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: PA0009024

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.*,

Global Tungsten & Powders Corp.
Hawes Street
Towanda, PA 18848

is authorized to discharge from a facility known as **Global Tungsten & Powders Corp.**, located in **North Towanda Township, Bradford County**, to **Susquehanna River** in Watershed(s) **4-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 3/1/2012

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON 2/28/2017

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)

   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 2/2/2012

ISSUED BY

Thomas M. Randis
Environmental Program Manager
Northcentral Regional Office

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

I. A. For Outfall 001 **, Latitude** 41° 46’ 53” **, Longitude** 76° 26’ 29” **, River Mile Index** 274 **, Stream Code** 6685

Discharging to Susquehanna River

which receives wastewater from Industrial Wastewater Treatment 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	Continuous	Metered
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	Continuous	Metered
Total Suspended Solids	285	582	XXX	Report	Report	99	1/day	24-Hr Composite
Total Dissolved Solids	119,157 Avg Annual	135,790	XXX	Report	Report	XXX	2/week	24-Hr Composite
Oil and Grease	XXX	XXX	XXX	15	XXX	30	2/week	Grab
Ammonia-Nitrogen	1,363	3,097	XXX	Report	Report	469	1/day	24-Hr Composite
Total Arsenic	5.7	14.3	XXX	Report	Report	2.5	2/week	24-Hr Composite
Total Cadmium	0.72	1.1	XXX	0.10	0.15	0.25	2/week	24-Hr Composite
Total Cobalt	12.5	28.4	XXX	Report	Report	4.3	2/week	24-Hr Composite

Outfall 001, 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
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0	1/month	Grab
Total Copper	5.0	12.9	XXX	Report	Report	2.2	2/week	24-Hr Composite
Fluoride	183	332	XXX	Report	Report	63	2/week	24-Hr Composite
Total Lead	1.1	2.6	XXX	Report	Report	0.38	2/week	24-Hr Composite
Total Molybdenum	228	456	XXX	Report	Report	79	2/week	24-Hr Composite
Total Nickel	15.8	35.5	XXX	Report	Report	5.5	2/week	24-Hr Composite
Total Selenium	2.2	5.5	XXX	Report	Report	0.8	2/week	24-Hr Composite
Total Tantalum	3.4	3.4	XXX	Report	Report	1.2	2/week	24-Hr Composite
Total Tungsten	463	1,041	XXX	Report	Report	161	2/week	24-Hr Composite
Total Zinc	4.4	11.1	XXX	Report	Report	1.9	2/week	24-Hr Composite

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

at Outfall 001

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

I. B. For Outfall 002 **, Latitude** 41° 46’ 57” **, Longitude** 76° 26’ 29” **, River Mile Index** 274.1 **, Stream Code** 6685

Discharging to Susquehanna River

which receives non-contact cooling water and stormwater

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	Continuous	Metered
pH (S.U.) (5)	XXX	XXX	6.0	XXX	XXX	9.0	Continuous	Metered
Total Dissolved Solids (3)	XXX	XXX	XXX	Report	Report	XXX	1/week	24-Hr Composite
Oil and Grease (3)	XXX	XXX	XXX	15	XXX	30	1/week	Grab
Ammonia-Nitrogen (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Total Copper (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Dissolved Iron (3)	XXX	XXX	XXX	XXX	XXX	7.0	1/month	Grab
Total Molybdenum (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab

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
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Total Nickel (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Total Zinc (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab

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

at Outfall 002

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

I. C. For Outfall 003 **, Latitude** 41° 47’ 12” **, Longitude** 76° 26’ 36” **, River Mile Index** 274.4 **, Stream Code** 6685

Discharging to Susquehanna River

which receives non-contact cooling water and stormwater

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	Continuous	Metered
pH (S.U.) (5)	XXX	XXX	6.0	XXX	XXX	9.0	Continuous	Metered
Total Dissolved Solids (3)	XXX	XXX	XXX	Report	Report	XXX	1/week	24-Hr Composite
Oil and Grease (3)	XXX	XXX	XXX	15	XXX	30	1/week	Grab
Ammonia-Nitrogen (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Total Copper (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Dissolved Iron (3)	XXX	XXX	XXX	XXX	XXX	7.0	1/month	Grab
Total Molybdenum (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab

Outfall 003, 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
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Total Nickel (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Total Zinc (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab

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

at Outfall 003

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

I. D. For Outfall 004 **, Latitude** 41° 47’ 13” **, Longitude** 76° 26’ 36” **, River Mile Index** 274.5 **, Stream Code** 6685

