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: PA0050377 A-1

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

**Johnson Matthey Inc.**
**435 Devon Park Drive Suite 600**
**Wayne, PA 19087-1998**

is authorized to discharge from a facility known as **Riverside Facility**, located in **Upper Merion Township, Montgomery County**, to **Matsunk Creek** in Watershed(s) **3-F** 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 _December 1, 2012_**

**THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON March 31, 2016**

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

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

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

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

   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 March 15, 2011**

**DATE PERMIT AMENDMENT ISSUED _October 31, 2012**

**ISSUED BY /S/**
**Jenifer L. Fields, P.E.**
**Water Management Program Manager**
**Southeast Regional Office**

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

**I. A. For Outfall** 001 **, Latitude** 40° 05’ 7.5” **, Longitude** 75° 19’ 20.5” **, River Mile Index** 21.6 **, Stream Code** 00833

**Discharging to Schuylkill River via Matsunk Creek**

which receives wastewater from Pharmaceutical manufacturing wastewater and utility blowdown from industrial wastewater treatment plant

1. The permittee is authorized to discharge during the period from April 1, 2011 through March 31, 2016.

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 | Instant. 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 | 1/day | Grab |
| Color (Pt-Co Units) | XXX | XXX | XXX | 100 | XXX | XXX | 1/week | Grab |
| Temperature (ºF) | XXX | XXX | XXX | XXX | XXX | 110 | 1/week | I-S |
| BOD5 | 467 | 934 | XXX | 700 | 1,400 | 1,750 | 1/week | 24-Hr Composite |
| Influent BOD5 | Report | Report | XXX | Report | Report | XXX | 1/week | 24-Hr Composite |
| BOD5 % Removal | XXX | XXX | XXX | 90 | XXX | XXX | 1/week | Calculation |
| Chemical Oxygen Demand | 571 | 1,118 | XXX | 856 | 1,675 | 2,140 | 1/week | 24-Hr Composite |
| Influent COD | Report | Report | XXX | Report | Report | XXX | 1/week | 24-Hr Composite |
| COD % Removal | XXX | XXX | XXX | 74 | XXX | XXX | 1/week | Calculation |
| Total Suspended Solids | 20 | 30 Weekly Avg. | XXX | 30 | 45 Weekly Avg. | 75 | 1/week | 24-Hr Composite |

**Outfall 001, Continued (from April 1, 2011 through March 31, 2016)**

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Instant. Minimum | Average Monthly | Daily Maximum | Instant. Maximum | | |
| Total Dissolved Solids | 13,344 | 26,688 | XXX | 20,000 | 40,000 | 50,000 | 1/week | 24-Hr Composite |
| Ammonia-Nitrogen Mar 1 - Oct 31 | 13 | XXX | XXX | 20.0 | XXX | 50.0 | 1/week | 24-Hr Composite |
| Ammonia-Nitrogen Nov 1 - Feb 28 | 20 | XXX | XXX | 29.4 | XXX | 73.5 | 1/week | 24-Hr Composite |
| Total Cyanide | 1.2 | 2.5 | XXX | 1.9 | 3.8 | 4.8 | 1/week | 24-Hr Composite |
| Total Lithium | XXX | XXX | XXX | Report | Report | XXX | 1/month | 24-Hr Composite |
| 4-Methyl-2-pentanone | XXX | XXX | XXX | 0.2 | 0.5 | XXX | 1/month | 24-Hr Composite |
| Isopropanol | XXX | XXX | XXX | 1.6 | 3.9 | XXX | 1/month | 24-Hr Composite |
| Phenol | XXX | XXX | XXX | 0.02 | 0.05 | XXX | 1/month | 24-Hr Composite |
| Acetone | XXX | XXX | XXX | 0.2 | 0.5 | XXX | 1/month | 24-Hr Composite |
| Acetonitrile | XXX | XXX | XXX | 10.2 | 25 | XXX | 1/month | 24-Hr Composite |
| Chlorobenzene | XXX | XXX | XXX | 0.06 | 0.15 | XXX | 1/month | 24-Hr Composite |

