



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

**NPDES PERMIT NO: PA0080829  
Amendment No. 1**

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

**KP ACQUISITION, LLC.  
154 WEST MAIN  
FREDERICKSBURG, PA 17026**

is authorized to discharge from a facility known as **Keystone Protein Poultry Rendering Fredericksburg**, located in **Bethel Township, Lebanon County**, to **Unnamed Tributary to Beach Run** in Watershed(s) **7-D** 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 OCTOBER 1, 2014**

**THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON MARCH 31, 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 March 30, 2012**

**DATE PERMIT AMENDMENT ISSUED September 22, 2014**

**ISSUED BY /s/ \_\_\_\_\_**

**Maria D. Bebenek, P.E.  
Clean Water Program Manager  
Southcentral Regional Office**

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

I. A. For Outfall 001, Latitude 40° 26' 29", Longitude 76° 25' 09", River Mile Index 0.45, Stream Code 09899

**Discharging to Unnamed Tributary to Beach Run**

which receives wastewater from the industrial wastewater treatment plant

1. The permittee is authorized to discharge during the period from October 1, 2014 through September 30, 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).

**INTERIM**

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) <sup>(1)</sup>		Concentrations (mg/L)				Minimum <sup>(3)</sup> Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum <sup>(2)</sup>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Metered
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	1/day	Grab
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX	1/day	Grab
Total Residual Chlorine	XXX	XXX	XXX	0.099	XXX	0.2	1/day	Grab
CBOD5	69.7	139.3	XXX	Report	Report	83.5	1/week	8-Hr Composite
Total Suspended Solids	85.2	170.5	XXX	Report	Report	102.1	1/week	8-Hr Composite
Total Suspended Solids	Report Total Mo	XXX	XXX	XXX	XXX	XXX	1/month	Calculation
Total Suspended Solids	XXX	Report Total Annual	XXX	XXX	XXX	XXX	1/year	Calculation
Oil and Grease	31	62	XXX	15	30	30	1/week	Grab

Outfall 001, Continued (from October 1, 2014 through September 30, 2016)

INTERIM

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) <sup>(1)</sup>		Concentrations (mg/L)				Minimum <sup>(3)</sup> Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum <sup>(2)</sup>		
Fecal Coliform (CFU/100 ml) <sup>(4)</sup> May 1 - Sep 30	XXX	XXX	XXX	200	XXX	400	1/week	Grab
Fecal Coliform (CFU/100 ml) <sup>(4)</sup> Oct 1 - Apr 30	XXX	XXX	XXX	XXX	XXX	400	1/week	Grab
Ammonia-Nitrogen May 1 - Oct 31	3.1	6.2	XXX	1.5	3.0	3.75	1/week	8-Hr Composite
Ammonia-Nitrogen Nov 1 - Apr 30	9.3	18.7	XXX	4.5	9.0	11.25	1/week	8-Hr Composite
Total Phosphorus	4.1	8.3	XXX	2.0	4.0	5.0	1/week	8Hr Composite

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

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

I. B. For Outfall 001, Latitude 40° 26' 29", Longitude 76° 25' 09", River Mile Index 0.45, Stream Code 09899

**Discharging to Unnamed Tributary to Beach Run**

which receives wastewater from the industrial wastewater treatment plant

1. The permittee is authorized to discharge during the period from October 1, 2016 through March 31, 2017.
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).

**FINAL**

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) <sup>(1)</sup>		Concentrations (mg/L)				Minimum <sup>(3)</sup> Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum <sup>(2)</sup>		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Metered
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	1/day	Grab
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX	1/day	Grab
CBOD5	10.4	20.9	XXX	5	10	12.5	1/week	24-Hr Composite
Total Suspended Solids	20.9	41.7	XXX	10	20	25	1/week	24-Hr Composite
Total Suspended Solids	XXX	4,600 Total Annual	XXX	XXX	XXX	XXX	1/year	Calculation
Total Suspended Solids	Report Total Mo	XXX	XXX	XXX	XXX	XXX	1/month	Calculation
Oil and Grease	31	62	XXX	15	30	30	1/week	Grab

Outfall 001, Continued (from October 1, 2016 through March 31, 2017)