Discharging to Susquehanna River

which receives non-contact cooling water and stormwater

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	Continuous	Metered
pH (S.U.) (5)	XXX	XXX	6.0	XXX	XXX	9.0	Continuous	Metered
Total Dissolved Solids (3)	XXX	XXX	XXX	Report	Report	XXX	1/week	24-Hr Composite
Oil and Grease (3)	XXX	XXX	XXX	15	XXX	30	1/week	Grab
Ammonia-Nitrogen (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Total Copper (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Dissolved Iron (3)	XXX	XXX	XXX	XXX	XXX	7.0	1/month	Grab
Total Molybdenum (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab

Outfall 004, 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
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
Total Nickel (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab
Total Zinc (4)	XXX	Report	XXX	XXX	Report	XXX	1/6 months	Grab

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

at Outfall 004

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

Additional Requirements

The discharger may not discharge floating materials, scum, sheen, or substances that result in deposits in the receiving water. Except as provided for in the permit, the discharger may not discharge foam, oil, grease, or substances that produce an observable change in the color, taste, odor, or turbidity of the receiving water. 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.

(3) Samples shall be collected during dry weather when there is no influence from storm events.

(4) Samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The 72-hour storm interval is waived when the preceding storm did not yield a measurable discharge, or if the permittee is able to document that a less than 72-hour interval is representative for local storm events during the sample period.
Grab samples shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge and the discharger shall provide, using DEP's form Additional Information for the Reporting of Stormwater Discharge Monitoring (3800-PM-WSFR0083t), available on DEP's Web site, a description of why a grab sample during the first 30 minutes was impracticable.

(5) For compliance purposes, pH exceedances which are shorter than 15 minutes in duration and are within the range of 5.0-10.0 Std. Units, are not considered to be violations of this effluent limitation and need not be reported. This exemption is valid for only four exceedance events per month.

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

I. E. For Outfall 001 **, Latitude** 41° 46’ 53 ” **, Longitude** 76° 26’ 29” **, River Mile Index** 274 **, Stream Code** 6685

Discharging to Susquehanna River

which receives wastewater from Industrial Wastewater Treatment Plant

1. The permittee is authorized to discharge during the period from Permit Effective Date through September 30, 2012.

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 (1)	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum (2) Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report		Report		1/week	24-Hr Composite
Kjeldahl---N	Report			Report		1/week	24-Hr Composite
Nitrate-Nitrite as N	Report			Report		1/week	24-Hr Composite
Total Nitrogen	Report	Report		Report		1/month	Calculation
Total Phosphorus	Report	Report		Report		1/week	24-Hr Composite
Net Total Nitrogen	Report	Report				1/month	Calculation
Net Total Phosphorus	Report	Report				1/month	Calculation

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

at Outfall 001

Footnotes:
(1) See Part C for Chesapeake Bay Requirements.
(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 required.

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

I. F. For Outfall 001 **, Latitude** 41° 46’ 53” **, Longitude** 76° 26’ 29” **, River Mile Index** 274 **, Stream Code** 6685

Discharging to Susquehanna River

which receives wastewater from Industrial Wastewater Treatment Plant

1. The permittee is authorized to discharge during the period from October 1, 2012 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 (1)	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum (2) Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report		Report		1/day	24-Hr Composite
Kjeldahl---N	Report			Report		1/week	24-Hr Composite
Nitrate-Nitrite as N	Report			Report		1/week	24-Hr Composite
Total Nitrogen	Report	Report		Report		1/month	Calculation
Total Phosphorus	Report	Report		Report		1/week	24-Hr Composite
Net Total Nitrogen	Report	600,515				1/month	Calculation
Net Total Phosphorus	Report	1,577				1/month	Calculation

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

at Outfall 001

Footnotes:
(1) See Part C for Chesapeake Bay Requirements.
(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 required.

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

I. G. For Outfall 002 **, Latitude** 41° 46’ 57” **, Longitude** 76° 26’ 29” **, River Mile Index** 274.1 **, Stream Code** 6685

Discharging to Susquehanna River

which receives non-contact cooling water and stormwater

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 (1)	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum (2) Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report		Report		1/quarter	Grab
Kjeldahl---N	Report			Report		1/quarter	Grab
Nitrate-Nitrite as N	Report			Report		1/quarter	Grab
Total Nitrogen	Report	Report		Report		1/quarter	Calculation
Total Phosphorus	Report	Report		Report		1/quarter	Grab

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

at Outfall 002

Footnotes:
(1) See Part C for Chesapeake Bay Requirements.
(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 required.

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

I. H. For Outfall 003 **, Latitude** 41° 47’ 12” **, Longitude** 76° 26’ 36” **, River Mile Index** 274.4 **, Stream Code** 6685

Discharging to Susquehanna River

which receives non-contact cooling water and stormwater

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 (1)	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum (2) Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report		Report		1/quarter	Grab
Kjeldahl---N	Report			Report		1/quarter	Grab
Nitrate-Nitrite as N	Report			Report		1/quarter	Grab
Total Nitrogen	Report	Report		Report		1/quarter	Calculation
Total Phosphorus	Report	Report		Report		1/quarter	Grab

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

at Outfall 003

Footnotes:
(1) See Part C for Chesapeake Bay Requirements.
(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 required.