**Outfall 001, Continued (from April 1, 2011 through March 31, 2016)**

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Instant. Minimum | Average Monthly | Daily Maximum | Instant. Maximum | | |
| 1,2-Dichlorobenzene | XXX | XXX | XXX | 0.06 | 0.15 | XXX | 1/month | 24-Hr Composite |
| Benzene | XXX | XXX | XXX | 0.02 | 0.05 | XXX | 1/month | 24-Hr Composite |
| n-Butyl Acetate | XXX | XXX | XXX | 0.5 | 1.3 | XXX | 1/month | 24-Hr Composite |
| 1,2-Dichloroethane | XXX | XXX | XXX | 0.1 | 0.4 | XXX | 1/month | 24-Hr Composite |
| Chloroform | XXX | XXX | XXX | 0.01 | 0.02 | XXX | 1/month | 24-Hr Composite |
| Diethylamine | XXX | XXX | XXX | 102 | 250 | XXX | 1/month | 24-Hr Composite |
| Isopropyl Ether | XXX | XXX | XXX | 2.6 | 8.4 | XXX | 1/month | 24-Hr Composite |
| Dimethyl Sulfoxide | XXX | XXX | XXX | 37.5 | 91.5 | XXX | 1/month | 24-Hr Composite |
| Ethanol | XXX | XXX | XXX | 4.1 | 10.0 | XXX | 1/month | 24-Hr Composite |
| Ethyl Acetate | XXX | XXX | XXX | 0.5 | 1.3 | XXX | 1/month | 24-Hr Composite |
| Heptane | XXX | XXX | XXX | 0.02 | 0.05 | XXX | 1/month | 24-Hr Composite |

**Outfall 001, Continued (from April 1, 2011 through March 31, 2016)**

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Instant. Minimum | Average Monthly | Daily Maximum | Instant. Maximum | | |
| Hexane | XXX | XXX | XXX | 0.02 | 0.03 | XXX | 1/month | 24-Hr Composite |
| N-Nitrosodimethylamine | XXX | XXX | XXX | 0.008 | 0.016 | 0.02 | 1/month | 24-Hr Composite |
| Tetrahydrofuran | XXX | XXX | XXX | 2.6 | 8.4 | XXX | 1/month | 24-Hr Composite |
| Toluene | XXX | XXX | XXX | 0.02 | 0.06 | XXX | 1/month | 24-Hr Composite |
| Triethylamine | XXX | XXX | XXX | 102 | 250 | XXX | 1/month | 24-Hr Composite |
| Total Xylenes | XXX | XXX | XXX | 0.01 | 0.03 | XXX | 1/month | 24-Hr Composite |
| n-Amyl Acetate | XXX | XXX | XXX | 0.5 | 1.3 | XXX | 1/month | 24-Hr Composite |
| Amyl Alcohol | XXX | XXX | XXX | 4.1 | 10.0 | XXX | 1/month | 24-Hr Composite |
| Isobutyraldehyde | XXX | XXX | XXX | 0.5 | 1.2 | XXX | 1/month | 24-Hr Composite |
| Methyl Cellosolve | XXX | XXX | XXX | 40.6 | 100 | XXX | 1/month | 24-Hr Composite |
| Methyl Formate | XXX | XXX | XXX | 0.5 | 1.3 | XXX | 1/month | 24-Hr Composite |

**Outfall 001 , Continued (from April 1, 2011 through March 31, 2016)**

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Instant. Minimum | Average Monthly | Daily Maximum | Instant. Maximum | | |
| Isopropyl Acetate | XXX | XXX | XXX | 0.5 | 1.3 | XXX | 1/month | 24-Hr Composite |
| Methylene Chloride | XXX | XXX | XXX | 0.3 | 0.9 | XXX | 1/month | 24-Hr Composite |
| Total Methanol | XXX | XXX | XXX | 4.1 | 10.0 | XXX | 1/month | 24-Hr Composite |
| Total Residual Chlorine | XXX | XXX | XXX | 0.5 | XXX | 1.25 | 1/week | Grab |

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

Outfall 001 See Part A.II Definition for Composite Sample for GC/MS Volatile Organic Analysis. *See Part C.I. Other Requirement F for thermal requirements.

