COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NPDES PERMIT NO: PA0003255
Amendment No. 1

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.*,

Latrobe Specialty Metals
2626 Ligonier Street
Latrobe, PA 15650

is authorized to discharge from a facility known as **Latrobe Specialty Metals Plant**, located in **Latrobe Borough, Westmoreland County**, to **Loyalhanna Creek and Unnamed Tributary to Loyalhanna Creek** in Watershed(s) **18-C** 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 FEBRUARY 01, 2013

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON **FEBRUARY 29, 2016**

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 February 01, 2011 **ISSUED BY** /s/

DATE PERMIT AMENDMENT ISSUED

Samuel C. Harper
Clean Water Program Manager
Southwest Regional Office

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL 001 WHICH RECEIVES WASTE FROM:
Air conditioner non-contact cooling water and storm water
at Latitude 40° 18' 17" Longitude 79° 22' 28" Stream Code 43486 River Mile Index (RMI) 0.7

a. The permittee is authorized to discharge during the period from effective date through expiration date.

b. Based on the production data and/or 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. Total (dissolved plus suspended fraction) is implied for each parameter unless otherwise indicated.

	DISCHARGE LIMITATIONS (gross unless otherwise indicated)					MONITORING REQUIREMENTS	
	Mass Units (lbs/day except flow)		Concentrations (mg/l unless otherwise indicated)				
Discharge Parameter	Average Monthly	Max. Daily	Average Monthly	Max. Daily	Instant. Max.	Measurement Frequency	Sample Type
Flow (mgd)	Monitor and Report					continuous	measured
Temperature (°F)			Monitor and Report	110		2/month	I-S
Total Residual Chlorine			0.5	1.0		2/month	grab
Aluminum	0.05	0.10	0.75	1.5		2/month	grab
Iron	0.09	0.18	1.5	3.0		2/month	grab
Manganese	0.06	0.12	1.0	2.0		2/month	grab
pH	not less than 6.0 nor greater than 9.0 standard units					2/month	grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfall 001 shall be sampled to exclude storm water and prior to the borough's storm sewer system.

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL 002 WHICH RECEIVES WASTE FROM:
Storm water runoff
at Latitude 40° 18' 07" Longitude 79° 22' 17" Stream Code 43255 River Mile Index (RMI) 27.3

a. The permittee is authorized to discharge during the period from effective date through expiration date.

b. Based on the production data and/or 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. Total (dissolved plus suspended fraction) is implied for each parameter unless otherwise indicated.

	DISCHARGE LIMITATIONS (gross unless otherwise indicated)					MONITORING REQUIREMENTS	
	Mass Units (lbs/day except flow)		Concentrations (mg/l unless otherwise indicated)				
Discharge Parameter	Average Monthly	Max. Daily	Average Monthly	Max. Daily	Instant. Max.	Measurement Frequency	Sample Type
Flow (mgd)	Monitor and Report					2/month	estimate
Aluminum	7.70	15.4	0.75	1.5		2/month	grab
Iron	22.2	44.4	2.16	4.32		2/month	grab
Manganese	10.3	20.6	1.0	2.0		2/month	grab
COD			Monitor and Report			2/month	grab
Total Suspended Solids			Monitor and Report			2/month	grab
Zinc			Monitor and Report			2/month	grab
Molybdenum			Monitor and Report			2/month	grab
Fluoride			Monitor and Report			2/month	grab
pH	Not less than 6.0 nor greater than 9.0 (S.U.)					2/month	grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: at 002.

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL 003 WHICH RECEIVES WASTE FROM:
   Uncontaminated storm water runoff
   at Latitude 40° 17' 48" Longitude 79° 22' 01" Stream Code 43255 River Mile Index (RMI) 27.9

a. The permittee is authorized to discharge during the period from effective date through expiration date.

b. Based on the production data and/or 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. Total (dissolved plus suspended fraction) is implied for each parameter unless otherwise indicated.

	DISCHARGE LIMITATIONS (gross unless otherwise indicated)					MONITORING REQUIREMENTS	
	Mass Units (lbs/day except flow)		Concentrations (mg/l unless otherwise indicated)				
Discharge Parameter	Average Monthly	Max. Daily	Average Monthly	Max. Daily	Instant. Max.	Measurement Frequency	Sample Type

Discharges from Outfall 003 shall consist of uncontaminated stormwater runoff.