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

I. I. For Outfall 004 **, Latitude** 41° 47’ 13” **, Longitude** 76° 26’ 36” **, River Mile Index** 274.5 **, Stream Code** 6685

Discharging to Susquehanna River

which receives non-contact cooling water and stormwater

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 (1)	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum (2) Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report		Report		1/quarter	Grab
Kjeldahl---N	Report			Report		1/quarter	Grab
Nitrate-Nitrite as N	Report			Report		1/quarter	Grab
Total Nitrogen	Report	Report		Report		1/quarter	Calculation
Total Phosphorus	Report	Report		Report		1/quarter	Grab

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

at Outfall 004

Footnotes:
(1) See Part C for Chesapeake Bay Requirements.
(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 required.

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. 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

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.

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. 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) and 40 CFR 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
   208 West Third Street, Suite 101
   Williamsport, PA 17701-6448

   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 40 CFR 122.41(l)(1) - The permittee shall give notice to DEP as soon as possible of any planned physical alterations or additions to the permitted facility. 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).

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.

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 Noncompliance

The permittee shall give advance notice to DEP of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements. 40 CFR 122.41(l)(2)

3. 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 then 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. Note see 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).

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.3 of this section or specific requirements of compliance schedules, at the time DMRs are submitted. The reports shall contain the information listed in paragraph C.3.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 Title 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)

4. Facility expansions, production increases, process modifications, or any change of wastestream, that may result in an increase of pollutants that have the potential to exceed ELGs or violate effluent limitations specified in the permit, or that may result in a new discharge, or a discharge of new or increased pollutants for which no effluent limitation has been issued, must be approved in writing by the Department before the permittee may commence the new or increased discharge, or change of wastestream. The Department will determine if a permittee will be required to submit a new permit application and obtain a new or amended permit before commencing the new or increased discharge, or change of wastestream. 25 Pa. Code 92a.24(a)

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 92a 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 122.21(d)

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 facility not covered by an ELG (Effluent Limitation Guideline)	$500
Minor facility covered by an ELG	$1,500
Major facility < 250 MGD (Million gallons per day)	$5,000
Major facility ≥ 250 MGD	$25,000
Stormwater Discharge	$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**.

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. CHESAPEAKE BAY SCHEDULE

A. **Timing For Effective Dates Of Effluent Limitations**. The following schedule applies to effluent limitations in this permit:

Provision Containing Effluent Limitation	Effective Date
Part A I.A through Part A I.D and Part A I.G through Part A I.I	Permit Effective Date through Permit Expiration
Part A I.E	Permit Effective Date through September 30, 2012
Part A I.F	October 1, 2012 through Permit Expiration

The permittee shall achieve compliance with all other terms and conditions of this permit upon the effective date of the permit, unless otherwise specified.

B. **Compliance Schedule**. The permittee shall be in compliance with effluent limitations for Nitrogen and Phosphorus contained in Part A I.C.2, or terminate this discharge, in accordance with the following schedule:

Activity	Due Date
1. TP source reduction – termination of halophosphate phosphor manufacturing	Completed
2. Request approval for addition of selected chemical for phosphorus removal	Completed
3. Order necessary equipment for chemical addition	Completed
4. Install chemical addition process	Completed
5. Construction or implementation progress reports	Quarterly Reports Due: January 31, 2012 & 2013, April 30, 2012 & 2013, July 31, 2012 & 2013, October 31, 2012
6. Compliance with effluent limitations	September 30, 2013

C. No later than 14 calendar days following the date identified in the above schedule of compliance, the permittee shall submit to the Department a written notice of compliance or non-compliance with the specific schedule requirement(s) to:

Department of Environmental Protection
Northcentral Regional Office
Water Management Program
Attn: Compliance Specialist
208 W Third Street Suite 101
Williamsport, PA 17701-6448

D. Each notice of non-compliance, at a minimum, shall include the following information:

1. A description of the noncompliance.

2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirement.

3. A description of any factors which tend to explain or mitigate the noncompliance.

4. An estimate of the date that compliance with the elapsed schedule requirement will be achieved and an assessment of the probability that the next scheduled requirement will be met on time.

5. A revised schedule of compliance for Department approval.

E. The permittee should contact the compliance specialist indicated in the event of anticipated non-compliance with any of a compliance schedule activities listed, seven (7) days prior to the due date of the activity.