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

**I. B. For Outfall** 002 **, Latitude** 40° 05’ 08” **, Longitude** 75° 19’ 20” **, River Mile Index** 21.6 **, Stream Code** 00833

**Discharging to Schuylkill River via Matsunk Creek**

which receives wastewater from Parking lot, roof drains, and manufacturing area

1. The permittee is authorized to discharge during the period from April 1, 2011 through March 31, 2016.

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 | Instant. Minimum | Annual Average | Daily Maximum | Instant. Maximum | | |
| pH (S.U.) | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| CBOD5 | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Chemical Oxygen Demand | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Total Suspended Solids | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Total Dissolved Solids | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Oil and Grease | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Ammonia-Nitrogen | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Total Phosphorus | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |

**Outfall 002, Continued (from April 1, 2011 through March 31, 2016)**

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Instant. Minimum | Annual Average | Daily Maximum | Instant. Maximum | | |
| Total Aluminum | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Total Cyanide | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Dissolved Iron | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| 4-Methyl-2-pentanone | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Isopropanol | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Phenol | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Acetone | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Acetonitrile | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Chlorobenzene | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| 1,2-Dichlorobenzene | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Benzene | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |

**Outfall 002, Continued (from April 1, 2011 through March 31, 2016)**

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | | Minimum | Annual Average | Daily Maximum | Instant. Maximum | | |
| n-Butyl Acetate | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| 1,2-Dichloroethane | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Chloroform | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Diethylamine | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Isopropyl Ether | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Dimethyl Sulfoxide | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Ethanol | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Ethyl Acetate | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Heptane | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Hexane | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| N-Nitrosodimethylamine | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |

**Outfall 002, Continued (from April 1, 2011 through March 31, 2016)**

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Instant. Minimum | Annual Average | Daily Maximum | Instant. Maximum | | |
| Tetrahydrofuran | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Toluene | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Triethylamine | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Total Xylenes | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| n-Amyl Acetate | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Amyl Alcohol | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Isobutyraldehyde | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Methyl Cellosolve | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Methyl Formate | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Isopropyl Acetate | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Methylene Chloride | XXX | XXX | XXX | Report | Report | XXX | 1/year | Grab |
| Total Methanol | XXX | XXX | XXX | Report | Report | XXX | 1/year | 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 (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.

Supplemental Information

(1) The effluent limitations for Outfall 001 were determined using an effluent discharge of 0.08 million gallons per day.

## 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
   2 East Main Street
   Norristown, PA 19401

   Delaware River Basin Commission
   Operations Branch
   P.O. Box 7360
   West Trenton, NJ 08628

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 report incidents causing or threatening pollution in accordance with the requirements of 25 Pa. Code Section 91.33. 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 and if reasonably possible to do so, 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. 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 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 92 and 40 CFR §122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

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

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

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

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

B. Transfer of Permits

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

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

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

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

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

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

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

C. Property Rights

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

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. 40 CFR 122.21(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. The annual fee must be for the amount indicated in the following schedule and is due on each anniversary of the effective date of the most recent new or reissued permit. All flows listed in this section 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 |

**PART C**

## I. OTHER REQUIREMENTS

A. If, at anytime, the DEP determines that the discharge permitted herein creates a public nuisance or causes environmental harm to the receiving water of the Commonwealth, the DEP may require the permittee to adopt such remedial measures as will produce a satisfactory effluent. If the permittee fails to adopt such remedial measures within the time specified by the DEP, the right to discharge herein granted shall, upon notice by the DEP, cease and become null and void.

B. The Total Suspended Solids (TSS) in the effluent shall not exceed 30 mg/l as an average monthly limit and 45 mg/l as an average weekly limit in accordance with the requirements of the Delaware River Basin Commission.

C. The Chemical Oxygen Demand (COD) in the raw wastewater shall be reduced by at least 74 percent as a monthly average between the influent and the effluent at Outfall 001. See also Other Requirement E.

D. The $BOD_5$ in the raw wastewater shall be reduced by at least 90 percent as a monthly average between the influent and the effluent at Outfall 001. See also Other Requirement E.

E. The influent concentrations and mass loadings for Chemical Oxygen Demand and $BOD_5$ shall be determined by taking a weighted average of the results of samples collected at sampling points, located as shown on Attachment B, Module 1 Line Drawing, dated 10/30/2009. The results shall be reported on the discharge monitoring report.

F. The following requirements apply with respect to the thermal impact of the discharge from Outfall 001 upon the Schuylkill River:

Except within an assigned heat dissipation area less than 100 feet downstream from the Matsunk Creek culvert outfall, there shall be no rise when ambient temperature is 87°F or above; not more than a 5°F rise above ambient temperature until stream temperature reaches 87°F; not to be changed by more than 2°F during any one-hour period.

