Code** 50702

which receives wastewater from stormwater and steam trap discharge.

1. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		

The discharge(s) shall be composed entirely of non-polluting stormwater

See Special Condition 3 in Part C of the permit.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: N/A

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS (Continued)

Additional Requirements

The permittee may not discharge:

1. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code 92a.41(c))

2. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code 92a.47(a)(7) and 95.2(2))

3. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code 93.6(a))

4. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. (25 Pa Code 92a.41(c))

Footnotes

(1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.

(2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

II. DEFINITIONS

At Outfall (XXX) means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

Average refers to the use of an arithmetic mean, unless otherwise specified in this permit. (40 CFR 122.41(l)(4)(iii))

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution to surface waters of the Commonwealth. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (25 Pa. Code 92a.2)

Bypass means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR 122.41(m)(1)(i))

Calendar Week is defined as the seven consecutive days from Sunday through Saturday, unless the permittee has been given permission by DEP to provide weekly data as Monday through Friday based on showing excellent performance of the facility and a history of compliance. In cases when the week falls in two separate months, the month with the most days in that week shall be the month for reporting.

Clean Water Act means the Federal Water Pollution Control Act, as amended. (33 U.S.C.A. §§1251 to 1387).

Chemical Additive means the chemicals that are used to control corrosion, algae, slime, fouling, oxygen or other blow down discharges in systems within a facility that might be present in its wastewater discharge. Other chemicals that would be included in this category include by are not limited to polymers, water softeners, flocculants, coagulants, emulsion breakers, dispersants, other oxygen scavenger or possible known carcinogens.

Composite Sample (for all except GC/MS volatile organic analysis) means a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite. (EPA Form 2C)

Composite Sample (for GC/MS volatile organic analysis) consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). The samples must be combined in the laboratory immediately before analysis and then one analysis is performed. (EPA Form 2C)

Daily Average Temperature means the average of all temperature measurements made, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar day or during the operating day if flows are of a shorter duration.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. (25 Pa. Code 92a.2 and 40 CFR 122.2)

Daily Maximum Discharge Limitation means the highest allowable "daily discharge."

Discharge Monitoring Report (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (25 Pa. Code 92a.2 and 40 CFR 122.2)

Estimated Flow means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

Geometric Mean means the average of a set of n sample results given by the nth root of their product.

Grab Sample means an individual sample of at least 100 mL collected at a randomly selected time over a period not to exceed 15 minutes. (EPA Form 2C)

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. (40 CFR 122.2)

Hauled-In Wastes means any waste that is introduced into a treatment facility through any method other than a direct connection to the sewage collection system. The term includes wastes transported to and disposed of within the treatment facility or other entry points within the collection system.

Immersion Stabilization (i-s) means a calibrated device is immersed in the wastewater until the reading is stabilized.

Instantaneous Maximum Effluent Limitation means the highest allowable discharge of a concentration or mass of a substance at any one time as measured by a grab sample. (25 Pa. Code 92a.2)

Measured Flow means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

Monthly Average 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. (25 Pa. Code 92a.2)

Non-contact Cooling Water means water used to reduce temperature which does not come in direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

Severe Property Damage means substantial physical damage to property, damage to the 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. (40 CFR 122.41(m)(1)(ii))

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code 92a.2)

Stormwater Associated With Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, and as defined at 40 CFR 122.26(b)(14) (i) - (ix) & (xi) and 25 Pa. Code 92a.2.

Total Dissolved Solids means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR Part 136.

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code 92a.2)

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling (40 CFR 122.4(j)(1))

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Records Retention (40 CFR 122.41(j)(2))

Except for records of monitoring information required by this permit related to the permittee's sludge use and disposal activities which shall be retained for a period of at least 5 years, all records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application, unless a longer retention period is required by the permit. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

3. Recording of Results (40 CFR 122.41(j)(3))

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.
b. The person(s) who performed the sampling or measurements.
c. The date(s) the analyses were performed.
d. The person(s) who performed the analyses.
e. The analytical techniques or methods used; and the associated detection level.
f. The results of such analyses.

4. Test Procedures (40 CFR 122.41(j)(4))

Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation. Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those approved under 40 CFR Part 136 (or in the case of sludge use or disposal, approved under 40 CFR Part 136, unless otherwise specified in 40 CFR Part 503 or Subpart J of 25 Pa. Code Chapter 271), or alternate test procedures approved pursuant to those parts, unless other test procedures have been specified in this permit.