II. CHESAPEAKE BAY NUTRIENT REQUIREMENTS

A. General

1. The Net Total Nitrogen and Net Total Phosphorus mass load effluent limitations in Part A I.B and Part A I.C are required in order to meet the downstream water quality standards of the State of Maryland, as required by 25 Pa. Code Chapter 92a, the federal Clean Water Act and implementing regulations. These effluent limitations do not reflect credits applied or sold or offsets applied, during this permit cycle.

2. The Total Nitrogen and Total Phosphorus Mass Loads (actual mass loads being discharged) shall be reported on the enclosed monthly Supplemental Discharge Monitoring Reports ("Supplemental DMRs"). The total mass loads will not equal the net mass loads if credits are applied or sold, or if offsets are applied. The mass loads for compliance purposes are "Net Total Nitrogen" and "Net Total Phosphorus" reported as pounds per year on the Annual Nutrient Summary form (3800-FM-WSFR0447). Instructions for tracking credits and offsets can be found in Part C II.C.10 – Tracking Offsets and Credits. The number of credits purchased can be determined by viewing the Department's Nutrient Trading Website at http://www.dep.state.pa.us Keyword "Nutrient Trading". The number of credits applied or sold, or offsets applied may change during the compliance year and subsequent truing period.

3. The Definitions in paragraph B apply to terms used in Part A and in the Supplemental DMR forms.

4. The Annual Nutrient Summary form shall be submitted no later than November 28th following the end of a compliance year for determination of compliance with the Net Total Nitrogen and Net Total Phosphorus annual mass load effluent limits.

B. Definitions

1. Monthly Total Mass Load (lbs) = The sum of the actual daily discharge loads (lb/d) divided by the number of samples per month multiplied by the number of days in the month. Daily discharge load (lb/d) = Daily flow (MGD) on the day of sampling, multiplied by that day's sample concentration (mg/l) multiplied by 8.34.

2. Annual Total Mass Load (lbs) = The sum of the Monthly Total Mass Loads for one year beginning October 1st and ending September 30th.

3. Total Nitrogen = Kjeldahl-N plus Nitrate-Nitrite as N.

4. Compliance Year = The year long period starting October 1 and ending September 30. The compliance year will be named for the year in which it ends. Example: The period of October 1, 2010 through September 30, 2011 is compliance year 2011.

5. Truing period = the time allowed at the end of each compliance year for any entity to come into compliance through the application of credits towards the Annual Net Mass Loads. This truing period will start on October 1st and end on November 28th of the same calendar year. During this period, compliance for the specified year may be achieved by using registered credits that were generated during that compliance year. Example: Credits that are used to achieve compliance in compliance year 2011 must have been generated during compliance year 2011.

6. Monthly Net Mass Load

For Total Nitrogen:

Monthly Net Mass Load = Monthly Total Mass Load + (Total Credits sold during the month / 0.700 (TN delivery ratio for facility)) – (Total Credits applied during the month / 0.700 (TN delivery ratio for facility)) – Offsets applied

For Total Phosphorus:

Monthly Net Mass Load = Monthly Total Mass Load + (Total Credits sold during the month / 0.436 (TP delivery ratio for facility) – (Total Credits applied during the month / 0.436 (TP delivery ratio for facility)) – Offsets applied

7. Annual Net Mass Load (lb/year) = The sum of the Monthly Net Mass Loads for one year beginning October 1st and ending September 30th.

8. Certification: Written approval by the Department for the use of proposed or implemented activities to generate credits and/or offsets. Certifications are based on at least (1) a credit or offset proposal to be submitted describing the qualifying activities that will reduce the nutrient loadings delivered to the Chesapeake Bay, (2) the calculation to quantify the pounds of reductions expected and (3) a verification plan that, when implemented, ensures that the qualifying nutrient reduction activities have taken place.

9. Verification: Implementation of the verification plan contained in a certified credit or offset proposal as required by the Department. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying nutrient reduction activities have taken place for the applicable compliance year.

10. Registration: Approval by the Department of the use of credits or offsets in a permit. Registration will not occur until credits have been certified and verified, and for credits a trading contract has been submitted to the Department. The Department will register credits on an annual basis for use during the compliance year in which the qualifying nutrient reduction activities have taken place, and provide such credits with an annual registry number for reporting and tracking purposes.

C. Nutrient Credits and Offsets

1. Credit = The unit of compliance that corresponds with a pound of reduction of TP, TN or sediment as recognized by the Department which, when registered by the Department, may be used to comply with effluent limits.

2. Offset = Verb - The act of reducing the aggregate production of nutrients from an action or activity by use of a complimentary action, activity or technology on that site or directly related to the activity. Noun - The load in pounds of nitrogen or phosphorus created by an action, activity or technology that is available to apply against the proposed load to be generated. Offsets are not the same as credits as they cannot be directly bought, sold or transferred between owners, projects, or properties.

