pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHWEST REGIONAL OFFICE
CLEAN WATER PROGRAM

Application Type	**Renewal**	Application No.	**PA0005037**
Facility Type	**Industrial**	APS ID	**805959**
Major / Minor	**Major**	Authorization ID	**966662**

NPDES PERMIT FACT SHEET ADDENDUM 4

Applicant and Facility Information

Applicant Name	**NRG Homer City Service LLC**	Facility Name	**Homer City Generating Station**
Applicant Address	1750 Power Plant Road	Facility Address	1750 Power Plant Road
	Homer City, PA 15748		Homer City, PA 15748-8009
Applicant Contact	Gary Cline	Facility Contact	***same as applicant***
Applicant Phone	(724) 479-6255	Facility Phone	***same as applicant***
Client ID	299819	Site ID	236714
SIC Code	4911	Municipality	Center Township
SIC Description	Trans. & Utilities - Electric Services	County	Indiana
Date Published in PA Bulletin	September 4, 2021	EPA Waived?	No
Comment Period End Date	October 4, 2021	If No, Reason	

Purpose of Application: NPDES permit renewal for a coal-fired power generating station.

Internal Review and Recommendations

The third revised draft NPDES permit (Draft 4) was published in the *Pennsylvania Bulletin* on September 4, 2021. The 30-day comment period expired on October 4, 2021.

By email dated September 17, 2021, the U.S. Environmental Protection Agency (EPA) provided the following comments on Draft 4. DEP's responses are provided after each comment.

EPA Comment 1: As discussed with Dana Hales on September 16, 2021, PADEP will provide an additional antibacksliding discussion in the fact sheet to address the changes to WQBELs for TMDL pollutants for the non-stormwater outfalls.

DEP Response to EPA Comment 1: DEP understands that its response to EPA's previous TMDL-related comment was limited to a discussion of storm water without addressing non-storm water outfalls with revised TMDL limits.

DEP's response to Comment E.2 from PennFuture in the 2018 Fact Sheet Addendum stated the following: "The 2012 NPDES permit amendment incorrectly applied [water quality criteria for aluminum, iron, and manganese]. DEP is correcting the WQBELs for aluminum, iron, and manganese pursuant to 40 CFR § 122.44(l)(2)(i)(B)(2) regarding exceptions to anti-backsliding due to technical mistakes."

DEP's response refers to 40 CFR § 122.44(l)(2)(i)(B)(2), which is the incorrect reference for backsliding when the relaxed limits are TMDL WQBELs. The correct reference is Section 303(d)(4) of the Clean Water Act, which states:

> (4) LIMITATIONS ON REVISION OF CERTAIN EFFLUENT LIMITATIONS.
> (A) STANDARD NOT ATTAINED. For waters identified under paragraph (1)(A) where the applicable water quality standard has not yet been attained, any effluent limitation based on a total maximum daily load or other waste load allocation established under this section may be revised only if (i) the cumulative effect of all such revised effluent limitations based on such total maximum daily load or waste load allocation will assure the attainment of such water

Approve	Return	Deny	Signatures	Date
X			Ryan C. Decker, P.E. / Environmental Engineer	November 10, 2021
X			Michael E. Fifth, P.E. / Environmental Engineer Manager	November 11, 2021

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quality standard, or (ii) the designated use which is not being attained is removed in accordance with regulations established under this section.

The new TMDL WQBELs for non-storm water outfalls are consistent with Section 303(d)(4)(A) of the Clean Water Act relating to non-attainment waters because the limits are set at criteria levels with appropriate modifications to translate criteria into effluent limits. As explained in DEP's response to Comment E.2 from PennFuture in the 2018 Fact Sheet Addendum:

The methods used to implement water quality criteria are described in 25 Pa. Code §§ 96.3 and 96.4. In addition, DEP's *Water Quality Toxics Management Strategy* (Doc. No. 361-2000-003) addresses design conditions in detail (Table 1 in that document), including the appropriate durations to assign to water quality criteria. The design duration for Criteria Maximum Concentration (CMC) criteria is 1 hour (acute). The design duration for Criteria Continuous Concentration (CCC) criteria is 4 days (chronic). The design duration for Threshold Human Health (THH) criteria is 30 days (chronic). The design duration for Cancer Risk Level (CRL) criteria is 70 years (chronic).