5. Quality/Assurance/Control

In an effort to assure accurate self-monitoring analyses results:

a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))

b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (40 CFR 122.41(e),122.44(i)(1))

2. Unless instructed otherwise in Part C of this permit, properly completed DMR(s) must be received by the agency(ies) below within 28 days after the end of each reporting period. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) provided by DEP in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use DEP's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

   Department of Environmental Protection
   Water Management Program
   230 Chestnut Street
   Meadville, PA 16335-3481

   NPDES Enforcement Branch (3WP42)
   Office of Permits & Enforcement
   Water Protection Division
   U.S. EPA - Region III
   1650 Arch Street
   Philadelphia, PA 19103-2029

3. If the permittee elects to begin using DEP's eDMR system to submit DMRs required by the permit, the permittee shall, to assure continuity of business operations, continue using the eDMR system to submit all DMRs and Supplemental Reports required by the permit, unless the following steps are completed to discontinue use of eDMR:

   a. The permittee shall submit written notification to the regional office that issued the permit that it intends to discontinue use of eDMR. The notification shall be signed by a principal executive officer or authorized agent of the permittee.

   b. The permittee shall continue using eDMR until the permittee receives written notification from DEP's Central Office that the facility has been removed from the eDMR system, and electronic report submissions are no longer expected.

4. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code 92a.22:

   - For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
   - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
   - For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

   If signed by a person other than the above, written notification of delegation of DMR signatory authority must be submitted to DEP in advance of or along with the relevant DMR form. (40 CFR 122.22(b))

5. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in Part A III.A.4. herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. (40 CFR 122.41(l)(4)(ii))

C. Reporting Requirements

1. Planned Changes to Physical Facilities – The permittee shall give notice to DEP as soon as possible of any planned physical alterations or additions to the permitted facility. A permit under 25 Pa. Code Chapter 91 may be required for these situations prior to implementing the planned changes. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section. Notice is required when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b). (40 CFR 122.41(l)(1)(i))

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))

c. 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. (40 CFR 122.41(l)(1)(iii))

d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))

e. The facility is proposing an expansion or modifications to its treatment processes. (25 Pa. Code 92a.24(a))

2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code 92a.24(a), the permittee shall provide notice to DEP as soon as possible but no later than 45 days prior to any changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the "Planned Changes to Waste Stream" Supplemental Report (3800-FM-WSFR0482), available on DEP's web site. The permittee shall provide information on the quality and quantity of waste introduced into the facility, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the facility. The Report shall be sent via Certified Mail or other means to confirm DEP's receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.

a. Introduction of New Pollutants (25 Pa. Code 92a.24(a))

New pollutants are defined as parameters that meet one or more of the following criteria:

(i) Were not detected in the facilities' influent waste stream as reported in the permit application, or were otherwise not analyzed in the influent and reported to DEP prior to permit issuance;

(ii) Have not been previously approved to be included in the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of new pollutants in accordance with paragraph 2 above. The permittee may not authorize the introduction of new pollutants until the permittee receives DEP's written approval.

b. Increased Loading of Approved Pollutants (25 Pa. Code 92a.24(a))

Approved pollutants are defined as parameters that meet one or more of the following criteria:

(i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application or were otherwise analyzed and reported to DEP prior to permit issuance;

(ii) Have an effluent limitation or monitoring requirement in this permit;

(iii) Have been previously approved for the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 10% of the maximum loading reported in the permit application,

or a loading previously approved by DEP, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the facility, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations and may not cause exceedances of the applicable water quality standards in the receiving stream.

3. Reporting Requirements for Hauled-In Wastes

   a. Receipt of Residual Waste

      (i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate) received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-WSFR0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

      The following information is required by the Supplemental Report. The information used to develop the Report shall be retained by the permittee for five years from the date of receipt and must be made available to DEP or EPA upon request.

      (1) The dates that residual wastes were received.

      (2) The volume (gallons) of wastes received.

      (3) The license plate number of the vehicle transporting the waste to the treatment facility.

      (4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.

      (5) The name and address of the generator of the residual wastes.

      (6) The type of wastewater.

      (7) Documentation of whether or not a chemical analysis of the residual wastes were reported on a Residual Waste Form 26R, or a separate waste characterization using the parameters from Form 26R.

      The transporter of residual waste must maintain these and other records as part of the daily operational record (25 Pa. Code 299.219). If the transporter is unable to provide this information, the residual wastes shall not be accepted by the permittee until such time as the transporter is able to provide the required information.

      (ii) The following conditions apply to the characterization of residual wastes received by the permitted treatment facility:

      (1) The permitted facility must receive and maintain on file a characterization of the residual wastes it receives from the generator, as required by 25 Pa. Code 287.54. The characterization shall conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be characterized accordingly.