3. The permittee is authorized to apply nitrogen and phosphorus credits to this permit in order to comply with the Net Total Nitrogen and Net Total Phosphorus annual mass load effluent limits, when the credits are recognized by the Department through a trading program administered by the Department pursuant to “Final Trading of Nutrient and Sediment Reduction Credits – Policy and Guidelines,” including all Attachments and Appendices.

4. Credits may be applied to the compliance obligations of this permit up until November 28 of the calendar year at the end of the current compliance period (e.g., if the period is the 12 months following 9/30/2010, credits may be applied up until 11/28/2011).

5. Whenever credits are applied or sold the permittee shall report the following, using Supplemental DMR forms:

- The registry number and trade effective dates.
- The type (nitrogen, phosphorus) and the number of credits purchased or sold of each.

6. Any time a contract expires during the term of this permit, the Department must be notified 30 days prior to the expiration date, and the permittee shall provide either a new contract or a discussion on how compliance with this permit will be achieved.

7. All credit transactions must be on the DEP's Trading website which can be viewed at www.dep.state.pa.us Keyword "Nutrient Trading".

8. Offsets approved by DEP are to be reported and used in calculating the Monthly Net Mass Loads.

9. All credits must be certified by the Department and verified for the year in which they are used for compliance with this permit.

10. Tracking Offsets and Credits:

    a. Credits – the use of credits shall be tracked on Supplemental DMR forms provided with this permit. As identified on the forms entitled Monthly Nitrogen Budget (3800-FM-WSFR0445) and Monthly Phosphorus Budget (3800-FM-WSFR0446), the forms shall be submitted when a credit transaction occurs. Additionally, the form entitled Annual Nutrient Summary (3800-FM-WSFR0447) shall be submitted at the end of each compliance year. Credits are only for the compliance year in which they are used and must be reported each year.

    Offsets – the use of offsets shall be tracked on Supplemental DMR forms provided with this permit. As identified on the forms entitled Monthly Nitrogen Budget and Monthly Phosphorus Budget, the forms shall be submitted when offsets are claimed. Additionally, the Annual Nutrient Summary shall be submitted at the end of each compliance year.

III. OTHER REQUIREMENTS

A. If, in the opinion of the Department, by reason of change in the character of wastes or increased load upon the treatment facilities, or changed use or condition of the receiving body of water, or otherwise, the said effluent ceases to be satisfactory or the treatment facilities shall have created public nuisance, then upon notice by the Department the right herein granted to discharge such effluent shall cease and become null and void unless within the time specified by the Department, the permittee shall adopt such remedial measures as will produce an effluent which, in the opinion of the Department, will be satisfactory for discharge into the said receiving body of water.

B. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, and in a manner equivalent to the requirements indicated in Chapters 287, 288, 291, 295, 297 and 299 (relating to permits and requirements for landfilling, land application, incineration, and storage of industrial sludge), Federal Regulation 40 CFR 257, Pennsylvania Clean Streams Law, Pennsylvania Solid Waste Management Act of 1980, and the Federal Clean Water Act and its amendments.

The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport and disposal of solid waste materials generated as a result of wastewater treatment.

IV. Chronic Whole Effluent Toxicity (WET) Monitoring

A. General Requirements

The permittee shall conduct chronic whole effluent toxicity (WET) tests in accordance with the appropriate test protocols or guidance described in Section E, Test Conditions and Methods. The permittee must collect discharge samples and perform WET tests to generate chronic cladoceran (Ceriodaphnia dubia)

survival and reproduction and fathead minnow (Pimephales promelas) survival and growth data. These results will be reported as No Observed Effect Concentration (NOEC) and a dose-response curve shall be plotted, if possible.

B. Test Frequency

WET testing shall be conducted annually starting within six months of the permit's effective date.

C. Sample Collection

For each testing event, three 24-hour discharge, flow proportioned, composite samples shall be collected over a seven day exposure period. The samples shall be collected at a frequency of not greater than every two hours and flow proportioned. The samples must be collected at the same point as the NPDES permit chemical samples. All samples will be analyzed chemically according to Section F, Chemical Analyses. The NPDES permit chemistry analysis and the WETT analysis shall be conducted from the same flow proportioned effluent sample.

For chlorinated effluents, the WET tests shall be conducted on a final effluent sample that has been dechlorinated. Dechlorinated samples will consist of the final effluent composites treated with sodium thiosulfate (See Section 9.1.6 of Weber, C.I. (ed) 1991. Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms, 40th Edition. Office of Research and Development, Cincinnati, Ohio. EPA/600/600/4-90/027F.)

D. Dilution Water

The dilution water source must consist of either moderately hard synthetic water (using either MILLIPORE MILLI-Q® or equivalent mineral water - 20%) or water with hardness similar to that of the receiving stream.