The 750 µg/L aluminum criterion in 25 Pa. Code § 93.8c is a CMC (acute) criterion. Therefore, 750 µg/L is imposed as a maximum daily effluent limit. There is no CCC criterion for aluminum necessitating the imposition of a more stringent average monthly limit. Imposing 750 µg/L as both a maximum daily and average monthly limit is protective of water quality uses.

The 1.5 mg/L iron criterion is given as a 30-day average in 25 Pa. Code § 93.7(a). Therefore, 1.5 mg/L is imposed as an average monthly limit and the maximum daily effluent limit is calculated using a multiplier of two times the average monthly limit based on DEP's *Technical Guidance for the Development and Specification of Effluent Limitations and Other Permit Conditions in NPDES Permits* (Doc. No. 362-0400-001, Chapter 3, pp. 15 – 16).

The 1 mg/L potable water supply criterion for manganese in 25 Pa. Code § 93.7(a) is a human health criterion (chronic). Per Table 1 of the *Water Quality Toxics Management Strategy*, the duration for a THH criterion is 30 days. Therefore, an average monthly effluent limit of 1 mg/L is imposed and the maximum daily effluent limit is calculated using a multiplier of two times the average monthly limit consistent with the technical guidance cited above for iron.

Effluent limits established at levels equivalent to water quality criteria (according to the procedures described in the preceding paragraphs) will assure that water quality standards are attained because in-stream water quality criteria that protect the receiving stream's designated uses must be achieved at the point of discharge such that no excursions above criteria will occur in the receiving streams.

EPA Comment 2: SWRO developed a template for permittees that are able to obtain an alternate schedule for the submission of information required by 40 CFR 122.21(r) (see attached). We would recommend that PADEP consider using that template for the Cooling Water Intake Structure requirements in this permit, or modify the existing Part C condition to include any missing conditions. We note that paragraph I of the template may not be appropriate since an alternate schedule is already being provided for in the permit, and the permittee will not be able to benefit from an alternate schedule in subsequent permits.

EPA Comment 3: Previous fact sheets have explained that the facility has a closed cycle recirculating system that has been determined to be BTA for impingement and entrainment; however, entrainment data is required to be submitted in order for PADEP to determine if the entrainment BTA needs to be revised. Since the existing closed cycle system is defined as BTA, the permit should include the additional requirements for this standard at 40 CFR 125.94(c)(1). These requirements include monitoring the actual intake flows at a minimum frequency of daily, which must be representative of normal operating conditions, and must include measuring cooling water withdrawals, make-up water, and blow down volume. In lieu of daily intake flow monitoring, the permittee may monitor its cycles of concentration at a minimum frequency of daily.

DEP Response to EPA Comments 2 and 3: As EPA states, 40 CFR § 125.94(c)(1) requires the following:

"Closed-cycle recirculating system. A facility must operate a closed-cycle recirculating system as defined at § 125.92(c). In addition, you must monitor the actual intake flows at a minimum frequency of daily. The monitoring must be representative of normal operating conditions, and must include measuring cooling water withdrawals, make-up water, and blow down volume. In lieu of daily intake flow monitoring, you may monitor your cycles of concentration at a minimum frequency of daily"

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Consistent with Homer City's selection of a closed-cycle recirculating system as BTA for the impingement mortality standard, reporting requirements for that BTA option under § 125.94(c)(1) are added to Part C, Condition IX. Since this permit renewal establishes BTA for impingement and entrainment, the language about alternative schedules in the hybrid condition EPA references is not included. However, DEP reserves the right to revise its BTA determination based on the entrainment information required by Part C, Condition IX. Any revisions to DEP's BTA determination will be subject to the NPDES permit amendment or renewal process, which gives Homer City and the public an opportunity to comment on any potential revisions to the permit's BTA requirements.