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL 004 WHICH RECEIVES WASTE FROM:
Non-contact cooling water and storm water
at Latitude 40° 17' 55" Longitude 79° 22' 47" Stream Code 43255 River Mile Index (RMI) 27.42

a. The permittee is authorized to discharge during the period from effective date through expiration date.

b. Based on the production data and/or 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. Total (dissolved plus suspended fraction) is implied for each parameter unless otherwise indicated.

	DISCHARGE LIMITATIONS (gross unless otherwise indicated)					MONITORING REQUIREMENTS	
	Mass Units (lbs/day except flow)		Concentrations (mg/l unless otherwise indicated)				
Discharge Parameter	Average Monthly	Max. Daily	Average Monthly	Max. Daily	Instant. Max.	Measurement Frequency	Sample Type
Flow (mgd)	Monitor and Report					continuous	measured
Temperature (°F)			Monitor and Report	110		2/month	I-S
Total Residual Chlorine			0.5	1.0		2/month	grab
Aluminum	0.31	0.62	0.75	1.5		2/month	grab
Iron	1.14	2.28	2.67	5.34		2/month	grab
Manganese	0.42	0.84	1.0	2.0		2/month	grab
pH	not less than 6.0 nor greater than 9.0 standard units					2/month	grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: at 004

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL 006 WHICH RECEIVES WASTE FROM:
Storm water
at Latitude 40° 17' 46" Longitude 79° 22' 33" Stream Code 43255 River Mile Index (RMI) 27.5

a. The permittee is authorized to discharge during the period from effective date through expiration date.

b. Based on the production data and/or 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. Total (dissolved plus suspended fraction) is implied for each parameter unless otherwise indicated.

	DISCHARGE LIMITATIONS (gross unless otherwise indicated)					MONITORING REQUIREMENTS	
	Mass Units (lbs/day except flow)		Concentrations (mg/l unless otherwise indicated)				
Discharge Parameter	Average Monthly	Max. Daily	Average Monthly	Max. Daily	Instant. Max.	Measurement Frequency	Sample Type
Flow (mgd)	Monitor and Report					2/month	measured
Aluminum	0.01	0.02	0.75	1.5		2/month	grab
Iron	0.02	0.04	1.5	3.0		2/month	grab
Manganese	0.01	0.02	1.0	2.0		2/month	grab
Molybdenum			Monitor and Report			2/month	grab
pH	not less than 6.0 nor greater than 9.0 standard units					2/month	grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: at the outfall pipe.

1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL 007 WHICH RECEIVES WASTE FROM:
   Storm water runoff from the slag reprocessing area
   at Latitude 40° 17' 54" Longitude -79° 22' 33" Stream Code 43255 River Mile Index (RMI) 27.5

a. The permittee is authorized to discharge during the period from effective date through expiration date.

b. Based on the production data and/or 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. Total (dissolved plus suspended fraction) is implied for each parameter unless otherwise indicated.

	DISCHARGE LIMITATIONS (gross unless otherwise indicated)					MONITORING REQUIREMENTS	
	Mass Units (lbs/day except flow)		Concentrations (mg/l unless otherwise indicated)				
Discharge Parameter	Average Monthly	Max. Daily	Average Monthly	Max. Daily	Instant. Max.	Measurement Frequency	Sample Type
Flow (mgd)	Monitor and Report					2/month	measured
Total Suspended Solids			30	60		2/month	grab
Total Residual Chlorine			1.4	3.28		2/month	grab
Aluminum	9.83	19.7	0.75	1.5		2/month	grab
Iron	19.7	39.4	1.5	3.0		2/month	grab
Manganese	13.1	26.2	1.0	2.0		2/month	grab
COD			Monitor and Report			2/month	grab
C-BOD			Monitor and Report			2/month	grab
Barium			Monitor and Report			2/month	grab
Boron			Monitor and Report			2/month	grab
Chromium III			Monitor and Report			2/month	grab
Molybdenum			Monitor and Report			2/month	grab
pH	not less than 6.0 nor greater than 9.0 standard units					2/month	grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: at the sedimentation pond discharge pipe.

