

Application Type Amendment, Major
Facility Type Industrial
Major / Minor Major

**NPDES PERMIT FACT SHEET
ADDENDUM**

Application No. PA0008443 A-1
APS ID 1018592
Authorization ID 1318411

Applicant and Facility Information

Applicant Name	<u>Montour LLC</u>	Facility Name	<u>Montour LLC</u>
Applicant Address	<u>PO Box 128</u> <u>Washingtonville, PA 17884-0128</u>	Facility Address	<u>18 Mcmichael Road</u> <u>Washingtonville, PA 17884-0128</u>
Applicant Contact	<u>John McCabe</u>	Facility Contact	<u>John McCabe</u>
Applicant Phone	<u>(570) 437-1362</u>	Facility Phone	<u>(570) 437-1362</u>
Client ID	<u>144600</u>	Site ID	<u>247875</u>
SIC Code	<u>1795,2999,4911</u>	Municipality	<u>Derry Township</u>
SIC Description	<u>Construction - Wrecking And Demolition Work,Manufacturing - Petroleum And Coal</u>	County	<u>Montour</u>
Date Published in PA Bulletin	<u>To be published</u>	EPA Waived?	<u>No</u>
Comment Period End Date	<u>To be determined</u>	If No, Reason	<u></u>
Purpose of Application	<u>Application for NPDES permit for discharge of treated Industrial</u>		

Internal Review and Recommendations

On June 23, 2020, the Department received an NPDES Amendment Application, along with additional supplemental information submitted via email on December 31, 2020, to amend their existing NPDES PA0008443 that serves their facility in Derry Township, Montour County. The amendment is proposed based on an Order (EHB Docket No. 2018-106-L) that includes a Stipulation of Settlement between Middle Susquehanna Riverkeeper, Sierra Club, the Department, and Montour, LLC (see attached). Amendments to the permit are also proposed due to the revisions to EPA's 40 CFR Part 423 Effluent Limitation Guidelines (ELGs) that apply to steam electric facilities, specifically Flue Gas Desulfurization (FGD) wastewater and Bottom Ash Transport Wastewater (BATW). The amendment will also eradicate a typographical error made by the Department regarding the compliance dates for effluent limitations in Part A of the NPDES permit. This fact sheet will serve to summarize the reason for each proposed amendment/change to the permit.

Typographical Error

The existing NPDES Permit PA0008443 was issued on August 15, 2018. The NPDES permit effective date is 9/1/2018 and the expiration date is August 31, 2023. The permit included effluent limitations in 3 Phases (Phase A, Phase B, and Phase C). All of the new effluent limitations established within the permit, Water Quality Based Effluent Limitations (WQBELs) and ELGs, are to be effective on the 59th month (Phase C) of the existing permit term. The permit incorrectly noted these limitations in Phase C to begin on September 1, 2023. That date is incorrect, as it is outside of the effective permit term. The effective date of all new effluent limitations should be 8/1/2023 through 8/31/2023. This will be corrected in the amended draft permit.

The new effective date for each phase will be as follows:

- Phase A- 9/1/2018 through 8/31/2021
- Phase B- 9/1/2021 through 7/31/2023
- Phase C- 8/1/2023 through 8/31/2023

Approve	Return	Deny	Signatures	Date
X			<i>Chad A. Fabian</i> Chad A. Fabian / Project Manager	March 23, 2021
X			<i>Nicholas W. Hartranft, P.E.</i> Nicholas W. Hartranft, P.E. / Environmental Engineer Manager	April 9, 2021
X			<i>Thomas M. Randis</i> Thomas M. Randis / Program Manager	April 12, 2021

Amendments due to the revisions to 40 CFR Part 423 (Steam Electric ELGs)

On October 12, 2020, EPA published revisions in the Federal Register to the above mentioned ELGs. These revisions are known as the Reconsideration Rule, as published in the 85 Federal Register page 64,650. In summary, the Reconsideration Rule establishes a new subcategory for coal fired combustion units whose owners certify they will cease combustion of coal no later than December 31, 2028. Through a Settlement Agreement between Talen (a Montour, LCC parent company) and the Sierra Club dated November 23, 2020, the permittee has committed to the termination of coal burning by December 31, 2025. This time frame was chosen to allow the permittee to burn the remaining 1 million tons of coal it has onsite as well as to install technology to allow the combustion units to operate on natural gas.

Since the permittee has submitted their Notice of Planned Participation (NOPP) in cessation of coal combustion pursuant to 40 CFR 423.19(f)(1), (2), the new ELGs for Nitrate-Nitrite, Arsenic, Mercury and Selenium for Outfall 053 that were to be monitored at Internal Monitoring Point (IMP) 253 during Phase C of the existing permit will no longer apply. All of the existing end of pipe effluent limitations previously established through WQBELs and previous TBELs for Phase A and Phase B will remain in the permit for Outfall 053. Justification for these limitations were documented in the fact sheet and fact sheet addendum during the issuance of the existing permit (see attached WQBEL modeling for Outfall 053 during Phase C). As a result of these changes, IMP 253 in Phase C of the permit will only contain the existing TSS effluent limitations that were previously established as TBELs prior to issuance of the respective NPDES permit on August 15, 2018.

The existing permit contains special condition Part C.XI which prohibits the discharge of BATW on the first day of the 59th month of the permit cycle. Since the facility has committed to the cessation of coal burning as described above, the permittee requests that the Department amend Part C.XI to state that BATW may be discharged until December 31, 2025 (the date at which cessation of coal will be accomplished). However, the Department is unable to put a compliance date within the permit that is beyond the expiration date. The Department acknowledges herein that the permittee will be able to discharge BATW until December 31st, 2025. The existing Part C.XI will be removed in the amended draft permit.

Amendments due to Order (EHB Docket No. 2018-106-L)

Several of the previous amendments agreed upon within the order are now null and void based on the October 13 revisions of the Part 423 ELGs. The remaining revisions that still apply are as follows:

- 1) The Order requires the modification to the compliance schedule in Part C.X of the existing permit. This compliance schedule is still in effect since new WQBEL will be implemented. The new compliance schedule will be as follows:

X. OUTFALL 053 SCHEDULE OF COMPLIANCE

A. The permittee shall achieve compliance with final effluent limitations or terminate this discharge in accordance with the following schedule:

1. Submit construction or implementation progress report	<u>One (1) year from Permit Effective Date</u>
2. Submit construction or implementation progress report	<u>Two (2) years from Permit Effective Date</u>
3. Selection of treatment technology or operational modifications, if needed	<u>December 1, 2021</u>
4. Submit Water Quality Management Permit application, if needed.	<u>March 1, 2022</u>
5. Initiate construction of new treatment technologies, or implement operational modifications, if needed.	<u>January 1, 2023</u>
6. Achieve Compliance with Effluent Limits of Outfall 053	<u>August 1, 2023</u>

Other Amendments

Per the above mentioned settlement Order (EHB Docket No. 2018-106-L), the permittee requests the removal of Outfall 003 since it is not a storm water outfall. What was previously identified as stormwater Outfall 003 has been discovered to be a channelized conveyance for an Unnamed Tributary of Mud Run and the drainage area does not include stormwater associated with industrial activity. The Department has verified that no industrial stormwater is associated with Outfall 003. Therefore, Outfall 003 will be removed.

It is recommended that the draft permit incorporate the above identified amendments.