      (2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the characterization may be a general frac wastewater characterization approved by DEP. Thereafter, the characterization must be waste-specific and reported on the Form 26R.

b. Receipt of Municipal Waste

(i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge) received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-WSFR0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

(1) The dates that municipal wastes were received.

(2) The volume (gallons) of wastes received.

(3) The BOD_5 concentration (mg/l) and load (lbs) for the wastes received.

(4) The location(s) where wastes were disposed of within the treatment facility.

(ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes.

4. Unanticipated Noncompliance or Potential Pollution Reporting

a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code Sections 91.33 and 92a.41(b).

(i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

(ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.

(iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.

b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:

(i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

(2) Any upset which exceeds any effluent limitation in the permit; and

(3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement. (40 CFR 122.44(g))

(ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-WSFR0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

D. Specific Toxic Pollutant Notification Levels (for Manufacturing, Commercial, Mining, and Silvicultural Direct Dischargers) - The permittee shall notify DEP as soon as it knows or has reason to believe the following: (40 CFR 122.42(a))

1. That any activity has occurred, or will occur, which would result in the discharge of any toxic pollutant which is not limited in this permit, if that discharge on a routine or frequent basis will exceed the highest of the following "notification levels": (40 CFR 122.42(a)(1))

a. One hundred micrograms per liter.

b. Two hundred micrograms per liter for acrolein and acrylonitrile.

c. Five hundred micrograms per liter for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol.

d. One milligram per liter for antimony.

e. Five times the maximum concentration value reported for that pollutant in this permit application.

f. Any other notification level established by DEP.

2. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following "notification levels": (40 CFR 122.42(a)(2))

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.

d. Any other notification level established by DEP.

PART B

I. MANAGEMENT REQUIREMENTS

A. Compliance Schedules (25 Pa. Code 92a.51 and 40 CFR 122.47(a))

1. The permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit.

2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with 25 Pa. Code 92a.72 and 40 CFR 122.41(f).

2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))

3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))

2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))

3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))

D. Proper Operation and Maintenance

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 terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

E. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR 122.41(d))

F. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. (40 CFR 122.41(m)(2))

2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:

   a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))

   b. 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. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))

   c. The permittee submitted the necessary notice required in F.4.a. and b. below. (40 CFR 122.41(m)(4)(i)(C))

3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in F.2. above. (40 CFR 122.41(m)(4)(ii))

4. Notice

   a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))

   b. Unanticipated Bypass

      (i) The permittee shall submit immediate notice of an unanticipated bypass causing or threatening pollution. The notice shall be in accordance with Part A III.C.3.a.

      (ii) The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.3.b.

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

Any person violating Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act or any permit condition or limitation implementing such sections in a permit issued under Section 402 of the Act is subject to civil, administrative and/or criminal penalties as set forth in 40 CFR §122.4l(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or

- 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 by a fine and/or imprisonment as set forth in *18 Pa.C.S.A § 4904* and 40 CFR §122.41(j)(5) and (k)(2).

C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the 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. (40 CFR 122.41(c))

III. OTHER RESPONSIBILITIES

A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92 and 40 CFR §122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; (40 CFR 122.41(i)(1))

2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))

3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))

4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))

2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))

b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; (40 CFR 122.61(b)(2))

c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section; and (40 CFR 122.61(b)(3))

d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code 92a.51 (relating to schedules of compliance) and other appropriate DEP regulations. (25 Pa. Code 92a.71)

3. In the event DEP does not approve transfer of this permit, the new owner or controller must submit a new permit application.

C. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege. (40 CFR 122.41(g))

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. (40 CFR 122.41(b))

E. Other Laws

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

IV. ANNUAL FEES

Permittees shall pay an annual fee in accordance with 25 Pa. Code § 92a.62. Annual fee amounts are specified in the following schedule and are due on each anniversary of the effective date of the most recent new or reissued permit. All flows identified in the schedule are annual average design flows. (25 Pa. Code 92a. 62)

Minor IW Facility without ELG (Effluent Limitation Guideline)	$500
Minor IW Facility with ELG	$1,500
Major IW Facility < 250 MGD (million gallons per day)	$5,000
Major IW Facility ≥ 250 MGD	$25,000
IW Stormwater Individual Permit	$1,000
CAAP (Concentrated Aquatic Animal Production Facility)	$0

As of the effective date of this permit, the facility covered by the permit is classified in the following fee category: **Major IW Facility <250 MGD**.

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees.

Payment for annual fees shall be remitted to DEP at the address below by the anniversary date. Checks should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection
Bureau of Water Standards and Facility Regulation
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

PART C

I. OTHER REQUIREMENTS

None

II. SPECIAL CONDITIONS

1. Solid Waste

All solid waste generated at the site must be disposed in a method approved by the Department of Environmental Protection Waste Management Program.