Paragraphs in **bold** are revisions to the condition from its appearance in Draft 4.

IX. COOLING WATER INTAKE STRUCTURE

A. Nothing in this permit authorizes a take of endangered or threatened species under the Endangered Species Act.

B. Technology and operational measures currently employed at the cooling water intake structures must be operated in a way that minimizes impingement mortality and entrainment to the fullest extent possible.

C. The location, design, construction or capacity of the intake structure(s) may not be altered without prior approval of DEP.

D. Best Technology Available (BTA) Requirements

To meet BTA requirements to minimize adverse impacts from impingement and entrainment, the permittee shall utilize a closed-cycle recirculating cooling system. This BTA determination may be revised upon submission of additional information by the permittee. Revisions to the BTA determination shall be effective only through amendment or renewal of the NPDES permit. To comply with these BTA requirements the permittee shall:

1. Operate a closed cycle recirculating system as defined at 40 CFR § 125.92(c).

2. Monitor the actual intake flows at a minimum frequency of daily, including measurements of cooling water withdrawals, make-up water and blow down volume or alternatively monitor cycles of concentration at a minimum frequency of daily.

3. Submit the results of monitoring in paragraph D.2 above on the Cooling Water Intake Monitoring Supplemental Report (3800-FM-BCW0010) as an attachment to monthly DMRs.

E. Requirements for Permit Renewal Application.

The permittee shall submit the applicable information specified in 40 CFR § 122.21(r) with its subsequent permit renewal application, as follows:

1. Source water physical data.

2. Cooling water intake structure data.

3. Source water biological baseline characterization data.

4. Cooling water system data.

5. Chosen method(s) of compliance with impingement mortality standard.

6. Entrainment performance studies.

7. Operational status.

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8. If the facility covered by this permit withdraws greater than 125 MGD on an Actual Intake Flow basis as defined in 40 CFR § 125.92, the permittee must submit the applicable information in 40 CFR §122.21(r)(9) – (r)(13) with the subsequent permit renewal application, as follows:

    a. Entrainment Characterization Study.

    b. Comprehensive Technical Feasibility and Cost Evaluation Study (including, but not limited to, evaluations of closed-cycle recirculating cooling, fine mesh screens with a mesh size of 2 mm or less, alternate sources of cooling water, water reuse, variable speed pumps, variable frequency drives, and seasonal flow reductions).

    c. Benefits Valuation Study.

    d. Non-Water Quality Environmental and Other Impacts Study.

    e. Peer Review, completed by peer reviewer(s) approved by DEP.

9. If the facility covered by this permit withdraws less than or equal to 125 MGD on an Actual Intake Flow basis as defined in 40 CFR § 125.92, the permittee must submit an entrainment reduction technology evaluation with the subsequent permit renewal application, which must include at a minimum, an evaluation of the feasibility, cost estimates, and environmental impacts of reducing intake flow using alternate sources of cooling water, water re-use, closed-cycle recirculating cooling; and fine mesh screens.

10. If DEP requests additional information, the permittee shall submit information within 30 days or another timeframe established by DEP in writing.

F. The permittee shall complete 1 year of entrainment sampling during the permit cycle. The permittee will submit an entrainment sampling study plan at least six months prior to commencement of sampling. Sampling results will be submitted to DEP within 15 days of receipt of the final report.

~~**G. Operation of the facility's existing closed cycle recirculation system constitutes BTA for impingement and entrainment.**~~

G. The permittee shall retain data and other records for any information developed pursuant to Section 316(b) of the Clean Water Act for a minimum of ten years.

H. New Units.

The permittee must submit applicable information in 40 CFR §122.21(r) at least 180 days prior to the planned commencement of cooling water withdrawals associated with the operation of a new unit (as defined in 40 CFR §125.92(u)).

By email dated October 4, 2021, NRG Homer City Services LLC / Homer City Generation LP ("Homer City") submitted comments on Draft 4. DEP's responses to Homer City's comments are provided below.