2. DEFINITIONS

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

b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

c. "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.

d. "Average" refers to the use of an arithmetic mean, unless otherwise specified in this permit.

e. "Geometric average (mean)" means the average of a set of n sample results given by the n^{th} root of their product.

f. "Average monthly discharge limitation" means the highest allowable average of "daily discharge" over a calendar month, calculated as the sum of all "daily discharge" measured during a calendar month divided by the number of "daily discharge" measured during that month.

g. "Average weekly discharge limitation" means the highest allowable average of "daily discharge" over a calendar week, calculated as the sum of all "daily discharge" measured during a calendar week divided by the number of "daily discharge" measured during that week.

h. "Maximum daily discharge limitation" means the highest allowable "daily discharge."

i. "Maximum any time" (or instantaneous maximum) means the concentration not to be exceeded at any time in any grab sample.

j. "Composite sample" (for all except GC/MS volatile organic analysis) means a combination of at least 8 individual samples of at least 100 milliliters collected manually or automatically at periodic intervals during the operating hours of a facility over a 24 hour period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite.

"Composite sample for GC/MS volatile organic analysis" consists of at least four (rather than eight) aliquots or grab samples collected during actual hours of discharge over a 24 hour period and need not be flow proportioned. The four samples are composited in the laboratory immediately before analysis, and only one analysis performed.

The maximum time period between individual samples used for any "composite sample" shall not exceed two hours, except that for wastes of a uniform nature the samples may be collected on a frequency of at least twice per working shift and shall be equally spaced over a 24-hour period (or over the operating day if flows are of a shorter duration).

k. "Grab sample" means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not to exceed 15 minutes.

l. "i-s" means immersion stabilization - in which a calibrated device is immersed in the wastewater until the reading is stabilized.

m. "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.

n. "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.

o. "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.

p. "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.

q. "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.

Such water may on occasion, as a result of corrosion, cooling system leakage or similar cooling system failures contain small amounts of process chemicals: provided, that all reasonable measures have been taken to prevent, reduce, eliminate and control to the maximum extent feasible such contamination: and provided further, that all reasonable measures have been taken that will mitigate the effects of such contamination once it has occurred.

r. "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, will, on the basis of information available to the Administrator of the United States Environmental Protection Agency, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in such organisms or their offspring.

s. "Hazardous substance" means any substance designated under Title 40 Code of Federal Regulations Part 116 (40 CFR 116) pursuant to Section 311 of the Clean Water Act.

t. "Publicly Owned Treatment Works" or "POTW" means a facility as defined by Section 212 of the Clean Water Act which is owned by a State or Municipality, as defined by Section 502(4) of the Clean Water Act, including any sewers that convey wastewater to such a treatment works, but not including pipes, sewers or other conveyances not connected to a facility providing treatment. The term also means the municipality as defined in Section 502(4) of the Clean Water Act which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

u. "Industrial User" means an establishment which discharges or introduces industrial wastes into a Publicly Owned Treatment Works (POTW).

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

w. "Storm water associated with industrial activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing, or raw materials storage areas as defined at 40 CFR 122.26(b)(14).

x. "Storm water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

y. "Best Management Practices ("BMPs")" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "Waters of the United States". 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.

3. SELF-MONITORING, REPORTING, AND RECORDS KEEPING

a. Representative Sampling

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

(2) Records Retention

Except for records of monitoring information required by this permit related to the permittee's sewage 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 three (3) years from the date of the sample measurement, report, or application. The three year period shall be extended as requested by the Department or the EPA Regional Administrator.

(3) Recording of Results

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

(i) The exact place, date, and time of sampling or measurements;

(ii) The person(s) who performed the sampling or measurements;

(iii) The date(s) the analyses were performed;

(iv) The person(s) who performed the analyses;

(v) The analytical techniques or methods used; and the associated detection level; and

(vi) The results of such analyses.

(4) Test Procedures

Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those contained in 40 CFR 136 (or in the case of sludge use or disposal, approved under 40 CFR 136 unless otherwise specified in 40 CFR 503), or alternate test procedures approved pursuant to those parts, unless other test procedures have been specified in the permit.

(5) Quality Assurance/Control

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

(a) Permittee or its designated laboratory shall participate in the periodic scheduled quality assurance inspections conducted by the Department and EPA.

(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 136, Appendix A

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.

(2) Unless instructed otherwise in Part C of this permit, monitoring results obtained each month shall be summarized for that month and reported on a Discharge Monitoring Report (DMR).