2. Chemical Additives

Chemical additives to control corrosion, scaling, algae, slime, fouling, oxygen, etc., and blowdown discharge rates shall be managed by the permittee to ensure that toxic effects in the receiving stream are prevented. Usage rates shall be limited to the minimum amount necessary to accomplish the intended purposes of the chemical addition and approval is limited to the chemicals and usage rates contained in the application.

Whenever a change in chemical additive or increase in usage rates is desired by the permittee, a written notification in the format specified by the Department, shall be submitted at least sixty (60) days prior to the proposed use of the chemical. For each proposed chemical or usage rate, the written notification, as a minimum, shall include the following:

A. Trade names of additive;

B. Name and address of additive manufacturer;

C. Material Safety Data Sheet (MSDS) or other available information on mammalian or aquatic toxicological effects;

D. Bioassay data including the 96-hour LC50 on the whole product,

E. Proposed average and maximum additive usage rates in pounds per day;

F. A flow diagram showing the point of chemical addition and the affected outfalls;

G. The expected concentration of the product at the final outfall;

H. The product density for liquids (pounds per gallon) used to convert the usage rate (gallons per day) to in-system concentrations (milligrams per liter);

I. The analytical test method that could be used to verify final discharge concentrations when the product is in use and the associated minimum analytical detection level in Milligrams per Liter;

J. The conditioned water discharge rate or blowdown rate and duration in hours;

K. Available data on the degradation of or decomposition of the additive in the aquatic environment; and

L. Any other data or information the permittee believes would be helpful to the Department in completing its review.

Use of products or chemicals that contain one or more ingredients that are carcinogens is generally prohibited. Before proposing limited use of such products or chemicals, the permittee must first thoroughly investigate use of alternative products or chemicals to avoid the use of the carcinogens. If no suitable alternatives are available, the permittee must submit written documentation as part of the information

required above, that demonstrates to the satisfaction of the Department that no suitable alternatives are available and any carcinogen in the proposed chemical or product will not be detectable in the final effluent using the most sensitive analytical method available.

Based on the information presented, the Department will determine within sixty (60) days whether the existing NPDES permit must be amended to include specific effluent limitations for active ingredients or other control measures. When so required, the permittee will be advised within sixty (60) days that a formal request for a permit amendment is required including a filing fee and Act 14 notices.

If a permit amendment application is not requested within sixty (60) days, the permittee may proceed with the use of the proposed chemical additive or usage rate.

Accurate records of usage (name of additive, quantity added, date added) of any approved chemical additive and blowdown discharge volumes must be maintained on the Chemical Additive Reporting Form and kept on-site by the permittee. All correspondence and notifications related to the chemical additives and usage rates must also be kept on-site with the required daily chemical usage records. If the notification is incomplete or the Department notifies the permittee that the proposed usage rate will cause violations of water quality standards, then use of the requested chemical additive or requested change in its usage rate will be denied.

3. Requirements Applicable to Stormwater Outfalls

A. Prohibition of Non-stormwater Discharges

(1) Except as provided in A.2, all discharges to stormwater outfalls (001, 102, 003 and 004) shall be composed entirely of non-polluting stormwater.

(2) The following non-polluting water discharges may be authorized, provided the discharge is in compliance with D.2.ii: discharges from fire fighting activities; fire hydrant flushings, potable water sources including waterline flushings, irrigation drainage, lawn watering, routine external building washdown which does not use detergents or other compounds, pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used, air conditioning condensate, springs, uncontaminated groundwater, and foundation or footing drains where flows are not contaminated with process materials such as solvents.

B. Spills

This permit does not authorize the discharge of any polluting substances resulting from an on-site spill. Such spills shall be controlled through proper implementation of a PPC Plan as stated in Section D below.

C. This permit does not authorize any discharge (storm water or non-storm water) containing any pollutant that may cause or contribute to an impact on aquatic life or pose a substantial hazard to human health or the environment due to its quantity or concentration.

D. Preparedness, Prevention and Contingency Plans

(1) Development of Plan

Operators of facilities shall have developed a Preparedness, Prevention and Contingency (PPC) Plan in accordance with 25 Pa. Code § 91.34 and the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans". The PPC Plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the facility. In addition, the PPC Plan shall describe the BMPs that are to be used to reduce the pollutants in stormwater discharges at the facility ensuring compliance with the terms and conditions of this permit.

(2) Non-stormwater Discharges

(i) The PPC Plan shall contain a certification that the discharge has been tested or evaluated for the presence of non-stormwater discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-stormwater discharges, the evaluation criteria or testing methods used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test.