Homer City Comment 1 – Internal Monitoring Point 101 (Formerly Outfall 004): Based on the additional influent and effluent data for the leachate treatment system provided in our comments on [the] previous draft permit (response to Homer City Comment 8), the Department has determined that arsenic and mercury are not present in the raw wastewater at IMP 101 in treatable concentrations and has removed the proposed effluent limits for these parameters from the draft permit and has imposed semiannual monitoring and reporting requirements instead. (Response to Homer City Comment 9).

The Department has rejected our other comments concerning the proposed arsenic and mercury limits at IMP 101 (Homer City Comments 5, 6 and 7). We disagree with the Department's responses to these comments. NRG Homer City Services and Homer City Generation, L.P. incorporate those comments by reference in these comments on Draft Permit 4 and reserve the right to raise these issues in any appeal of a Final NPDES Permit issued for the Station with effluent limits or other conditions regarding arsenic and mercury at IMP 101 other than those presented in Draft 4.

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DEP Response to Homer City Comment 1: DEP incorporates by reference its responses to Homer City's comments on Draft 3 of the permit from Fact Sheet Addendum 3.

Homer City Comment 2 – Outfall 027: The compliance period for the TMDL parameters (aluminum, iron and manganese) should be extended to 59 months after the permit effective date (PED), consistent with the compliance schedule for the ELG parameters. As explained in our previous comments on Draft 3, Homer City's ability to eliminate the discharge from Outfall 027 hinges on the ability to consume all of this waste stream (FGD wastewater from Unit 3) as feedwater for the Novel Integrated Desulfurization Systems (NIDS) installed on Units 1 and 2. This will impact the current process water balance at Outfall 001, as that wastewater is currently used as NIDS feedwater, which will be partially displaced by the wastewater from outfall 027. A longer compliance period is needed for Homer City to develop a better understanding of changes to the water balance associated with a range of operating conditions and to implement appropriate controls.

Homer City Comment 3 – Outfall 027: The impacts on the water balance affect both the ELG parameters and the TMDL parameters, which is why it [is] appropriate to extend the TMDL compliance schedule to be consistent with the ELG compliance schedule. In particularly, past investigations into selenium (an ELG parameter) in the Unit 3 wet FGD absorber determined that there is a relationship between the concentration of manganese (a TMDL parameter) and the valence states of selenium (selenate (Se +6) and selenite (Se +8)). Importantly, the selenate form is treatable with the Station's existing system whereas selenite is extremely difficult to treat. The manganese is present in the limestone used in the FGD absorber, and the Station has no operating experience using a lower-manganese limestone. Consequently, meeting the TMDL limit for manganese may cause an increase in the selenium above the proposed effluent limit. With only a 3 year compliance schedule for meeting the TMDL limits, the Station would have to install a treatment system to remove the manganese to comply with the TMDL limit or remove the selenium to meet its effluent limit. In either case, the treatment system would only operate for 23 months until the Station achieves zero discharge (about 2 years earlier than is allowed under the VIP option in the ELG). During which time the discharge from Outfall 027 will be decreasing as the Station progresses toward zero discharge. Having to install an expensive treatment system that would operate for only 2 years on an intermittent discharge is not reasonable, particularly when Homer City would be required to eliminate the discharge 2 years earlier than is provided in the ELG regulation.

DEP Responses to Homer City Comments 2 and 3: DEP acknowledges and accepts Homer City's basis for requesting that the schedule of compliance for TMDL annual mass load limits at Outfall 027 be extended to be consistent with the ELG compliance schedule (59 Months after the Permit Effective Date), which also will make the compliance schedule for those TMDL mass limits consistent with the schedule of compliance for the TMDL concentration limits at Outfall 027. It was not DEP's intention to require Homer City to install treatment at Outfall 027 before eliminating Outfall 027's discharges, DEP understands that source reduction measures such as switching to low-manganese limestone may have unforeseen adverse effects on the effluent quality of Outfall 027's discharges at a time when those discharges' effluent characteristics must be known to facilitate the design of systems that allow for reuse of that effluent in the NIDS. Therefore, Part C, Condition IV will be modified to remove the reference to Outfall 027 and the annual mass limits in Part A will be incorporated into the 59-month schedule for the other new limits at Outfall 027. As a result of the change, the TMDL annual mass loads will be subject to the schedule in Part C, Condition III of the permit rather than the schedule in Part C, Condition IV.