(3) The completed DMR Form shall be signed and certified either by the following applicable person (as defined in 40 CFR 122.22(a)) or by that person's duly authorized representative (as defined in 40 CFR 122.22(b)):

- For a corporation - by a responsible corporate officer
- 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 principle executive officer or ranking elected official.

If signed by other than the above, written notification of delegation of DMR signatory authority must be submitted to the Department. The DMR and any other reports required herein shall be submitted to the appropriate agency at the address listed in Part C of this permit and postmarked no later than the 28th day of the following month.

(4) If the permittee monitors any pollutant, using analytical methods described in A.3.a(4) above, 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.

c. Reporting Requirements

(1) Planned Changes - The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only 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); or

(b) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1).

(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;

(2) Anticipated Non-Compliance

The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(3) Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(4) Twenty-Four Hour Reporting

(a) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. 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.

(b) The following shall be included as information which must be reported within 24 hours under this paragraph.

(i) Any unanticipated bypass which exceeds any effluent limitation in the permit.

(ii) Any catastrophic event which causes the discharge to exceed effluent limitations in this permit.

(iii) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours.

(c) The Department may waive the written report on a case-by-case basis for reports under paragraph c (4)(a) of this section if the oral report has been received within 24 hours.

(5) Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraphs c (3), (4) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph c (4) of this section.

Compliance with reporting requirements under A.3.c. above shall not excuse a person from immediate notification of incidents causing or threatening pollution pursuant to 25 Pa. Code, Chapter 91.33.

d. Specific Toxic Substance Notification Levels (for Manufacturing, Commercial, Mining, and Silvicultural Dischargers) The permittee shall notify the Department as soon as it knows or has reason to believe the following:

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

(a) One hundred micrograms per liter.

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

(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 (5) times the maximum concentration value reported for that pollutant in the permit application.

(f) Any other notification level established by the Department.

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

(a) Five hundred micrograms per liter;

(b) One milligram per liter for antimony;

(c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application;

(d) Any other notification level established by the Department.

1. MANAGEMENT REQUIREMENTS

a. Compliance Schedules

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

(2) The permittee shall submit reports of compliance or noncompliance with, or progress reports as applicable, 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.

b. Permit Modification, Termination, or Revocation and Reissuance

(1) This permit may be modified, terminated, or revoked in whole or in part during its term for cause including, but not limited to, any of the causes specified in 25 Pa. Code, Chapter 92.

(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 non-compliance, does not stay any permit condition.

(3) In the absence of a Departmental 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.

c. Duty to Provide Information

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

(2) The permittee shall furnish to the Department, upon request, copies of records required to be kept by this permit.

(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 the Department, it shall promptly submit such facts or information to the Department.

(4) Where the permittee is a POTW, the permittee shall provide adequate notice to the Department of the following:

(a) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 and 306 of the Clean Water Act if it were otherwise discharging those pollutants.

(b) Any substantial change in the volume or character of pollutants being introduced into the POTW by an Industrial User which was discharging into the POTW at the time of issuance of this permit.

(c) Adequate notice shall include information on:

(i) the quality and quantity of the effluent introduced into the POTW, and

(ii) any anticipated impact of the change on the quantity or quality of the effluent to be discharged from the POTW.

The submission of the above information in the POTW's Annual Wasteload Management Report, required under the provisions of 25 Pa. Code Chapter 94, will normally be considered as providing adequate notice to the Department, unless a more stringent time period is required by law, regulation, or permit condition in which case the more stringent submission date shall apply.

(d) The identity of Industrial Users served by the POTW which are subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act; the POTW shall also specify the total volume of discharge and estimated concentration of each pollutant discharged into the POTW by the Industrial Users.

(e) The POTW shall require all Industrial Users to comply with the reporting requirements of Sections 204(b), 307, and 308 of the Clean Water Act and any regulations adopted thereunder, and the Clean Streams Law and any regulations adopted thereunder.

d. Facilities Operation

The permittee shall at all times maintain in good working order and properly operate and maintain all facilities and systems 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 effective performance based on designed facility removals, adequate funding, effective management, adequate operator staffing and training, and adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems which are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit.