E. Test Conditions and Methods

The test conditions and methods shall conform to those developed by EPA as specified and cited at 40 CFR Part 136. USEPA. October 2002 "Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms." Fourth Edition. USEPA Office of Water. EPA/821-R-02-013 Table 1 A, Note 8.

The Department guidelines, "Biomonitoring WETT data QA/QC Guidelines for Chronic Toxicity Testing with Amendments March 20, 1995", shall be followed to assure quality data.

If a IC25 is required instead of hypothesis testing the permittee shall follow the EPA guidance in EPA/821-R-02-013. The permittee must notify the WETT laboratory to specify the dilution series. The dilution series, in a IC25, shall have at least one dilution below the Instream Waste Concentration (WC) included in the development of the linear regressions equation. The IWC must be obtained from the local PA DEP Regional Office. If DEP determines that the proper test conditions have not been followed or if the test acceptability criteria are not met, the permittee must perform a retest within 30 days.

F. Chemical Analysis

Chemical analyses described in EPA/600/4-89/001 shall be performed for each sampling event, including each new batch of dilution water, and each testing event.

In addition to the chemical analyses required above, those parameters listed in PART A and PART C of the NPDES permit for the outfall(s) tested will be analyzed concurrently with the WET test by using the method specified in the NPDES permit or, if not specified, by using EPA and DEP (Chapter 16, Water Quality Toxics Management Strategy) approved methods.

G. Toxicity Test Report Elements

At a minimum, the following must be reported with each chronic WET test:

- Completion of Ceriodaphnia dubia and Promephales pomelas coversheets (Forms 3620-FM-WQO146 3/95 and 3620-FM-W2 145 3/95),

- description of sample collection procedures and of the sample location,

- names of individuals collecting and transporting samples, times and dates of sample collection and analysis and temperature of sample received,

- general test description: origin and age of test organisms, dates and results of reference toxicant tests; light and temperature regimes; other information on test conditions as listed in Section E. Test Conditions and Methods,

- all chemical and physical data generated (include detection limits),

- copies of raw data sheets and/or bench sheets with data entries and signatures,

- dechlorination procedure(s) with test statistical comparisons,

- any other observations or test conditions affecting the test outcome and account for any Type 1 or Type 11 errors.

The following chronic WET test data is required:

- comparison of performance of controls with test acceptability criteria,

- daily survival of test organisms in the controls and all replicates for each dilution Ceriodaphnia dubia survival data should be analyzed by Fisher's exact test prior to analysis of reproduction data,

- young per organism for all replicates in each dilution for Ceriodaphnia dubia and Pimephales promelas,

- chronic test data shall undergo hypothesis testing to determine if the distribution of results is normal using the Shapira-Wilk's test. The variance must also be tested for homogeneity using Bartlett's test. Then the endpoint estimate, NOEC and LOEC, must be determined using Dunnett's procedure (one-sided), Bonferroni's T-test, Steel's manyone rank test, or Wilcoxon rank sum test. The correct choice of test depends upon the number of replicates and whether or not the variance is homogeneous and normally distributed. Any printouts and graphical display must be submitted, along with the name of the program, the date, and the analyst(s). When data is hand calculated, worksheets must be included,

- NOEC: No Observed Effect Concentration,

- LOEC: Lowest Observed Effect Concentration,

- chronic value (ChV): Geometric mean of the NOEC and LOEC,

The water hardness shall be matched to the Q7-10 stream hardness. The reference toxicant shall be a commonly used toxicant approved by EPA. Reports of reference toxicant tests shall include all information needed for the proper evaluation of the test, including (but not limited to) the following:

- Water chemistry parameters of controls and test concentrations.

- Chronic endpoint, with appropriate statistical analyses.

- Control charts (for point estimates, cumulative mean ± two standards deviations; for NOEC's central tendency ± one for concentration interval).

H. Reporting

One copy of each chronic WET test report shall be submitted to DEP at both addresses below within 30 days of test completion:

Department of Environmental Protection
Bureau of Water Quality Protection
Division of Wastewater Management
Rachel Carson State Office Building, 1lth Fl
P.O. Box 8774
Harrisburg, PA 17105-8774

Department of Environmental Protection
Northcentral Regional Office
208 West Third Street, Suite 101
Williamsport, PA 17701-6448

I. Toxicity Identification/Reduction Evaluation

If any of the annual WET test events produce an NOEC which in the opinion of department constitutes a potential threat to aquatic life, then upon notice by the department, the permittee shall provide the following information for each such test:

- The possible cause(s) of the effluent toxicity;
- the possible source(s) of the causative agent(s); and
- possible control options to reduce or eliminate the effluent toxicity.
- whether the event resulted from lab error.

The permittee has the responsibility to confirm the WETT QA/QC is properly initiated according to the guidelines.