Homer City Comment 4 – Outfalls 001, 018 and 027: Outfalls 001, 018 and 027 are not continuous discharges. Outfalls 018 and 027 are intermittent outfalls, and flow from Outfall 001 is periodically interrupted for process control purposes. The Draft 4 Permit references the eDMR reporting guidance for calculating the annual mass loads at these outfalls (Draft 4 Permit Part A.III.B.4). That calculation method assumes a continuous discharge (i.e., the total mass discharged from a month would be the average daily pounds discharged multiplied by the total days that month), which would significantly overstate the mass load discharged from these non-continuous outfalls. These outfalls are equipped with flow meters and flow totalizers. Homer City requests that the total mass discharged be calculated using the average discharge concentration multiplied by the ***actual*** flow discharged over the reporting period. This is the same formula as the Draft 4 Permit requires for the stormwater outfalls (Draft 4 Permit Part C.V.D). Using this method, the annual total mass would be the sum of the previous 12 monthly mass discharges.

The requested method provides a more accurate value for the total monthly and annual mass discharges, as it is based on actual, continuously measured flow volumes rather than periodic daily flow volumes extrapolated over every day of the month, including days when there is little or no discharge. This would require revising the eDMR spreadsheet used for reporting the data – *Supplemental Report Daily Effluent Monitoring* (No. 3800-FM-BCW0435) – as that form appears to use the continuous discharge formula, or using an alternative form with the requested calculation method.

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DEP Responses to Homer City Comment 4: The following footnote is added as a replacement for Footnote 3 in Part A of the permit (see the "Other Changes" section at the end of this fact sheet addendum for details on why Footnote 3 is replaced):

> "Total Monthly and Total Annual Loads for aluminum, iron, and manganese at Outfalls 001, 018 and 027 shall be calculated using the methodology in Part C, Condition V.D of this permit."

This footnote supersedes the eDMR reporting guidelines Homer City references, but only for the loads and outfalls listed in the footnote.

An alternative version of the *Daily Effluent Monitoring Supplemental Report* that uses discharge volumes from flow totalizers is not available. Homer City can perform the Total Monthly Load calculations separately to determine the Total Monthly Loads at Outfalls 001, 018, and 027. Total Annual Loads are reported in eDMR and on the Total Load Annual Summary Form (3800-FM-BPNPSM0448).

Homer City Comment 5 – Outfalls 001, 018 and 027: Please confirm our understanding that the TMDL annual mass limits for aluminum, iron and manganese are to be reported on the fourth anniversary of the PED based on data collected from the third anniversary to the fourth.

DEP Responses to Homer City Comment 5: Annual reporting in eDMR is based on calendar year, not permit anniversary dates. TMDL annual mass limits at Outfalls 001 and 018 are not subject to a schedule of compliance and haven't been since Draft 2 of the NPDES permit, so those outfalls' annual mass loads would be reported by January 28th of the second year of the permit based on loads reported in the first year of the permit (i.e., loads would be reported on the annual DMR that is due by January 28, 2023 for loads reported in calendar year 2022). With respect to Outfall 027, refer to DEP Response to Homer City Comments 2 and 3.

Homer City Comment 6 – Outfalls 006, 013, 021, and 027: TMDL Compliance Schedule – Condition C.IV.B calls for Source Reduction Evaluations (SRE) and implementation of source reduction measures on the schedule set forth in the referenced permit section to comply with the TMDL limits imposed on these outfalls. As set forth in the second paragraph of this condition, "If implementation of source reduction measures does not result in aluminum, iron and manganese effluent concentrations that are less than the WQBELs…" For these outfalls, the TMDL limits are established as annual mass load. Accordingly, the objective of the SRE should be to result in effluent mass loads that are less than the TMDL limits and the corresponding statement in the permit should be revised as follows: "If implementation of source reduction measures does not result in aluminum, iron and manganese effluent mass loads that are less than the TMDL limits…"

DEP Responses to Homer City Comment 6: Condition C.IV.B is modified as follows:

> "Prior to the effective date of the WQBELs **referenced in Paragraph A of this condition,** the permittee shall conduct a source reduction evaluation. The purpose of the source reduction evaluation shall be to investigate and ~~**implement**~~ **identify** all non-structural alternatives to reduce pollutants in the discharges assigned WQBELs **and to implement all feasible alternatives.**
>
> If implementation of source reduction measures does not result in aluminum, iron**,** and manganese effluent ~~**concentrations**~~ **mass loads** that are less than the WQBELs for aluminum, iron**,** and manganese **at Outfalls 006, 013, and 021** the permittee shall prepare a Water Quality Management (Part II) permit application for the construction of wastewater treatment systems designed to achieve the WQBELs for aluminum, iron and manganese.
>
> If the permittee considers treatment to be infeasible, the permittee shall submit a TMDL Implementation Plan to DEP explaining why treatment is infeasible and proposing alternatives to treatment that will ensure that discharges comply with **WQBELs for aluminum, iron, and manganese at Outfalls 006, 013, and 021 in Part A of this permit** ~~**water quality criteria**~~."

Homer City Comment 7 – Outfalls 006, 013, 021, and 027: The compliance schedule set forth in Condition C.IV.B is too short. Outfalls 006, 013 and 021 are stormwater outfalls and it will take at least a year to collect discharge data representative of all seasons to determine whether additional source reduction measures are needed. With respect to Outfall 027, this outfall will ultimately be eliminated within 59 months of the Permit Effective Date, so an SRE for this outfall is not warranted. However, even before Outfall 027 is totally eliminated, it will be subject to intermittent discharges as the Station advances its recycling plans for zero discharge from this outfall. Similar to the stormwater outfalls, it will take longer to characterize this intermittent

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outfall to determine whether additional source reduction measures are needed. We requested at least 6 months to submit the SRE work plan and a year after approval of the SRE evaluation plan to submit the TMDL implementation plan.

DEP Responses to Homer City Comment 7: DEP agrees to the requested changes to the interim dates for the compliance schedule for TMDL WQBELs at Outfalls 006, 013 and 021 because changes to the interim dates will not affect the final compliance date, which will remain at three years after the Permit Effective Date. The changes also will not result in times between dates exceeding one year as required by 25 Pa. Code § 92a.51(b).

Schedule item C.1 regarding submission of a work plan for the SRE will be changed to "Within 180 days of the Permit Effective Date" and schedule item C.2 regarding submission of a TMDL Implementation Plan will be changed to "Within 1.5 years of the Permit Effective Date".

With respect to Outfall 027, refer to DEP's Response to Homer City Comments 2 and 3 and 6.

Homer City Comment 8 – TMDL Compliance Requirements: Draft Permit Section C.V. specifies TMDL compliance requirements for several outfalls. It appears that this section applies to Outfall 023, which is not among the listed outfalls in the initial paragraph to this section.

DEP Responses to Homer City Comment 8: Outfall 023 is added to the list of monitoring points in the initial paragraph of Part C, Condition V.

Homer City Comment 9 – Emergency Overflows: Part C, Condition II of the Permit identifies emergency overflow outfalls for certain surface impoundments at the Station and sets forth monitoring and reporting requirements applicable when these outfalls discharge. Fact Sheet Addendum 2 acknowledges that the impoundments subject to this condition "were designed to accommodate certain storm recurrence intervals … and that storm events exceeding those design storms can occur that may result in infrequent or rare overflows from those ponds or basins." Fact Sheet Addendum 2 at 2. This explanation should be clarified to reflect that the impoundments were designed to contain the runoff equivalent for a storm with a certain recurrence interval. This is to address conditions where there may be serial runoff events over a short period of time, where any individual event is less than the design basis storm event, but the runoff from the combined events is greater than that for the design basis storm (e.g., a combination of snowmelt and precipitation event, or a series of precipitation events over several days, each event being less than the design basis event, but due to saturated or frozen ground conditions, the runoff is greater than that from the design basis storm.) This comment is the same as Comment 15 on the Draft 3 Permit. In Fact Sheet Addendum 3 the Department acknowledges the comment but does not appear to address the request for clarification that the design criterion is the ***runoff equivalent*** of the design basis storm event. We respectfully ask that the Department clarify this point in the permit.

DEP Responses to Homer City Comment 9: DEP acknowledges that each of the impoundments were designed to contain the runoff equivalent for a storm with a certain recurrence interval. The design basis storms for Homer City's impoundments/basins/ponds are summarized in a table attached to Fact Sheet Addendum 2.

As previously communicated to Homer City, the permit will not list every circumstance that may result in an emergency overflow. Part C, Condition II provides a means for emergency overflows to be authorized pursuant to Part B, Condition I.F of the permit. If a serial event occurs that triggers an overflow as Homer City describes, then Homer City would explain that as the cause for the overflow in the report required by Part C, Condition II of the permit and explain why that overflow qualifies as a bypass pursuant to Part B, Condition I.F of the permit.

Other Changes

Footnote 3 is replaced with another footnote that addresses another of Homer City's comments (see DEP Response to Homer City Comment 4 above). Footnote 3 in Draft 4 of the permit stated:

> Starting December 31, 2028, flue gas desulfurization (FGD) wastewater generated by the permittee shall not be discharged to surface waters unless the wastewater is treated to achieve the effluent limitations guidelines (ELGs) for Best Available Technology (BAT) at 40 CFR § 423.13(g)(3)(i).

Homer City opted into the Voluntary Incentives Program (VIP), which imposes BAT limits on dischargers who voluntarily choose to meet the more stringent effluent limitations for FGD wastewater in 40 CFR § 423.13(g)(3)(i). Homer City will comply with

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the VIP BAT limits (and other WQBELs that must take effect as soon as practicable) by eliminating FGD wastewater discharges within five years. Consistent with Homer City's planned elimination of Outfall 027's discharges, BAT effluent limits from § 423.13(g)(3)(i) will take effect in Homer City's permit on December 1, 2026. Since the date by which Homer City will comply with the VIP BAT limits is sooner than § 423.13(g)(3)(i)'s December 31, 2028 deadline to comply with those limits, Footnote 3 as stated in Draft 4 is unnecessary.

The numbering of other footnotes in Part A of the permit is unaffected because a new footnote is inserted as Footnote 3 (see DEP Response to Homer City Comment 4 above).

By email dated November 10, 2021, Homer City provided the following comment in response to a notification from DEP that the permit would be modified in response to comments from EPA to include intake flow monitoring requirements from 40 CFR § 125.94(c)(1) relating to facilities that have selected a closed-cycle recirculating system as BTA for impingement and entrainment (see DEP Response to EPA Comments 2 and 3).

Homer City Supplemental Comment: As discussed today Homer City currently monitors our intake on a monthly basis via a totalizer for water withdrawal reporting. This current system of measurement can be modified to provide daily measurements as outlined in your below email. In order to provide daily intake data additional PLC programing needs to be completed and tested. Assuming the PED is January 1st, 2022 Homer City requests until April 1st, 2022 to modify the system. We appreciate your time on this matter.

DEP Response to Homer City Supplemental Comment: Part C, Condition IX, Paragraph D.2. will be modified as follows:

2. **Beginning three (3) months after the Permit Effective Date, m**onitor the actual intake flows at a minimum frequency of daily, including measurements of cooling water withdrawals, make-up water, and blow down volume or alternatively monitor cycles of concentration at a minimum frequency of daily.

No other comments were received on Draft 4. Due to the significant changes made to the permit in response to comments on Draft 4, a revised draft permit (Draft 5) will be published for a 30-day comment period.