G. Analysis for the following pollutant(s) shall be performed using the following test method(s) contained in 40 C.F.R. Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, or any approved test method(s) of equal or greater sensitivity:

| Parameter | Test Method |
|---|---|
| Cyanide, Total | 335.4 (Color, Auto) |
| N-Nitrosodimethylamine | 607 (GC/NPD) |

H. If there is a change in ownership of this facility or in the name of the permittee, an application for transfer of the permit must be submitted to the DEP.

I. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 287, 288, 289, 291, 295, 297, and 299 (relating to general provisions and requirements for landfilling, impoundments, land application, composting, processing, and storage of residual waste), Chapters 261a, 262a, 263a, and 270a (related to identification of hazardous waste, requirements for generators and transporters, and hazardous waste, requirements for generators and transporters, and hazardous waste permit programs) and applicable Federal Regulations, the Federal Clean Water Act, RCRA, and their amendments.

J. Laboratory Certification

The Environmental Laboratory Accreditation Act of 2002 requires that all environmental laboratories register with the DEP. An environmental laboratory is any facility engaged in the testing or analysis of

environmental samples required by a statute administered by the DEP relating to the protection of the environment or of public health, safety, and welfare.

K. The permittee is required to submit an updated Preparedness, Prevention, and Contingency (PPC) Plan within 90 days of the effective date of the permit, and from time to time if the PPC plan receives major modifications. The PPC Plan shall be submitted to DEP's Regional Office address listed in Part A of this permit, and the transmittal shall reference the permit number and facility name listed on page 1 of the permit.

## II. CHEMICAL ADDITIVES

The additive(s) and usage rate(s) currently approved are the following:

| | Usage Rate (lbs/day) | |
|---|---|---|
| **Name** | **Average Monthly** | **Maximum Daily** |
| Kroff KR-122QRL | 4.5 | 15 |
| Kroff KR-150L | 3 | 20 |
| Kroff KR-122JDL | 1.5 | 5 |
| Kroff KR-148NL | 1.5 | 6 |
| Kroff KR-60DL | 10 | 25 |
| Kroff KR-93SDL | 2 | 5 |
| Kroff KR-F5520 | 0.5 | 2 |
| Kroff KR-F2321 | 2 | 4 |
| Kroff KR-56CDL | 8 | 16 |

A. Chemical additives to control corrosion, scaling, algae, slime, fouling or oxygen, etc., and blowdown discharge rates shall be managed by the permittee to ensure that toxic effects in the receiving stream are prevented. These also include substances/compounds added to the wastewater such as polymers, water softeners, flocculents, coagulants, emulsion breakers, dispersants, and oxygen scavengers.

B. Usage rates shall be consistent with the quantities and rates approved by the DEP and shall be limited to the minimum amount necessary to accomplish the intended purposes of chemical addition.

C. Accurate usage records (name of additive, quantity added, date added) of any approved chemical additive and blowdown discharge volumes must be maintained on the Chemical Additive Reporting form and kept on site by the permittee. To the maximum extent possible, sampling and laboratory analytical procedures for these chemicals are to conform with the "Sampling and Analytical Testing Instructions for Industrial Discharges" routinely used for completion of NPDES permit applications.

D. Whenever a change in chemical additive or increase in usage rates is desired by the permittee, a written notification shall be submitted to the DEP at least sixty (60) days prior to the proposed use of the chemical. All required data must be provided on the form for each new or changed chemical additive or proposed change in the usage rate.

E. As a minimum, the following information must be provided on the whole product (if data on the whole product is not available, monitoring data for all active ingredients in the product shall be provided):

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 DEP in completing its review.

F. Based on the information presented, the DEP will decide whether specific effluent limitations for one or more active ingredients or other control requirements are necessary. Where necessary, the DEP may establish permit limits, require other controls or deny use of these chemicals. If the information is complete, use of the proposed chemical additive or usage rate will be considered approved 60 days after the date of notification to the DEP. If the notification is incomplete or the DEP notifies the permittee that the proposed usage rate will cause violations of water quality standards, the permittee will be advised that a permit amendment is required and would likely be denied. All such letters and notifications must be kept on site with the required daily chemical usage data.