SUMMARY OF EFFLUENT TOXICITY TEST CONDITIONS AND TEST ACCEPTABILITY CRITERION FOR CHRONIC TOXICITY TESTS:

1. Summary of effluent toxicity test conditions and test acceptability criterion for chronic toxicity tests:

   a. Effluent concentrations: Five concentrations and a control. (100, 30, 10, 3, and 1%)

2. Summary of effluent toxicity test conditions and test acceptability criteria for the Ceriodaphnia dubia survival and reproduction test (adapted from EPA/600/4-89/001).

   a. No. neonates per test chamber: 1

   b. No. replicate test chambers per concentration: 10

   c. No. neonates per test concentration: 10

   d. Test duration: Until 60% of control females have three broods (seven days or less).

   e. Endpoints: Survival and reproduction.

f.	Test acceptability criterion:	80% or greater survival and an average of 15 or more young per surviving female in the control solutions. At least 60% of the surviving females in controls must have produced their third brood in seven days or less.
g.	Age of organism	Less than 30 hrs. and inside an 8 hr. window.

3. Summary of effluent toxicity test conditions and test acceptability criteria for the fathead minnow (Pimephales promelas) survival and growth test (adapted from EPA/600/4-89/001).

a.	No. of larvae per test chamber	10
b.	No. of replicate test chambers per concentration	4
c.	No. of larvae per test concentration	40
d.	Test duration:	7 days
e.	Endpoints:	Survival and growth (weight)
f.	Test Acceptability:	80% or greater survival in controls; average dry weight of surviving controls equals or exceeds 0.25 mg.
g.	Age of organism	Less than 30 hours, eggs may need to be shipped.

The hardness of the control water and the 100% effluent water shall be similar before the start of the toxicity test.

V. REQUIREMENTS APPLICABLE TO STORMWATER OUTFALLS

A. Applicability of Non-Stormwater Discharges

Except as provided in paragraph A.2 below, all stormwater discharges covered by this permit shall be composed entirely of stormwater.

1. Except as provided in paragraph A.2, discharges of material other than stormwater must be in compliance with the provisions of this or another NPDES permit.

2. The following non-polluting water discharges may be authorized, provided the discharge is in compliance with paragraph D.4(a) below: 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 conditions condensate, springs, uncontaminated groundwater, and foundation or footing drains where flows are not contaminated with process materials such as solvents.

B. 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 Preparedness, Prevention, and Contingency (PPC) Plan as stated in Section C below

C. This permit does not authorize any discharge (stormwater or non-stormwater) 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. Persons subject to this permit shall have developed a Preparedness, Prevention and Contingency (PPC) Plan in accordance with Title 25. Pa Code § 91.34 and the DEP's *Guidelines for the Development and Implementation of Environmental Emergency Response Plans* in conjunction with *Supplemental Guidance for the Development and Implementation of Preparedness, Prevention and Contingency (PPC) Plans under the National Pollutant Discharge Elimination System (NPDES) Stormwater Permitting Program*. 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 implementation of practices which 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. The PPC Plan shall contain a narrative consideration of the appropriateness of traditional stormwater management practices (practices other than those which control the source of pollutants) and the use of BMPs to control stormwater runoff and prevent stormwater pollution. Based on an assessment of the potential of various sources at the plant to contribute pollutants to stormwater discharges, the PPC Plan shall set forth measures determined to be reasonable and appropriate which shall be implemented and maintained.

3. The PPC Plan shall identify areas which, due to topography, activities or other factors, have a high potential for significant soil erosion, and identify measures to limit erosion. Sediment and Erosion prevention and control measures should be developed and implemented in accordance with Title 25 Pa. Code Chapter 102 and the technical guidance document *Erosion and Sediment Pollution Control Manual* (DEP ID: 363-2134-008).

4. Non-Stormwater Discharges

a. The PPC Plan shall contain a certification that the discharge has been tested or evaluated for the presence of non-stormwater discharges. The PPC Plan can be certified by an operator of the facility who is knowledgeable of the existing sources of non-stormwater discharges at the facility. The certification shall include the identification of potential significant sources of non-stormwater 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 associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the PPC Plan shall indicate why the certification required by this part was not feasible. A discharger that is unable to provide the certification required by this part must notify DEP within 180 days of the effective date of this Permit.

b. Except for flows from fire fighting activities, sources of non-stormwater listed in paragraph A.2 of this condition that are combined with stormwater discharges associated with industrial activity 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.

5. Qualified personnel shall conduct site compliance evaluations using the *Annual Inspection Form* at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

a. Areas contributing to a stormwater discharge associated with industrial activity 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 this 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.

b. 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.

c. A report summarizing the scope of the inspection, using the DEP's *Annual Inspection Form* shall be completed each calendar year and retained as part of the PPC Plan for at least one year after coverage under this permit terminates.