FINAL

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) <sup>(1)</sup>		Concentrations (mg/L)				Minimum <sup>(3)</sup> Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum <sup>(2)</sup>		
Fecal Coliform (CFU/100 ml) <sup>(4)</sup> May 1 - Sep 30	XXX	XXX	XXX	200	XXX	400	1/week	Grab
Fecal Coliform (CFU/100 ml) <sup>(4)</sup> Oct 1 - Apr 30	XXX	XXX	XXX	XXX	XXX	400	1/week	Grab
Ammonia-Nitrogen May 1 - Oct 31	3.1	6.2	XXX	1.5	3.0	3.75	1/week	24-Hr Composite
Ammonia-Nitrogen Nov 1 - Apr 30	9.3	18.7	XXX	4.5	9.0	11.25	1/week	24-Hr Composite
Total Phosphorus	1.04	2.09	XXX	0.5	1.0	1.25	1/week	24-Hr Composite

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

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

I. C. For Outfall 002 , Latitude 40° 26' 26" , Longitude 76° 25' 01"

**Discharging to Unnamed Tributary to Beach Run**

which receives storm water from the plant site

1. The permittee is authorized to discharge during the period from October 1, 2014 through March 31, 2017.
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) <sup>(1)</sup>		Concentrations (mg/L)				Minimum <sup>(2)</sup> Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX	1/year	Grab
CBOD5	XXX	XXX	XXX	XXX	Report	XXX	1/year	Grab
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX	1/year	Grab
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX	1/year	Grab
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX	1/year	Grab
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	Report	XXX	1/year	Grab
Total Iron	XXX	XXX	XXX	XXX	Report	XXX	1/year	Grab
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX	1/quarter	Grab
Kjeldahl-N	XXX	XXX	XXX	XXX	Report	XXX	1/quarter	Grab
NH3-N	XXX	XXX	XXX	XXX	Report	XXX	1/quarter	Grab
NO3+NO2-N	XXX	XXX	XXX	XXX	Report	XXX	1/quarter	Grab
TN	XXX	XXX	XXX	XXX	Report	XXX	1/quarter	Calculation

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

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

Additional Requirements

The discharger may not discharge floating materials, oil, grease, scum, foam, sheen and substances which produce color, taste, turbidity or settle to form deposits in concentrations or amounts sufficient to be, or creating a danger of being, inimical to the water uses to be protected or to human, animal, plant or aquatic life. 25 Pa. Code 92.51(6)

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) **Except for TRC, Fecal and pH**, the Instantaneous Maximum Discharge Limitations are for compliance use by DEPO only. Do not report instantaneous maximums on DMRs or supplemental DMRs unless specifically required on those forms to do so.
- (3) 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.

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

I. D. For Outfall 001, Latitude 40° 26' 29", Longitude 76° 25' 09", River Mile Index 0.45, Stream Code 09899

**Discharging to Unnamed Tributary to Beach Run**

which receives wastewater from the industrial waste treatment plant

1. The permittee is authorized to discharge during the period from October 1, 2014 through September 30, 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).

**INTERIM**

Parameter <sup>(1)</sup>	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum <sup>(2)</sup> Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report	XXX	Report	XXX	1/week	8-Hr Composite
Kjeldahl---N	Report	XXX	XXX	Report	XXX	1/week	8-Hr Composite
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	1/week	8-Hr Composite
Total Nitrogen	Report	Report	XXX	134	194	1/week	Calculation
Total Phosphorus	Report	Report	XXX	Report	XXX	1/week	8-Hr Composite
Total Nitrogen	Report	Report	XXX	XXX	XXX	1/month	Calculation
Total Phosphorus	Report	Report	XXX	XXX	XXX	1/month	Calculation

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

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. E. For Outfall 001, Latitude 40° 26' 29", Longitude 76° 25' 09", River Mile Index 0.45, Stream Code 09899

**Discharging to Unnamed Tributary to Beach Run**

which receives wastewater from the industrial wastewater treatment plant

1. The permittee is authorized to discharge during the period from October 1, 2016 through March 31, 2017.
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).

**FINAL**

Parameter <sup>(1)</sup>	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum <sup>(2)</sup> Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report	XXX	Report	XXX	1/week	24-Hr Composite
Kjeldahl---N	Report	XXX	XXX	Report	XXX	1/week	24-Hr Composite
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	1/week	24-Hr Composite
Total Nitrogen	Report	Report	XXX	134	194	1/week	Calculation
Total Phosphorus	Report	Report	XXX	Report	XXX	1/week	24-Hr Composite
Total Nitrogen	Report	19,786	XXX	XXX	XXX	1/month	Calculation
Total Phosphorus	Report	380.5	XXX	XXX	XXX	1/month	Calculation

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location from the discharge of the facility. .

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. (25 Pa. Code 92a.2 and 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)

**Hauled-In Wastes** means any waste that is introduced into a treatment facility through any method other than a direct connection to the sewage collection system. The term includes wastes transported to and disposed of within the treatment facility or other entry points within the collection system.