G. 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 thoroughly investigate the use of alternative products or chemicals to avoid the use of the carcinogens. If no alternatives are available, the permittee must submit written documentation as part of the information required above, that demonstrates to the satisfaction of the DEP 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. Based on the information presented, the DEP will decide whether specific effluent limitations or other control requirements are necessary for the chemicals, and where necessary, establish permit limits require other controls or deny use of these chemicals.

## III. REQUIREMENTS APPLICABLE TO STORMWATER OUTFALLS

A. Prohibition of Nonstormwater Discharges

1. Except as provided in A.2, all discharges to stormwater Outfall 002 shall be composed entirely of stormwater and allowable nonstormwater as specified in A.2 below.

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

B. Spills

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

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

D. Preparedness, Prevention, and Contingency Plans

1. Development of Plan

Operators of facilities shall have developed a PPC Plan in accordance with 25 Pa. Code Section 91.34 and the "Guidelines for the Development and Implementation of Environmental Emergency Response Plans." The PPC Plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the facility. In addition, the PPC Plan shall describe the BMPs that are to be used to reduce the pollutants in stormwater discharges at the facility ensuring compliance with the terms and conditions of this permit. The PPC Plan shall be completed within 90 days from the permit effective date.

2. Nonstormwater Discharges

a. The PPC Plan shall contain a certification that the discharge has been tested or evaluated for the presence of nonstormwater discharges. The certification shall include the identification of potential significant sources of nonstormwater at the site, a description of the results of any test and/or evaluation for the presence of nonstormwater discharges, the evaluation criteria or testing methods used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test. Such certification may not be feasible if the facility operating the stormwater discharge does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the PPC Plan shall indicate why the certification was not feasible. A discharger that is unable to provide the certification must notify the DEP within 90 days of the effective date of this permit.

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

3. Special Requirements for SARA Title III, Section 313 Facilities

a. Facilities subject to SARA Title III, Section 313 shall include in the PPC Plan a description of releases to land or water of Section 313 water priority chemicals that have occurred within the last three years. Each of the following shall be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations, outdoor storage activities, outdoor manufacturing or processing activities, significant dust or particulate generating process, and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; and history of significant leaks or spills of toxic or hazardous pollutants.

b. Engineering Certification. No stormwater PPC Plan for facilities subject to SARA Title III, Section 313 requirements for chemicals that are classified as "Section 313 water priority chemicals" shall be effective unless it has been reviewed by a Registered Professional Engineer and certified to by such Professional Engineer. A Registered Professional Engineer shall recertify the PPC Plan every year thereafter. This certification may be combined with the required annual evaluation in D.4. By means of these certifications, the engineer, having examined the facility and being familiar with the provisions of this part, shall attest that the storm water PPC Plan has been prepared in accordance with good engineering practices. Such certification shall in no way relieve the owner

or operator of a facility covered by the PPC Plan of the duty to prepare and fully implement such Plan.

4. Comprehensive Site Compliance Evaluations and Recordkeeping

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

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

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 and made available upon request and retained as part of the PPC Plan for at least one year after coverage under this permit terminates.

E. Stormwater Management Best Management Practices (BMPs)

The permittee shall implement at least the following BMPs:

1. Store raw materials, products, and wastes in containers or enclosed/covered areas.

2. Ensure segregation of process wastewater from stormwater drainage.

3. Evaluate alternatives for reduced use of hazardous chemicals; recover and reuse chemical solutions/reagents.
4. Ensure hazardous liquid storage tanks and vessels have secondary containment and leak detection.

5. Install buffer strips along property boundary and along riparian zone (if applicable) to control stormwater runoff.

6. Practice Good Housekeeping Practices.

F. Stormwater Sampling and Reporting

1. If stormwater samples are required by this permit, they shall be collected as grab samples during the first 30 minutes, but no later than one-hour of the discharge resulting from a storm event that occurs at least 72 hours from the previously measurable storm event.

2. When the discharger is unable to collect samples due to adverse climatic conditions, the discharger must submit, in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. This sampling waiver may not be used more than once during a two-year period.

3. Stormwater monitoring results shall be summarized on a DMR form and the DEP's "Additional Information for the Reporting of Stormwater Monitoring" form.