6. Consistency with Other Plans

PPC Plans may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans developed for the facility under Section 311 of the Clean Water Act or BMPs otherwise required by an NPDES permit for the facility as long as such requirement is incorporated into the plan.

7. Facility Security

Facilities shall have the necessary security systems to prevent accidental or intentional entry which could result in an unintentional discharge of pollutants to surface waters of the Commonwealth. Security systems described in the plan shall address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.

8. Training

Facility employees shall be trained in and informed of preventive measures at the facility. Employee training shall be conducted at intervals specified in the plan, but not less than once per year, in matters of pollution control laws and regulations, and in the PPC Plan and the particular features of the facility and its operation. Where applicable, the plan shall designate a person who is accountable for spill prevention at the facility and who will set up the necessary spill emergency procedures and reporting requirements so that spills and emergency releases of Section 313 water priority chemicals can be isolated and contained before a discharge of a Section 313 water priority chemical can occur. Contractors or temporary personnel shall be informed of facility operation and design features in order to prevent discharges or spills from occurring.

9. Plan Update

The permittee shall periodically review and amend the PPC Plan. This must also occur when:

a. Applicable DEP or federal regulations are revised, or this permit is revised;

b. The PPC Plan fails in an emergency;

c. There is a change in design, industrial process, operation, maintenance, or other circumstances, in a manner that materially increases the potential for fires, explosions or releases of toxic or hazardous constituents; or which changes the response necessary in an emergency;

d. The list of emergency coordinators or equipment changes; or

e. As otherwise required by DEP.

E. Stormwater Sampling Requirements

1. If stormwater sampling is required by the permit, all samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The 72-hour storm interval is waived when the preceding storm did not yield a measurable discharge, or if the permittee is able to document that a less than 72-hour interval is representative for local storm events during the sample period.

2. Samples taken in compliance with the monitoring requirements specified above shall be taken from the discharge at Outfalls 002, 003, 004.

VI. CHEMICAL ADDITIVES

A. 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 chemical addition, and approval is limited to the chemicals and usage rates specified in the attached Chemical Additives Usage Form or submitted pursuant to the following requirements.

B. Whenever a change in chemical additives 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:

1. Trade names of additive.
2. Name and address of additive manufacturer.
3. Material Safety Data Sheet (MSDS) or other available information on mammalian or aquatic toxicological effects.
4. Bioassay data including the 96-hour LC50 on the whole product.
5. Proposed average and maximum additive usage rates in lbs/day.
6. A flow diagram showing the point of chemical addition and the affected outfalls.
7. The expected concentration of the product at the final outfall.
8. The product density for liquids (lb/gal) used to convert usage rate (gpd) to in-system concentrations (mg/l).
9. 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 (mg/l).
10. Conditioned water discharge rate (blowdown rate) and duration (hours).
11. Available data on the degradation of or decomposition of the additive in the aquatic environment.
12. Any other data or information the permittee believes would be helpful to the Department in completing its review.

C. 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 that any carcinogen in the proposed chemical or product will not be detectable in the final effluent using the most sensitive analytical method available.

D. Based on the information presented, the Department will determine within 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 60 days that a formal request for a permit amendment is required including a filing fee and Act 14 notices.

E. If a permit amendment application is not requested, or approval/information request/denial of the proposal is not received within 60 days, the permittee may proceed with the use of the proposed chemical additive or usage rate.

F. 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 Additives Usage Form, kept on site by the permittee, and submitted to the Department with Discharge Monitoring Reports (DMRs). 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 is not authorized.

VII. STORMWATER BEST MANAGEMENT PRACTICES (BMPs)

The permittee shall develop and maintain Storm Water Management Plan (SWMP) to determine the Best Management Practices (BMPs) needed for storm water pollution control. The SWMP shall incorporate the PPC Plan and a listing of structural and non-structural controls to prevent the introduction of industrial pollutants into stormwater runoff.

The BMP requirements operate as limitations on stormwater discharges that reflect the application of BAT/BCT treatment technology, as defined at 40 CFR §125.3(d). All storm water discharges shall comply with any applicable effluent limitations established in 25 PA Code §86-§90, §91-§97, §102 and §105. Stormwater discharges shall not result in a violation of the water quality criteria described in 25 PA Code §16 and §93.

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

As an option to treating uncontaminated rainwater, the permittee may test the accumulated water in the Bulk Chemical Storage Area (Tank Farm) containment areas for ammonia-nitrogen and pH. If the ammonia-nitrogen level is below 2 mg/L and the pH is within the range of 6.0 to 9.0 Std. Units, the water may be considered uncontaminated stormwater and discharged to stormwater Outfall 002. All other accumulated water in the containment area should be considered contaminated, and treated at the WWTP prior to discharge.