**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. (25 Pa. Code 92a.2)

**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 122.41(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, unless a longer retention period is required by the permit. 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), 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  
 909 Elmerton Avenue  
 Harrisburg, PA 17110-8200

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:
- 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.
  - 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 to Physical Facilities – The permittee shall give notice to DEP as soon as possible of any planned physical alterations or additions to the permitted facility. A permit under 25 Pa. Code Chapter 91 may be required for these situations prior to implementing the planned changes. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section. Notice is required when:
- 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). (40 CFR 122.41(l)(1)(i))
  - 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. (40 CFR 122.41(l)(1)(ii))

- 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. (40 CFR 122.41(l)(1)(iii))
  - d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))
  - e. The facility is proposing an expansion or modifications to its treatment processes. (25 Pa. Code 92a.24(a))
2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code 92a.24(a), the permittee shall provide notice to DEP as soon as possible but no later than 45 days prior to any changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the “Planned Changes to Waste Stream” Supplemental Report (3800-FM-WSFR0482), available on DEP’s web site. The permittee shall provide information on the quality and quantity of waste introduced into the facility, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the facility. The Report shall be sent via Certified Mail or other means to confirm DEP’s receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.

- a. Introduction of New Pollutants (25 Pa. Code 92a.24(a))

New pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were not detected in the facilities’ influent waste stream as reported in the permit application, or were otherwise not analyzed in the influent and reported to DEP prior to permit issuance;
- (ii) Have not been previously approved to be included in the permittee’s influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of new pollutants in accordance with paragraph 2 above. The permittee may not authorize the introduction of new pollutants until the permittee receives DEP’s written approval.

- b. Increased Loading of Approved Pollutants (25 Pa. Code 92a.24(a))

Approved pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were detected in the facilities’ influent waste stream as reported in the permittee’s permit application or were otherwise analyzed and reported to DEP prior to permit issuance;
- (ii) Have an effluent limitation or monitoring requirement in this permit;
- (iii) Have been previously approved for the permittee’s influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 10% of the maximum loading reported in the permit application, or a loading previously approved by DEP, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the facility, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in

an exceedance of ELGs or effluent limitations and may not cause exceedances of the applicable water quality standards in the receiving stream.

### 3. Reporting Requirements for Hauled-In Wastes

#### a. Receipt of Residual Waste

- (i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate) received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-WSFR0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report. The information used to develop the Report shall be retained by the permittee for five years from the date of receipt and must be made available to DEP or EPA upon request.

- (1) The dates that residual wastes were received.
- (2) The volume (gallons) of wastes received.
- (3) The license plate number of the vehicle transporting the waste to the treatment facility.
- (4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.
- (5) The name and address of the generator of the residual wastes.
- (6) The type of wastewater.
- (7) Documentation of whether or not a chemical analysis of the residual wastes were reported on a Residual Waste Form 26R, or a separate waste characterization using the parameters from Form 26R.

The transporter of residual waste must maintain these and other records as part of the daily operational record (25 Pa. Code 299.219). If the transporter is unable to provide this information, the residual wastes shall not be accepted by the permittee until such time as the transporter is able to provide the required information.

- (ii) The following conditions apply to the characterization of residual wastes received by the permitted treatment facility:
  - (1) The permitted facility must receive and maintain on file a characterization of the residual wastes it receives from the generator, as required by 25 Pa. Code 287.54. The characterization shall conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be characterized accordingly.
  - (2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the characterization may be a general frac wastewater characterization approved by DEP. Thereafter, the characterization must be waste-specific and reported on the Form 26R.

#### b. Receipt of Municipal Waste

- (i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge) received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the

"Hauled In Municipal Wastes" Supplemental Report (3800-FM-WSFR0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

- (1) The dates that municipal wastes were received.
  - (2) The volume (gallons) of wastes received.
  - (3) The BOD<sub>5</sub> concentration (mg/l) and load (lbs) for the wastes received.
  - (4) The location(s) where wastes were disposed of within the treatment facility.
- (ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes.

4. 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 than 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. (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))

5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-WSFR0440). The reports shall contain the information listed in paragraph C.4.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))

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 §122.41(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 122.41(b))

#### 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 IW Facility without ELG (Effluent Limitation Guideline)	\$500
Minor IW Facility with ELG	\$1,500
Major IW Facility < 250 MGD (million gallons per day)	\$5,000
Major IW Facility ≥ 250 MGD	\$25,000
IW Stormwater Individual Permit	\$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: **Minor IW Facility with ELG**.

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

<b>PART C</b>
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**I. CHESAPEAKE BAY SCHEDULE**

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

<u>Provision Containing Effluent Limitation</u>	<u>Effective Date</u>
Part A I.A.2	October 1, 2014 through September 30, 2016
Part A I.B.2	October 1, 2016 through March 31, 2017
Part A I.D.2	October 1, 2014 through September 30, 2016
Part A I.E.2	October 1, 2016 through Mach 31, 2017

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.E.2, or terminate this discharge, in accordance with the following schedule:

<u>Activity</u>	<u>Due Date</u>
1. Submit WQM Part II Permit Application	N/A
2. Award Contract for Construction or Begin Implementation	June 1, 2015
3. Construction or Implementation Progress Report(s)	quarterly
4. Issue Certification of Substantial Completion (Plant Fully Operational)	September 30, 2016
5. Compliance with effluent limitations	September 30, 2017

- 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  
Southcentral Regional Office  
Water Management Program  
Attn: Compliance Specialist  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200

- 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 Total Nitrogen and Total Phosphorus mass load effluent limitations in Part A I.D and Part A I.E are required in order to meet the downstream water quality standards of the State of Maryland, as required by 25 Pa. Code Chapter 92, 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. Keystone Protein will not be allowed offsets or credits to obtain compliance with the TN and TP annual loads limits because the receiving stream, an unnamed tributary to Beach Run is impaired.
2. The Total Nitrogen and Total Phosphorus Mass Load (actual mass load being discharged) shall be reported in the monthly Supplemental Discharge Monitoring Reports ("Supplemental DMR").
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 Total Nitrogen and Total Phosphorus 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 1<sup>st</sup> and ending September 30<sup>th</sup>.
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.

## II. OTHER REQUIREMENTS

- A. Collected screenings, slurries, sludges, and other solids shall be handled, recycled, and/or disposed of in compliance with the Solid Waste Management Act (35 P.S. §§ 6018.101 - 6018.1003), Federal Regulation 40 CFR Part 257, The Clean Streams Law, and the Federal Clean Water Act and its amendments.
- B. The permittee shall ensure that applied chlorine, used for disinfection or other purposes, is optimized to the degree necessary to minimize the total residual chlorine in the discharge. In doing so, the permittee shall consider relevant factors affecting chlorine dosage, such as wastewater characteristics, mixing and contact times, and desired result of chlorination.
- C. The permittee shall complete all Supplemental Reporting forms provided by the Department in this permit (or an approved equivalent), and submit the signed, completed forms to the Department on a monthly basis with the DMR, in accordance with Part A III.B of this permit.



D. The effluent limitations for Outfalls 001 were determined using effluent discharge rate of 0.25 MGD.

**III. WQBEL AT OR BELOW DETECTION LIMITS**

- A. The calculated limits for total residual chlorine as specified in this permit are the final limits necessary to comply with the state water quality standards. These effluent limits are lower than the Method Detection Limit (MDL) of the most sensitive existing EPA-approved (40 CFR Part 136) test method or other DEP-approved method. If the sensitivity of the specified method improves or a more sensitive test method becomes available, DEP may modify the permit to require use of the more sensitive method.
- B. All samples shall be analyzed using the specified EPA method or other equivalent test method, as approved by DEP. When a laboratory determines that the result of an analysis is below the detection limit (or quantitation limit), it will report the result as < (less than) the detection limit value (e.g., < 0.05 mg/L). These “non-detect” values should be handled as follows:
  - 1. If all the reported sample results are non-detect values, report the non-detect value (e.g., < 0.05 mg/L) on the DMR for any required field (e.g., average values). If there are different non-detect values reported, report the highest non-detect value.
  - 2. If both non-detect values and positive values above the detection limit are reported by the laboratory and must be averaged, use zero (0) in the calculation for each non-detect value, and report the calculated average on the DMR, even if it is below the detection limit, and the number of samples that were reported by the lab as non-detect results in the “Comments” section of the DMR.
  - 3. Report all non-detect values exactly as reported by the lab (e.g., < 0.05 mg/L) on supplemental reporting forms.
  - 4. Do not report zero (0) or “ND” on the DMR for any field. Always report a numerical value (e.g., < 0.05 mg/L).
- C. The parameter(s), required analytical test method(s), and MDL(s) applicable to this condition are as follows:

<u>Parameter Name</u>	<u>Required Analytical Test Method</u>	<u>MDL</u>
Total Residual Chlorine	STM 4600-CI-G EPA 330.5	0.05 mg/l

D. The permittee may develop a site-specific alternate MDL pursuant to the procedure contained in 40 CFR Part 136 Appendix B. DEP should be contacted for guidance before initiating this procedure.

**IV. REQUIREMENTS APPLICABLE TO STORMWATER OUTFALLS**

- A. Prohibition of Non-Stormwater Discharges
  - 1. Except as provided in A.2, all discharges to Stormwater Outfall 002 shall be composed entirely of stormwater.
  - 2. The following non-polluting water 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 PPC Plan as stated in Section D 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. Development of Plan

Operators of facilities shall have developed a Preparedness, Prevention and Contingency (PPC) Plan in accordance with 25 Pa. Code § 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.

2. 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 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 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 Department within 180 days of the effective date of this permit.
- b. Except for flows from fire fighting activities, sources of non-stormwater listed in A.2. (authorized non-stormwater 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 non-stormwater component(s) of the discharge.

3. Comprehensive Site Compliance Evaluations and Record Keeping

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.

#### 4. 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 certification 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 stormwater 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.

#### E. Stormwater Management Best Management Practices (BMPs)

The permittee shall implement at least the following BMPs:

1. Manage sludge in accordance with all applicable permit requirements.
2. Store chemicals in secure areas on impervious surfaces away from storm drains.
3. Consider routing stormwater contaminated within the treatment facility to the treatment facility or cover exposed materials (i.e., from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; composite piles, septage or hauled waste receiving station).
4. Efficiently use pesticides for weed control; where practicable investigate use of the least toxic pesticides; do not apply during windy conditions.

#### 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 1 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 Department's "Additional Information for the Reporting of Stormwater Monitoring" form.

4. When a facility has two or more outfalls that may reasonably be believed to discharge substantially identical effluents, based on a consideration of features and activities within the area drained by the outfall, the permittee may sample one such outfall and report that the quantitative data also applies to the substantially identical outfalls.
5. The following table describes the outfall locations and drainage areas:

<b>Outfall No.</b>	<b>Acreage</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Area Description</b>
002	100	40°26'39 "	76°25'09"	Plant site & farm land

## V. CONTROLLING CHEMICAL ADDITIVES USAGE RATES

- A. Chemical additives to control corrosion, scaling, algae, slime, fouling, oxygen, etc., and blow down 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 chemicals and usage rates contained in the application.
- B. The additives and usage rates currently approved are the following:

<b>Name</b>	<b>Usage Rate, lbs/day</b>
Sodium Polyacrylate	32.2
Sodium Sulfite	7.0
EDTA	16.1
CR-275	90

- C. Whenever a change in 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 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 LC<sub>50</sub> 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 (lbs/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 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.
- D. 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 alternate 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.
- E. Accurate records of usage (name of additive, quantity added, date added) of any approved chemical additive and of blow down discharge volumes must be maintained on the "Chemical Additive Reporting Form" and kept on-site by the permittee. All correspondence and notifications related to the chemical additives 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 will be denied.
- F. 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.

If a permit amendment application is not requested within 60 days, the permittee may proceed with the use of the proposed chemical additive or usage rate.

## VI. SCHEDULE OF COMPLIANCE

- A. The permittee shall achieve compliance with the final effluent limitations for CBOD5, TRC, DO and total suspended solids or terminate this discharge in accordance with the following schedule:

1. Complete Evaluation of Pilot Testing Program	<u>N/A</u>
2. Submission of WQM application	<u>N/A</u>
3. Issue WQM permit	<u>December 1, 2014</u>
4. Award Contract	<u>March 1, 2015</u>
5. Start Construction	<u>June 1, 2015</u>
6. Construction Progress Reports	<u>Quarterly</u>
7. End Construction	<u>September 30, 2016</u>
8. Begin Compliance with Effluent Limits	<u>October 1, 2016</u>

Compliance with the TRC limit will be determined by the construction of a UV disinfection treatment process by October 1, 2016.

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

1. A short 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.

### **VIII. SOLIDS MANAGEMENT**

- A. The permittee shall manage and properly dispose of sludge and/or biosolids, produced by the system, by balancing the amount of solids maintained within the treatment system. The permittee shall develop a scheduled sludge wasting rate that maintains an appropriate mass balance for the specific treatment process type and system loadings and maintains compliance with permit effluent conditions. Holding excess sludge within clarifiers or in the disinfection process is not acceptable. The permittee shall compute and set the wasting rate and time so as to maintain an appropriate balance of sludge in the system. Seasonal variations shall be considered in developing sludge wasting rates.
- B. The permittee shall submit the Supplemental Reports entitled, "Supplemental Report – Sludge/Biosolids Production and Disposal" (Form No. 3800-FM-WSFR0438) and "Supplemental Report – Influent & Process Control" (Form No. 3800-FM-WSFR0436), as attachments to the DMR on a monthly basis.