The permittee shall develop, install, and maintain Best Management Practices to control or abate the discharge of pollutants when the practices are reasonably necessary to achieve the effluent limitations and standards in this permit or to carry out the purposes and intent of the Clean Water Act, or when required to do so by the Department.

e. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

f. Bypassing

(1) Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be violated, but only if the bypass is essential for maintenance to assure efficient operation. This type of bypassing is not subject to the reporting and notification requirements of Part A.3.c.

(2) Other Bypassing - In all other situations bypassing is prohibited unless all of the following conditions are met:

(a) A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage";

(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;

(c) The permittee submitted the necessary reports required under Part A.3.c.

(3) The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions (a through c) listed above.

2. 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 122.41(a)(2).

Any person or municipality who violates any provision of this permit, any rule, regulation, or order of the Department, 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 non- compliance);

shall, upon conviction, be punished by a fine and/or imprisonment as set forth in 18 P.S. §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. Enforcement Proceedings

(1) 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.

3. OTHER RESPONSIBILITIES

a. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law and 25 Pa. Code, Chapter 92, the permittee shall allow the head of the Department, the EPA Regional Administrator, and/or their authorized representatives, 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;

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

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

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

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 the 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.

(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 the Department, at least 30 days in advance, of the proposed transfer date in paragraph (2)(b) of this section;

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

(c) The Department does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. A modification under this subparagraph may also be a minor modification. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph (2)(b) of this section.

(3) In the event the Department does not approve transfer of the 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.

d. Other Laws

The issuance of a 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.

OTHER REQUIREMENTS

1. In accordance with Part A.3.b of this permit, the permittee shall submit a copy of the Discharge Monitoring Reports to each of the following:

   Department of Environmental Protection
   Water Management
   400 Waterfront Drive
   Pittsburgh, PA 15222-4745

   Attn: Water Quality Specialist
   Department of Environmental Protection
   Greensburg District Office
   Armbrust Building
   R.D. #2, Box 603-C
   Greensburg, PA 15601

2. All discharges of floating materials, oil, grease, scum and substances which produce tastes, odors, turbidity or settle to form deposits shall be controlled at levels which will not be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life.

3. The discharge may not change the temperature of the receiving stream by more than 2°F in any one hour period.

4. Usage rates of any chemical additives used at this facility that may be discharged and blow-down rates shall be controlled by the permittee to prevent any impairments to receiving water uses and/or effluent limit violations. Chemical additives include, but are not limited to, any chemicals added to water for control of corrosion, scaling, algae, slime or fouling in cooling, boiler, or process water systems. Chemical additives also include, but are not limited to agents used to aid in treatment such as water softeners, flocculants, coagulants, emulsion breakers, anti-foaming agents, dispersants, oxygen scavengers, pH stabilizers, and regenerants. Usage rates shall be limited to the minimum amount necessary to accomplish the intended purpose of the chemical addition.

   Accurate and complete records of chemical usage and discharge volumes must be maintained and summarized on a monthly basis using the attached form and kept on-site by the permittee. These records must be produced upon request by the Department. The "allowable usage rate" is the rate specified in the information submitted as required below unless notified otherwise by the Department.

   The information described below must be submitted within ninety (90) days of the effective date of this permit (with 2 copies) for all chemical additives currently in use at this facility, unless the specific chemical additive has already been approved in writing by the Department.

a. Trade name of the additive.

b. Name, address and phone number of the chemical additive manufacturer.

c. A list of all the active and inactive ingredients.

d. The additive usage rate (in lb/day or gal/day).

e. The conditioned water discharge rate (MGD).

f. The "in-system" concentration of whole product which the usage rate in item d. above will produce (mg/l). Include the product density (lb/gal) for liquids used to convert usage rate (gal/day) to concentration (mg/l).

g. Any available data regarding in-system degradation or decomposition of the additive and any other data or information that would be helpful to the Department in completing its review.

h. The expected concentration of the product at the final outfall.

i. The analytical test method that could be used to verify final outfall concentrations and the associated minimum analytical detection level.

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

k. 96 hour - LC50 bioassay data on the whole product for at least one species of freshwater fish (mg/l).

l. The MSDS and any mammalian toxicity data that is available for the whole product.

If the additive is currently in use at the facility, it may continue to be used at the maximum rate reported pursuant to item d. above unless the permittee is notified otherwise.