Such certification may not be feasible if the facility operating the stormwater discharge does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the PPC Plan shall indicate why the certification was not feasible. A discharger that is unable to provide the certification must notify the Department within 180 days of the effective date of this permit.

(ii) Except for flows from fire fighting activities, sources of non-storm water listed in A.2. (authorized non-stormwater discharges) that are combined with stormwater discharges must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge.

(3) Comprehensive Site Compliance Evaluations and Record Keeping

Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

(i) Visual inspection and evaluation of areas contributing to a stormwater discharge for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural stormwater management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

(ii) Based on the results of the inspection, the description of potential pollutant sources identified in the PPC plan, and pollution prevention measures and controls identified in the plan shall be revised as appropriate within 15 days of such inspection and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 90 days after the inspection.

(iii) A report summarizing the scope of the inspection, using the DEP's Annual Inspection Form shall be completed and made available upon request and retained as part of the PPC Plan.

E. Storm Water Management Best Management Practices (BMPs)

The permittee shall implement at least the following BMPs:

(1) Manage sludge in accordance with all applicable permit requirements; temporarily collect and store sludge in enclosed containers or tanks.

(2) Store chemicals in secure areas on impervious surfaces away from storm drains.

(3) Design wastewater treatment facilities to prevent run on and avoid storm water commingling with sanitary wastewater.

(4) Efficiently use pesticides for weed control; where practicable investigate use of the least toxic pesticides; do not apply during windy conditions.

4. Certification in Lieu of Monitoring for Chloroform

A. A discharger is exempt from the permit limitations in Part A of the permit based on the company's June 25, 2007 Chloroform Certification Report.

(1) If changes are made to the process or operating conditions of the fiber line that causes the maximum value recorded during the company's June 25, 2007 Chloroform Certification Report to be exceeded for that process and operating condition and you wish to continue your exemption from the minimum monitoring requirements of this section for chloroform, you must notify the Department in writing within 50 days and:

(i) Demonstrate, based on weekly monitoring for a duration determined by the Department, that you are complying with the applicable limitations or standards for chloroform;

(ii) Certify that you will maintain a record of the maximum value for each of the following process and operating conditions for the fiber line that was recorded during the collection of each of the samples used to make the demonstration required under paragraph (1)(i) of this section:

(a) The pH of the first chlorine dioxide bleaching stage;
(b) The chlorine (Cl_2) content of chlorine dioxide (ClO_2) used on the bleach line;
(c) The kappa factor of the first chlorine dioxide bleaching stage; and
(d) The total bleach line chlorine dioxide application rate;

(iii) Identify the chlorine-containing compound used for bleaching during the collection of each sample used to make the demonstration required under paragraph (1)(i) of this section; and

(iv) Certify that the fiber line does not use either elemental chlorine or hypochlorite as bleaching agents.

(2) Certification of the following information is required:

The chlorine-containing compounds used for bleaching are unchanged from those identified based on the company's June 25, 2007 Chloroform Certification Report and that the following process and operating conditions maintained on the fiber line during the reporting period have not exceeded the maximum value recorded for each such condition during the collection of the samples used to make the demonstration required under paragraphs (1)(i) or (2)(i) of this section:

(i) The pH of the first chlorine dioxide bleaching stage;

(ii) The chlorine (Cl_2) content of chlorine dioxide (ClO_2) used on the bleach line;

(iii) The kappa factor of the first chlorine dioxide bleaching stage; and

(iv) The total bleach line chlorine dioxide application rate.

(3) The minimum monitoring requirements for chloroform must be complied with if the records described in the company's June 25, 2007 Chloroform Certification Report or paragraphs (1)(ii) of this section are not maintained.

(4) If the maximum value recorded during the company's June 25, 2007 Chloroform Certification Report or under paragraph (1)(ii) of this section is exceeded for any of the process and operating conditions identified in that section:

(i) If for any reason (e.g., intentionally or due to process upset) you fail to maintain process and operating conditions at values equal to or less than the maximum value recorded during the company's June 25, 2007 Chloroform Certification Report or under paragraph (1)(ii) of this section for each such condition, you will be in violation of the applicable chloroform limitation or standard unless:

(A) Within 30 days, you notify the Department in writing of the exceedance; and

(B) You demonstrate compliance with the applicable chloroform limitation or standard by immediately monitoring the bleach plant effluent for chloroform weekly and for a duration determined by the Department.

(ii) In order to continue your exemption from the minimum monitoring requirements of this section for chloroform, you must meet the requirements of paragraph (4)(i) of this section and you must recertify that the fiber line process and operating conditions do not exceed the maximum value recorded during the company's June 25, 2007 Chloroform Certification Report or under paragraph (1)(ii) of this section for each of the parameters identified in those paragraphs.

(5) Definitions:

(i) Kappa factor--the ratio of available chlorine (total equivalent chlorine, as percent on oven dry pulp) to the kappa number of the pulp. Kappa number is the lignin content of pulp, as measured by a modified permanganate test corrected to 50 percent consumption of the chemical.

(ii) Total bleach line chlorine dioxide application rate--mass of chlorine dioxide applied in all stages of the bleach line per mass of unbleached pulp (i.e., lb/ton or kg/kkg).

(iii) Chlorine-containing compounds--compounds containing chlorine used in the bleach plant for bleaching, brightening, whitening, or viscosity control. These compounds include but are not limited to chlorine (Cl_2), sodium hypochlorite (NaOCl), chlorine dioxide (ClO_2) and chlorine monoxide (Cl_2O).

5. Best Management Practices

A. Specialized Definitions

(1) Action Level: A daily pollutant loading that when exceeded triggers investigative or corrective action. Mills determine action levels by a statistical analysis of six months of daily measurements collected at the mill. For example, the lower action level may be the 75th percentile of the running seven-day averages (that value exceeded by 25 percent of the running seven-day averages) and the upper action level may be the 90^{th} percentile of the running seven-day averages (that value exceeded by 10 percent of the running seven-day averages).

(2) Equipment Items in Spent Pulping Liquor, Soap, and Turpentine Service: Any process vessel, storage tank, pumping system, evaporator, heat exchanger, recovery furnace or boiler, pipeline, valve, fitting, or other device that contains, processes, transports, or comes into contact with pulping liquor, soap, or turpentine (sometimes referred to as "equipment items.")

(3) Immediate Process Area: The location at the mill where pulping, screening, knotting, pulp washing, pulping liquor concentration, pulping liquor processing, and chemical recovery facilities are located, generally the battery limits of the aforementioned processes. "Immediate process area" includes spent pulping liquor storage and spill control tanks located at the mill, whether or not they are located in the immediate process area.

(4) Intentional Diversion: The planned removal of spent pulping liquor, soap, or turpentine from equipment items in spent pulping liquor, soap, or turpentine service by the mill for any purpose including, but not limited to, maintenance, grade changes, or process shutdowns.

(5) Mill: The owner or operator of a direct or indirect discharging pulp, paper, or paperboard manufacturing facility subject to this section.

(6) Senior Technical Manager: The person designated by the mill manager to review the BMP Plan. The senior technical manager shall be the chief engineer at the mill, the manager of pulping and chemical recovery operations, or other such responsible person designated by the mill manager who has knowledge of and responsibility for pulping and chemical recovery operations.

(7) Soap: The product of reaction between the alkali in kraft pulping liquor and fatty acid portions of the wood, which precipitate out when water is evaporated from the spent pulping liquor.

(8) Spent Pulping Liquor: For kraft and soda mills "spent pulping liquor" means black liquor that is used, generated, stored, or processed at any point in the pulping and chemical recovery processes. For sulfite mills "spent pulping liquor" means any intermediate, final, or used chemical solution that is used, generated, stored, or processed at any point in the sulfite pulping and chemical recovery processes (e.g., ammonium-, calcium-, magnesium-, or sodium-based sulfite liquors).

(9) Turpentine: A mixture of terpenes, principally pinene, obtained by the steam distillation of pine gum recovered from the condensation of digester relief gases from the cooking of softwoods by the kraft pulping process (sometimes referred to as sulfate turpentine).

B. Requirement to Implement Best Management Practices

The permittee must implement the following Best Management Practices (BMPs)

(1) The permittee must return spilled or diverted spent pulping liquors, soap, and turpentine to the process to the maximum extent practicable as determined by the mill, recover such materials outside the process, or discharge spilled or diverted material at a rate that does not disrupt the receiving wastewater treatment system.

(2) The permittee must maintain their program that serves to identify and repair leaking equipment items. This program includes:

(i) Regular visual inspections (e.g., once per day) of process areas with equipment items in spent pulping liquor, soap, and turpentine service;

(ii) Immediate repairs of leaking equipment items, when possible. Leaking equipment items that cannot be repaired during normal operations must be identified, temporary means for mitigating the leaks must be provided, and the leaking equipment items repaired during the next maintenance outage;

(iii) Identification of conditions under which production will be curtailed or halted to repair leaking equipment items or to prevent pulping liquor, soap, and turpentine leaks and spills; and

(iv) A means for tracking repairs over time to identify those equipment items where upgrade or replacement may be warranted based on frequency and severity of leaks, spills, or failures.

(3) The permittee must operate continuous, automatic monitoring systems that the mill determines are necessary to detect and control leaks, spills, and intentional diversions of spent pulping liquor, soap, and turpentine. These monitoring systems should be integrated with the mill process control system and may include, e.g., high level monitors and alarms on storage tanks; process area conductivity (or pH) monitors and alarms; and process area sewer, process wastewater, and wastewater treatment plant conductivity (or pH) monitors and alarms.

(4) The permittee must maintain their program of initial and refresher training of operators, maintenance personnel, and other technical and supervisory personnel who have responsibility for operating, maintaining, or supervising the operation and maintenance of equipment items in spent pulping liquor, soap, and turpentine service. The refresher training must be conducted at least annually and the training program must be documented.

(5) The permittee must prepare a brief report that evaluates each spill of spent pulping liquor, soap, or turpentine that is not contained at the immediate process area and any intentional diversion of spent pulping liquor, soap, or turpentine that is not contained at the immediate process area. The report must describe the equipment items involved, the circumstances leading to the incident, the effectiveness of the corrective actions taken to contain and recover the spill or intentional diversion, and plans to develop changes to equipment and operating and maintenance practices as necessary to prevent recurrence. Discussion of the reports must be included as part of the annual refresher training.

(6) The permittee must maintain their program to review any planned modifications to the pulping and chemical recovery facilities and any construction activities in the pulping and chemical recovery areas before these activities commence. The purpose of such review is to prevent leaks and spills of spent pulping liquor, soap, and turpentine during the planned modifications, and to ensure that construction and supervisory personnel are aware of possible liquor diversions and of the requirement to prevent leaks and spills of spent pulping liquors, soap, and turpentine during construction.

(7) The permittee must maintain secondary containment (i.e., containment constructed of materials impervious to pulping liquors) for spent pulping liquor bulk storage tanks equivalent to the volume of the largest tank plus sufficient freeboard for precipitation. An annual tank integrity testing program, if coupled with other containment or diversion structures, may be substituted for secondary containment for spent pulping liquor bulk storage tanks.

(8) The permittee must maintain secondary containment for turpentine bulk storage tanks.

(9) The permittee must maintain curbing, diking or other means of isolating soap and turpentine processing and loading areas from the wastewater treatment facilities.

(10) The mill must conduct wastewater monitoring to detect leaks and spills, to track the effectiveness of the BMPs, and to detect trends in spent pulping liquor losses. Such monitoring must be performed in accordance with paragraph F.

C. Amendment of BMP Plan

(1) The permittee must amend its BMP Plan whenever there is a change in mill design, construction, operation, or maintenance that materially affects the potential for leaks or spills of spent pulping liquor, turpentine, or soap from the immediate process areas.

(2) The permittee must complete a review and evaluation of the BMP Plan at least once every five years. As a result of this review and evaluation, the permittee must amend the BMP Plan within three months of the review if the mill determines that any new or modified management practices and engineered controls are necessary to reduce significantly the likelihood of spent pulping liquor, soap, and turpentine leaks, spills, or intentional diversions from the immediate process areas, including a schedule for implementation of such practices and controls.

D. Review and Certification of BMP Plan

The BMP Plan, and any amendments, must be reviewed by the senior technical manager at the mill and approved and signed by the mill manager. Any person signing the BMP Plan or its amendments must certify to the Department under penalty of law that the BMP Plan (or its amendments) has been prepared in accordance with good engineering practices and in accordance with the Pulp, Paper, and Paperboard Regulations.

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E. Record Keeping Requirements

(1) The permittee must maintain on its premises a complete copy of the current BMP Plan and the records specified in paragraph F.(2) (below) and must make such BMP Plan and records available to the Department for review upon request.

(2) The mill must maintain the following records for three years from the date they are created:

(i) Records tracking the repairs performed in accordance with the repair program described in paragraph B.(2);

(ii) Records of initial and refresher training conducted in accordance with paragraph B.(4);

(iii) Reports prepared in accordance with paragraph B.(5) of this section; and

(iv) Records of monitoring required by paragraphs B.(10) and F.

F. Monitoring, Corrective Action, and Reporting Requirements

(1) The permittee must conduct daily monitoring of the influent to the wastewater treatment system in accordance with the procedures described (below) for the purpose of detecting leaks and spills, tracking the effectiveness of the BMPs, and detecting trends in spent pulping liquor losses.

The permittee must employ the following procedures in order to develop the required action levels:

(i) Monitoring parameters. The permittee must collect 24-hour composite samples and analyze the samples for a measure of organic content (e.g., Chemical Oxygen Demand (COD) or Total Organic Carbon (TOC)). Alternatively, the permittee may use a measure related to spent pulping liquor losses measured continuously and averaged over 24 hours (e.g., specific conductivity or color).

(ii) Monitoring locations. For direct dischargers, monitoring must be conducted at the point influent enters the wastewater treatment system. For indirect dischargers

monitoring must be conducted at the point of discharge to the POTW. For the purposes of this requirement, the permittee may select alternate monitoring point(s) in order to isolate possible sources of spent pulping liquor, soap, or turpentine from other possible sources of organic wastewaters that are tributary to the wastewater treatment facilities (e.g., bleach plants, paper machines and secondary fiber operations).

(2) Whenever monitoring results exceed the lower action level for the period of time specified in the BMP Plan, the permittee must conduct an investigation to determine the cause of such exceedance. Whenever monitoring results exceed the upper action level for the period of time specified in the BMP Plan, the permittee must complete corrective action to bring the wastewater treatment system influent mass loading below the lower action level as soon as practicable.

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(3) Although exceedances of the action levels will not constitute a violation, failure to take the actions required by paragraph F.(2) as soon as practicable will be a violation.

(4) The permittee must report to the Department the results of the daily monitoring conducted pursuant to paragraph F.(1). Such reports must include a summary of the monitoring results, the number and dates of exceedances of the applicable action levels, and brief descriptions of any corrective actions taken to respond to such exceedances. Submission of such reports shall be at a frequency of once per year.

6. Temperature

This discharge shall not cause a change in the stream temperature of more than $\pm 2^{o}F$ during any one hour.

7. Thermal Variance Verification

The temperature limits specified in this permit are the result of a variance granted by the Department and is based on conclusions drawn from the 316(a) Alternate Thermal Effluent Limitation Study. Per DEP Guidance #391-2000-002, this variance is effective for the permit cycle and will expire with this permit.

A continuance of the thermal variance may be requested at the time of permit renewal. The continuance must document that:

A. Plant operating conditions and load factors are unchanged and are expected to remain so for the term of the reissued permit.

B. There were no changes to other discharges in the area which could interact with the thermal waste.

C. There was no change in the biotic community as a result of the previous variance.

The Department's Central Office shall be contacted prior to submittal of the request to continue the thermal variance.

The Department may reopen its consideration of the 316(a) thermal variance at any time prior to expiration of the permit, if it is known and/or suspected that the conditions on which the alternate thermal limits have been established have changed significantly and/or it is known and/or suspected that the alternate thermal limits are leading to adverse environmental impacts or are not protecting the balanced indigenous biological community as they were intended.

8. Control of Stormwater Runoff

In addition to the requirements contained in Part A of this permit, the stormwater runoff from the permittee's closure activities (at the Dill Hill Lagoon site) shall be controlled in accordance with Waste Management's Residual Waste Closure Plan issued to the permittee.

9. Monitoring Waiver (for Suboutfall 202 parameters)

The company is hereby granted a monitoring waiver of technology-based limitations in accordance with 40 CFR 122.44(a)(2)(i). This waiver applies to the following parameters: Dioxin, 2,3,7,8 – TCDF (Furan), Trichlorosyringol, 3,4,5-Trichlorocatechol, 3,4,6-Trichlorocatechol, 3,4,5-Trichloroguaiacol, 3,4,6-Trichloroguaiacol, 4,5,6-Trichloroguaiacol, 2,4,5-Trichlorophenol, 2,4,6-Trichlorophenol, Tetrachlorocatechol, Tetrachloroguaiacol, 2,3,4,6-Tetrachlorophenol and Pentachlorophenol only for the term of this permit. Any request for this waiver must be submitted when applying for a re-issued permit or modification of a re-issued permit. The request must demonstrate through sampling or other technical information that the permittee continues to qualify for the waiver.

10. **Water Quality Based Effluent Limit at or Below Detection Limits (for Outfall 002)**

The calculated limit for the following parameters as specified in Part A of this permit is the final limit necessary to comply with the state water quality standards:

Parameter Name	Required Analytical Test Method	ML (ug/l)
2, 3, 7, 8 -- TCDD	1613	10 pg/l

This effluent limit is lower than the minimum level (ML) of the most sensitive existing EPA approved (40 CFR Part 136) test method or other DEP approved method. All samples shall be analyzed using the specified EPA method, or other equivalent test method, as approved by the Department. For computing averages for DMR reporting and for determining permit compliance, all “less than” or “ND” sample results shall be counted as zero values. If the sensitivity of the specified method improves or a more sensitive test method becomes available, the Department may modify the permit to require use of the more sensitive method.

11. Requirement to use the eDMR System

The permittee shall continue to use eDMR for all subsequent reporting periods unless the Department grants written approval to discontinue its use and issues an amendment to this permit.