Whenever a change in chemical additives or an increase in usage rates is desired by the permittee, a complete written notification shall be submitted at least sixty (60) days prior to the proposed use of the chemical. This notification, at a minimum shall include the information outlined above. If the information is complete, and its use is not specifically denied, use of the proposed chemical additive is allowed 60 days after notification. The usage rate shall not exceed the maximum rate reported pursuant to item d. above.

Use of additives that contain one or more ingredients that are carcinogens are generally prohibited, and should be substituted with alternative products. If no alternatives are available, the permittee must submit written documentation with the information required above that no alternatives are available and that the carcinogen involved will be "not detectable" in the final effluent using the most sensitive analytical method available.

Based on the information submitted, the Department will determine if any effluent limitations or other restrictions are necessary to protect water quality standards for aquatic life or human health. The permittee is responsible for preventing impairments to receiving water uses independent of the Department's review of this material.

5. Storm Water Discharges

A. Except as provided in Section B of this condition, all storm water discharges shall be composed entirely of uncontaminated storm water.

B. The following non-storm water discharges are authorized provided the non-storm water component of the discharge is in compliance with Section C of this condition: discharges from firefighting 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 ground water, and foundation or footing drains where flows are not contaminated with process materials such as solvents.

C. This permit does not authorize any discharge (storm water or non-storm water) which contains 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. This permit does not authorize the discharge of any pollutant resulting from an on-site spill, any such occurrence is subject to Sections A.3.c or d of this permit.

E. Preparedness, Prevention and Contingency Plans (PPC)

1. Operators of facilities shall review and revise as appropriate the PPC Plan for the site in accordance with 25 PA Code Section 101.3 to address storm water. The PPC Plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the facility. Each of the following shall be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations, outdoor storage activities, outdoor manufacturing or processing activities, significant dust or particulate generating process, and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. In addition, the PPC Plan shall describe the implementation of practices which are to be used to reduce the pollutants in storm water discharges ensuring compliance with the terms and conditions of this permit.

2. Facilities subject to SARA Title III, Section 313 reporting requirements for releases of Section 313 water priority chemicals that have occurred within the last three years shall include a description of such releases in the PPC Plan.

3. Qualified personnel shall conduct site compliance evaluations at least once a year. A report summarizing the evaluation and any required follow-up actions shall be prepared and kept on-site. Such evaluations shall include the items in 3.a of this condition.

   a. Areas contributing to a storm water discharge shall be visually inspected 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 storm water 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.

   b. Based on the results of the inspection, the description of potential pollutant sources and pollution prevention measures and controls identified in the PPC Plan shall be revised as appropriate and shall provide for implementation of any changes to the plan in a timely manner.

F. Sampling Requirements

If storm water samples are required by Part A of this permit, they shall be collected as a grab sample during the first 30 minutes of the discharge. Analytical results of the sampling event shall be summarized on the attached Discharge Monitoring Reports (DMR) and submitted to the Department. If it is not practicable to collect samples due to adverse climatic conditions, or other circumstances beyond the permittee's control, the discharger must submit an explanation with the DMR as to exactly why the samples could not be collected.

6. When collecting samples that are to be analyzed for any of the priority pollutants, the permittee shall collect the sample type required by Part A of this permit, and the permittee shall use the methods and techniques in the attached instructions "Department of Environmental Protection, Water Management Program - Sampling and Analytical Testing Instructions". For each priority pollutant, the permittee shall use a method that will quantifiably measure the priority pollutant at or below the effluent limitation in Part A of this permit.

7. There shall be no net addition of pollutants to non-contact cooling water over intake values except for heat and water conditioning additives for which complete information was submitted in the application or is required to be submitted as a condition of this permit.

8. Total Residual Chlorine (TRC) Minimization

The permittee will ensure that applied chlorine dosages, used for disinfection or other purposes, are optimized to the degree necessary such that the total residual chlorine in the discharge does not cause an adverse stream impact. In doing so, the permittee shall consider relevant factors affecting chlorine dosage, such as wastewater characteristics, mixing and contact times, desired result of chlorination, and expected impact on the receiving water body.

To reduce or eliminate the amount of chlorine discharged into water bodies, the permittee must: (1) improve/adjust process controls and (2) improve operation/maintenance practices.

If the Department determines or receives documented evidence levels of TRC in the permittee's effluent are causing adverse impacts in the receiving water, the permittee shall institute necessary additional steps to reduce or eliminate such impact.

9. Oil bearing wastewaters shall at no time cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline.