BOBBY JINDAL
GOVERNOR

HAROLD LEGGETT, PH.D.
SECRETARY

State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

CERTIFIED MAIL# 7009 1680 0001 7226 5198 OCT 2 6 2009
RETURN RECEIPT REQUESTED

FILE NUMBER: LA0086169
AI NUMBER: 31128
ACTIVITY NUMBER: PER20090001

City of Baton Rouge/Parish of East Baton Rouge
East Baton Rouge North Landfill
Post Office Box 1471
Baton Rouge, LA 70821

Attention: Dale Campau, Environmental Coordinator

Subject: Draft Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge treated landfill wastewater (including leachate, contact stormwater from active areas of the landfill, and stormwater runoff from the scale area and transfer station), treated sanitary wastewater, maintenance shop washwater,and non-contact stormwater into an unnamed tributary of Bayou Baton Rouge, thence into Bayou Baton Rouge, thence into the Mississippi River and accumulated stormwater from spent bauxite impoundments on adjacent property owned by the City of Baton Rouge into Profit Island Chute, thence into the Mississippi River from a municipal sanitary solid waste landfill serving Baton Rouge and surrounding areas.

Dear Mr. Campau:

The Department of Environmental Quality proposes to reissue an LPDES permit with the effluent limitations, monitoring requirements, and special conditions listed in the attached DRAFT PERMIT. Please note that this is a DRAFT PERMIT only and as such does not grant any authorization to discharge. Authorization to discharge in accordance with this permitting action will only be granted after all requirements described herein are satisfied and by the subsequent issuance of a FINAL PERMIT. Upon issuance, the LPDES permit shall replace the previously issued LPDES permit.

This Office will publish a public notice one time in the local newspaper of general circulation, and in the Department of Environmental Quality Public Notice Mailing List. A copy of the public notice containing the specific requirements for commenting to this draft permit action will be sent under separate cover at the time the public notice is arranged. In accordance with LAC 33:IX.6521.A, the applicant shall receive and is responsible for paying the invoice(s) from the newspaper(s). LAC 33:IX.6521 states, "...The costs of publication shall be borne by the applicant."

The invoice, fee rating worksheet, and a copy of the fee regulations will be sent under a separate cover letter as applicable. Please note that a copy of the fee rating worksheet is also attached to this draft permit. We must receive your fee payment by check, money order, or draft accompanied by the original and a copy of your invoice. A copy of the entire Louisiana Water Quality Regulations (Volume 14) may be obtained from the LDEQ Office of Environmental Assessment, Post Office Box 4314, Baton Rouge, Louisiana 70821-4314, (225) 219-3236.

Pursuant to LAC 33.IX.1309.I, LAC 33.IX.6509.A.1 and LAC 33.I.1701, you must pay any outstanding fees to the Department. Therefore, you are encouraged to verify your facility's fee status by contacting LDEQ's Office of Management and Finance, Financial Services Division at (225) 219-3863. Failure to pay in the manner and time prescribed could result in applicable enforcement actions as prescribed in the Environmental Quality Act, including, but not limited to revocation or suspension of the applicable permit, and/or assessment of a civil penalty against you.

For sanitary treatment plants, the plans and specifications must be approved by the Department of Health and Hospitals, Office of Public Health, P.O. Box 4489, Baton Rouge, Louisiana 70821-4489, (225) 342-7395.

Should you have any questions concerning any part of the DRAFT PERMIT, public notice requirements, or fees, please contact Mrs. Angela Marse, Office of Environmental Services, Water Permits Division, Municipal and General Water Permits Section at the address on the preceding page or telephone (225) 219-3079. Please reference your Agency Interest Number **31128** and your Louisiana Pollutant Discharge Elimination System Number **LA0086169** on all future correspondence to the Department.

Sincerely,

Tom Killeen

Tom Killeen, Environmental Scientist Manager
Municipal and General Water Permits Section

AWM

Attachments (Draft Permit Parts I-III, Statement of Basis, and Fee Sheet)

cc: IO-W

Angela Marse
Water Permits Division

ec: Ms. Gayle Denino
Office of Management & Finance

Permit Compliance Unit
Office of Environmental Compliance

For Public Notice
Public Participation Group
Office of Environmental Assistance

Ronnie Bean, Supervisor
Water Permits Division

Supervisor, Louisiana Field Office
US Fish and Wildlife Service

DRAFT

PERMIT NUMBER: LA0086169
AGENCY INTEREST NO.: 31128
ACTIVITY NO.: PER20090001

DEQ
LOUISIANA

OFFICE OF ENVIRONMENTAL SERVICES

Water Discharge Permit

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

City of Baton Rouge/Parish of East Baton Rouge
East Baton Rouge North Landfill
Post Office Box 1471
Baton Rouge, LA 70821

Type Facility: municipal sanitary solid waste landfill serving Baton Rouge and surrounding areas

Location: 16001 Samuels Road in Baton Rouge, East Baton Rouge Parish

Receiving Waters: unnamed tributary of Bayou Baton Rouge, thence into Bayou Baton Rouge, thence into the Mississippi River (Outfalls 001, 002, 003, 004A, 009) (Subsegment 070502) and Profit Island Chute, thence into the Mississippi River (Segment 070201) (Outfall 204)

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

This permit shall become effective on

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on

Cheryl Sonnier Nolan
Assistant Secretary

DRAFT

GALVEZ BUILDING • 602 N. FIFTH STREET • P.O. BOX 4313 • BATON ROUGE, LA 70821-4313 • PHONE (225) 219-3181

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through two years from the effective date of the permit [1] the permittee is authorized to discharge from:

Outfall 001, located at the east end of the treatment ponds, at Lat. 30°35'36" & Long. 90°13'54", treated leachate, treated sanitary wastewater, treated contact stormwater from the active areas of the landfill, scale area, and transfer station (Estimated flow is 0.319 MGD).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations			Monitoring Requirements	
		(lbs/day)	other units (specify)			
	Storet Code	Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency[2]	Sample Type
Flow-MGD	50050	---	Report	Report	Continuous	Recorder[3]
BOD_5	00310	---	20 mg/l	30 mg/l	1/week	Grab
TSS	00530	---	20 mg/l	30 mg/l	1/week	Grab
TOC	00082	---	---	50 mg/l	1/week	Grab
Oil & grease	03582	---	---	15 mg/l	1/week	Grab
Chlorides	01002	---	---	250 mg/l	1/week	Grab
Sulfates	01007	---	---	250 mg/l	1/week	Grab
Ammonia-Nitrogen	00610	---	4.9 mg/l	10 mg/l	1/week	Grab
Fecal Coliform colonies/100ml[4]	74055	---	200	400	1/week	Grab
pH (Standard Units)[5]	00400	---	---	---	1/week	Grab
Priority Pollutants[6]	57168	---	---	Report ug/l	1/year	Grab
	Storet Code	(lbs/day) Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Alpha Terpineol	51045	---	0.016 mg/l	0.033 mg/l	1/Quarter	Grab
Benzoic Acid	77247	---	0.071 mg/l	0.12 mg/l	1/Quarter	Grab
p-Cresol	77146	---	0.014 mg/l	0.025 mg/l	1/Quarter	Grab
Zinc	01092	---	0.11 mg/l	0.20 mg/l	1/Quarter	Grab
Phenol	34694	---	0.015 mg/l	0.026 mg/l	1/Quarter	Grab

QUALITY (PERCENT% UNLESS STATED)

	30-Day Avg. Min.	7-Day Min.	Measurement Frequency	Sample Type
Biomonitoring[7]				
Ceriodaphnia dubia				
STORET TLP3B[8]	Report	Report	1/Quarter	24-hr. composite
STORET TOP3B	Report	Report	1/Quarter	24-hr. composite
STORET TPP3B	Report	Report	1/Quarter	24-hr. composite
STORET TGP3B	Report	Report	1/Quarter	24-hr. composite
STORET TQP3B	Report	Report	1/Quarter	24-hr.composite
Pimephales promelas				
STORET TLP6C[8]	Report	Report	1/Quarter	24-hr. composite
STORET TOP6C	Report	Report	1/Quarter	24-hr. composite
STORET TPP6C	Report	Report	1/Quarter	24-hr. composite
STORET TGP6C	Report	Report	1/Quarter	24-hr. composite
STORET TQP6C	Report	Report	1/Quarter	24-hr. composite

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

[1] See Part II, Section A, Paragraph 7.

[2] When discharging.

[3] Includes totalizer or totalizing meter.

[4] See Part II, Section A, Paragraph 8.

[5] The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

[6] See Part II, Section B.

[7] See Part II, Section E.

[8] Species Quality Reporting Units: Pass = 0, Fail = 1

There shall be no discharge of floating solids or visible foam in other than trace amounts.

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

Outfall 001, at the point of discharge from the last treatment unit prior to mixing with other waters.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning two years from the effective date of the permit[1] and lasting through the expiration date of the permit the permittee is authorized to discharge from:

Outfall 001, located at the east end of the treatment ponds, at Lat. 30°35'36" & Long. 90°13'54", treated leachate, treated sanitary wastewater, treated contact stormwater from the active areas of the landfill, scale area, and transfer station (Estimated flow is 0.319 MGD).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations			Monitoring Requirements	
		(lbs/day)	other units (specify)			
	Storet Code	Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency[2]	Sample Type
Flow-MGD	50050	---	Report	Report	Continuous	Recorder[3]
BOD_5	00310	---	20 mg/l	30 mg/l	1/week	Grab
TSS	00530	---	20 mg/l	30 mg/l	1/week	Grab
TOC	00082	---	---	50 mg/l	1/week	Grab
Oil & grease	03582	---	---	15 mg/l	1/week	Grab
Chlorides	01002	---	---	250 mg/l	1/week	Grab
Sulfates	01007	---	---	250 mg/l	1/week	Grab
Ammonia-Nitrogen	00610	---	4.9 mg/l	10 mg/l	1/week	Grab
Fecal Coliform colonies/100ml [4]	74055	---	200	400	1/week	Grab
pH (Standard Units)[5]	00400	---	---	---	1/week	Grab
Priority Pollutants[6]	57168	---	---	Report ug/l	1/year	Grab
	Storet Code	(lbs/day) Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Alpha Terpineol	51045	---	0.016 mg/l	0.033 mg/l	1/Quarter	Grab
Benzoic Acid	77247	---	0.071 mg/l	0.12 mg/l	1/Quarter	Grab
p-Cresol	77146	---	0.014 mg/l	0.025 mg/l	1/Quarter	Grab
Zinc	01092	---	0.11 mg/l	0.20 mg/l	1/Quarter	Grab
Phenol	34694	---	0.015 mg/l	0.026 mg/l	1/Quarter	Grab

QUALITY (PERCENT% UNLESS STATED)

	30-Day Avg. Min.	7-Day Min.	Measurement Frequency	Sample Type
Whole Effluent Toxicity Limit				
7-Day NOEC STORET: 22414				
Ceriodaphnia dubia	**83%**	**83%**		
STORET TLP3B[8]	Report	Report	1/Quarter	24-hr. composite
STORET TOP3B	Report	Report	1/Quarter	24-hr. composite
STORET TPP3B	Report	Report	1/Quarter	24-hr. composite
STORET TGP3B	Report	Report	1/Quarter	24-hr. composite
STORET TQP3B	Report	Report	1/Quarter	24-hr.composite
Pimephales promelas	**83%**	**83%**		
STORET TLP6C[8]	Report	Report	1/Quarter	24-hr. composite
STORET TOP6C	Report	Report	1/Quarter	24-hr. composite
STORET TPP6C	Report	Report	1/Quarter	24-hr. composite
STORET TGP6C	Report	Report	1/Quarter	24-hr. composite
STORET TQP6C	Report	Report	1/Quarter	24-hr. composite

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

1 See Part II, Section A, Paragraph 7.

2 When discharging.

3 Includes totalizer or totalizing meter.

4 See Part II, Section A, Paragraph 8.

5 The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

6 See Part II, Section B.

7 See Part II, Section F.

8 Species Quality Reporting Units: Pass = 0, Fail = 1

There shall be no discharge of floating solids or visible foam in other than trace amounts.

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

Outfall 001, at the point of discharge from the last treatment unit prior to mixing with other waters.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through the expiration date of the permit the permittee is authorized to discharge from:

Outfall 002, located at the round culvert at the southeast corner of the landfill perimeter road at Lat. 30°35'47" & Long. 91°13'49", uncontaminated stormwater (estimated flow is 0.051 MGD).
Outfall 003, located at the south end of the facility boundary at Lat. 30°35'47" & Long. 91°13'50", uncontaminated stormwater (estimated flow is 0.031 MGD).
Outfall 009, located at the round culvert east of the wastewater treatment ponds at Lat. 30°35'36" & Long. 91°13'54", uncontaminated stormwater (no flow expected, emergency only).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations			Monitoring Requirements	
		(lbs/day)	other units (specify)			
	Storet Code	Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency[1]	Sample Type
Flow-MGD	50050	---	Report	Report	Daily	Estimate
TOC	00082	---	---	50 mg/l	1/month	Grab
Oil & Grease	03582	---	---	15 mg/l	1/month	Grab
pH (Standard Units)[2]	00400	---	---	---	1/month	Grab

[1] When discharging.

[2] The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

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

Outfall 002, 003, and 009, at the point of discharge prior to mixing with other waters.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through the expiration date of the permit the permittee is authorized to discharge from:

Outfall 004A, located at the southend of the box culvert lying west of the scale house at Lat. 30°35'47" & Long. 91°13'50", uncontaminated stormwater and potentially contaminated stormwater runoff from the vehicle/equipment fueling and maintenance areas (estimated flow is 0.022 MGD).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations			Monitoring Requirements	
		(lbs/day)	other units (specify)			
	Storet Code	Monthly Avg.	Monthly Avg.	Daily Max.	Measurement Frequency[1]	Sample Type
Flow-MGD	50050	---	Report	Report	Daily	Estimate
TOC	00082	---	---	50 mg/l	1/month	Grab
Oil & grease	03582	---	---	15 mg/l	1/month	Grab
TSS	00530	---	---	45 mg/l	1/month	Grab
pH (Standard Units)[2]	00400	---	---	---	1/month	Grab
Soaps and detergents[3]		---	---	Report	1/month	Grab
Visible Sheen[4]		---	---	Report	1/month	Grab

1 When discharging.

2 The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

3 Keep inventory records of the quantity and type of each soap and/or detergent used and a Material Safety Data Sheet (MSDS) for each material used. Retain the inventory records and the MSDS at the facility for three years. No DMR reporting is required for soaps and/or detergents; therefore, do not report soaps and/or detergents on the quarterly DMR form that is used to report lab analysis for other parameters (flow, TOC, TSS, etc.)

4 Conduct weekly visual observations to determine if a visible sheen is present at the outfall. The permittee shall keep a manual log recording the results of the weekly visual observations. No DMR reporting is required for Visible Sheen; therefore, do not report Visible Sheen on quarterly DMR form that is used to report lab analysis for other parameters (flow, TOC, TSS, etc.). However, if visible sheen is noted during an inspection, a letter of noncompliance shall be submitted in accordance with Standard Conditions, Section D.7. Retain a manual log at the facility. Individual entries in the manual log shall be retained for three years from the inspection date.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

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

Outfall 004A, at the point of discharge prior to mixing with other waters.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through the expiration date of the permit the permittee is authorized to discharge from:

Outfall 204, located near the steel platform pump intake on the east side of Irene Road Surge Lake at Lat. 30° 35'47", Long. 91°14'58" accumulated stormwater from the surge lake (Estimated flow is 2.05 MGD.)

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations			Monitoring Requirements	
		(lbs/day)	other units (specify)			
	Storet Code	Monthly Avg.	Monthly Avg.	Measurement Daily Max.	Sample Frequency[1]	Type
Flow-MGD	50050	---	Report	Report	1/quarter	Estimate
TSS	00530	---	90 mg/l	135 mg/l	1/quarter	Grab
TOC	00680	---	---	50 mg/l	1/quarter	Grab
pH (Standard Units)[2]	00400	---	---	---	1/quarter	Grab

[1] When discharging.

[2] The pH shall not be less than 6.0 standard units nor greater than 10.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

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

Outfall 204, at the point of discharge prior to mixing with other waters.

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PART II

OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part III, the office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations.

SECTION A. GENERAL STATEMENTS

1. The Louisiana Department of Environmental Quality (LDEQ) reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

   In accordance with LAC 33:IX.2903., this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

   a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

   b) Controls any pollutant not limited in the permit; or

   c) Requires reassessment due to change in 303(d) status of waterbody; or

   d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

2. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.

3. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.

4. For definitions of monitoring and sampling terminology see Part III, Section F.

5. <u>24-hour Oral Reporting: Daily Maximum Limitation Violations</u>

   Under the provisions of Part III Section D.6.e.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

   Pollutants: phenol, zinc, benzoic acid, p-cresol, alpha terpineol

6. As an exception to Part III Section D.6.e.(1), the permittee shall report all overflows in the collection system with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and the ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary). All other overflows and overflows which endanger human health or the environment must be reported in the manner described in Part III, Section D.6 of the permit.

OTHER REQUIREMENTS (cont.)

7. COMPLIANCE SCHEDULE

The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

ACTIVITY	EFFECTIVE DATE
Achieve Interim Effluent Limitations and Monitoring Requirements	Effective date of the permit
Achieve Final Effluent Limitations and Monitoring Requirements	Two years from the effective date of the permit

The permittee shall achieve compliance with the final effluent limitations specified for **Whole Effluent Toxicity** within two years of the effective date of this permit

The permittee shall initiate and continue ongoing activities designed to achieve sustained compliance with final effluent limitations for **Whole Effluent Toxicity** no later than two years after the effective date of this permit.

The permittee shall submit a progress report outlining the status of the activities on a yearly basis (from the effective date of the permit) until compliance is achieved.

No later than fourteen calendar days following the date for compliance for **Whole Effluent Toxicity**, the permittee shall submit a written notice of compliance or noncompliance.

8. Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the permittee would be required to provide for dechlorination of the effluent prior to a discharge.

9. DISCHARGE MONITORING REPORTS

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit.

If there is a no discharge event at any of the monitored outfall(s) during the reporting period, enter "No Discharge" in the upper right corner of the Discharge Monitoring Report.

Monitoring results for each month shall be summarized on a Discharge Monitoring Report (DMR) Form (one DMR form per monitoring period per outfall) and submitted to the Office of Environmental Compliance either hand delivered, postmarked, or electronically submitted in accordance with LAC 33:I.2101.A and B no later than the 28th day of the month following the reporting period.

OTHER REQUIREMENTS (cont.)

A. For monitoring frequencies once per month or more often (i.e. 1/week, 1/day, 1/batch, 1/discharge event), one DMR form per month (summarize monitoring results monthly) must be prepared and submitted monthly.

B. For once per quarter monitoring frequencies, one DMR form per quarter must be prepared and submitted quarterly.

C. For once per 6 months monitoring frequencies, one DMR form per six month period must be prepared and submitted semi-annually.

D. For once per year monitoring frequencies, one DMR form per year must be submitted annually.

Quarterly Submission Schedule

Monitoring Period	DMR Postmark Date
January, February, March	April 28th
April, May, June	July 28th
July, August, September	October 28th
October, November, December	January 28th

Semiannual Submission Schedule

Monitoring Period	DMR Postmark Date
January - June	July 28th
July – December	January 28th

Annual Submission Schedule

Monitoring Period	DMR Postmark Date
January-December	January 28th

Duplicate copies of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503, and all other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit (one set of copies) at the following address:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Permit Compliance Unit

10. In the event that an unauthorized discharge into the Mississippi River or any other waters of the state used for potable water supply within the State of Louisiana; from a permitted or unpermitted, licensed or unlicensed treatment works, operating facility, wharf, onshore riverside site, transport vehicle, or vessel; could reasonably be expected to interfere with or significantly impact downstream potable or industrial water usage, the discharger shall notify the hotline immediately, but in no case later than one (1) hour after learning of the discharge, by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) or other rapid communication means, in accordance with the notification procedures in Part III of this permit.

OTHER REQUIREMENTS (cont.)

SECTION B. POLLUTANT SCAN

This Office has established a list of priority pollutants with threshold values intended as action levels. **Should a substance exceed the level of the established value in Part II, Section B.3., the permittee shall notify the Office of Environmental Services of the exceedance, in writing, within five (5) days. At this time BFI and the Colonial Landfill shall institute a study to determine the source of the exceedance. Within sixty (60) days of the written notification the permittee shall submit a written account of the nature of the study, and measures being taken to secure abatement. Failure to comply with any provision of this paragraph shall constitute a violation of this permit.** The Department reserves the right to establish effluent limitations for any of the parameters listed below based upon the results of submitted analyses.

1. 40 CFR Part 136 Analytical Requirements

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136 in effect on the effective date of this permit. Appendices A, B, and C to Part 136 are specifically referenced as part of this requirement. Amendments to 40 CFR Part 136 promulgated after the effective date of this permit shall supersede these requirements as applicable. The permittee may use other EPA approved test methods that provide more sensitive test results than those referenced in the permit.

2. Minimum Quantification Levels

If any individual analytical test result is less than the minimum quantification level (MQL) listed below, a value of zero (0) may be used as the test result for those parameters for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

3. Priority Pollutant List

Chemical	Threshold Value ug/l	MQL Required ug/l	Test Method Required
METALS, CYANIDE, AND TOTAL PHENOLS			
Antimony	600	60	200.7
Arsenic	100	10	206.2
Beryllium	100	5	200.7
Cadmium	4	1	213.2
Chromium III	100	10	200.7
Chromium VI	16	10	200.7
Copper	24	10	220.2
Cyanide	11	20	335.2
Lead	11	5	239.2
Mercury	0.07	0.2	245.1
Nickel (Freshwater)	360	40	200.7
Selenium	100	5	270.2
Silver	100	2	272.2
Thallium	100	10	279.2
Total Phenols	50	5	420.1

OTHER REQUIREMENTS (cont.)

Chemical	Threshold Value ug/l	MQL Required ug/l	Test Method Required
VOLATILE COMPOUNDS			
Acrolein	90	50	624
Acrylonitrile	50	50	624
Benzene	100	10	624
Bromodichloromethane	9	10	624
Bromoform	100	10	624
Carbon Tetrachloride	10	10	624
Chlorobenzene	100	50	624
Chloroethane	100	10	624
2-Chloroethyl vinyl ether	100	50	624
Chloroform	100	10	624
Dibromochloromethane	37	10	624
1,1-Dichloroethane	100	10	624
1,2-Dichloroethane	49	10	624
1,1-Dichloroethylene {1,1-dichloroethene}	4	10	624
1,2-Dichloropropane	100	10	624
1,3-Dichloropropene {1,3-Dichloropropylene}	100	10	624
Ethylbenzene	100	10	624
Methyl Bromide {Bromomethane}	100	50	624
Methyl Chloride {Chloromethane}	100	50	624
Methylene Chloride	100	20	624
1,1,2,2-Tetra-chloroethane	13	10	624
Tetrachloroethylene	18	10	624
Toluene	100	10	624
1,2-trans-Dichloroethylene {1,2-dichloroethene}	100	10	624
1,1,1-Trichloroethane	100	10	624
1,1,2-Trichloroethane	50	10	624
Trichloroethylene {Trichloroethene}	100	10	624
Vinyl Chloride	100	10	624
ACID COMPOUNDS			
2-Chlorophenol {o-Chlorophenol}	100	10	625
2,4-Dichlorophenol	100	10	625
2,4-Dimethylphenol	100	10	625
2,4-Dinitrophenol	100	50	625
4,6-Dinitro-o-Cresol			

OTHER REQUIREMENTS (cont.)

Chemical	Threshold Value ug/l	MQL Required ug/l	Test Method Required
{4,6-Dinitro-o-phenol} {4,6-Dinitro-2-methyl phenol}	100	50	625
2-Nitrophenol	100	20	625
4-Nitrophenol	100	50	625
P-Chloro-M-Cresol	100	10	625
Pentachlorophenol	100	50	625
2,4,6-Trichlorophenol	100	10	625
PESTICIDES			
Aldrin	0.003	0.05	608
Chlordane	0.004	0.2	608
DDD	0.002	0.1	608
DDE	0.0014	0.1	608
DDT	0.0014	0.1	608
Dieldrin	0.0004	0.1	608
Endosulfan-α	0.111*	0.1	608
Endosulfan-β	0.111*	0.1	608
Total Endosulfan	0.222	0.1	608
Endosulfan sulfate	10	0.1	608
Endrin	0.74	0.1	608
Endrin aldehyde	10	0.1	608
Heptachlor	0.0005	0.05	608
Heptachlor Epoxide	10	0.05	608
Hexachlorocyclohexane-α (BHC-α)	10	0.05	608
Hexachlorocyclohexane-β (BHC-β)	10	0.05	608
Hexachlorocyclohexane-δ (BHC-δ)	10	0.05	608
Hexachlorocyclohexane-γ (Lindane)	0.42	0.05	608
Total PCB's	*There shall be no discharge of polychlorinated biphenyls (PCB's)*		
Toxaphene	0.0004	5.0	608
BASE/NEUTRAL COMPOUNDS			
Acenaphthene	100	10	625
Acenapthylene	100	10	625
Anthracene	100	10	625
Benzidene	0.0012	50	625
Benzo(a)anthracene	100	10	625
3,4-Benzofluoranthene {Benzo(b)fluoranthene}	100	10	625
Benzo(k)fluoranthene	100	10	625

OTHER REQUIREMENTS (cont.)

Chemical	Threshold Value ug/l	MQL Required ug/l	Test Method Required
Benzo(a)pyrene	100	10	625
Benzo(ghi)perylene	100	20	625
Benzyl butyl Phthalate {Butyl benzyl Phthalate}	100	10	625
Bis(2-chloroethyl) ether	100	10	625
Bis(2-chloroethoxy) methane	100	10	625
Bis(2-ethylhexyl) Phthalate	100	10	625
Bis(2-chloroisopropyl) ether	100	10	625
4-Bromophenyl phenyl ether	100	10	625
2-Chloronaphthalene	100	10	625
4-Chlorophenyl phenyl ether	100	10	625
Chrysene	100	10	625
Dibenzo (a,h) anthracene	100	20	625
Di-n-Butyl Phthalate	100	10	625
1,2-Dichlorobenzene	100	10	625
1,3-Dichlorobenzene	100	10	625
1,4-Dichlorobenzene {p-Dichlorobenzene}	100	10	25
3,3-Dichlorobenzidine	100	50	625
Diethyl Phthalate	100	10	625
Dimethyl Phthalate	100	10	625
2,4-Dinitrotoluene	100	10	625
2,6-Dinitrotoluene	100	10	625
Di-n-octyl Phthalate	100	10	625
1,2-Diphenylhydrazine	100	20	625
Fluoranthene	100	10	625
Fluorene	100	10	625
Hexachlorobenzene	0.002	10	625
Hexachlorobutadiene	0.79	10	625
Hexachlorocyclopentadiene	100	10	625
Hexachloroethane	100	20	625
Ideno (1,2,3-cd) pyrene	100	20	625
Isophorone	100	10	625
Naphthalene	100	10	625
Nitrobenzene	100	10	625
N-nitrosodimethylamine	100	50	625
N-nitrosodiphenylamine	100	20	625
N-nitrosodi-n-propylamine	100	20	625
Phenanthrene	100	10	625
Pyrene	100	10	625
1,2,4-Trichlorobenzene	100	10	625

OTHER REQUIREMENTS (cont.)

5. Effluent Specific Minimum Quantification Levels

The permittee may develop an effluent specific method detection limit (MDL) in accordance with Appendix B to 40 CFR Part 136. For any pollutant for which the permittee determines an effluent specific MDL, the permittee shall send the Department of Environmental Quality a report containing the QA/QC documentation, analytical results, and calculations necessary to demonstrate that the effluent MDL was correctly calculated. An effluent specific MQL shall be determined in accordance with the following calculation:

$$MQL = 3.3 \times MDL$$

Upon written approval from DEQ, the effluent specific MQL may be utilized by the permittee for all future Discharge Monitoring Report (DMR) calculations and reporting requirements.

OTHER REQUIREMENTS (cont.)

SECTION C. STORMWATER DISCHARGES

A. This section applies to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow.

B. Any runoff leaving the developed areas of the facility, other than the permitted outfall(s), exceeding 50 mg/L TOC, 15 mg/L Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually as described in Paragraph 4 below.

C. The permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The terms and conditions of the SWP3 shall be an enforceable Part of the permit. EPA document 833-R-92-002 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained by writing to the U.S. Environmental Protection Agency, Office of Water Resources (RC-4100), 401 M Street, S.W., Washington D.C. 20460 or by calling (202) 260-7786.

D. The following conditions are applicable to all facilities and shall be included in the SWP3 for the facility.

1. The permittee shall conduct an annual inspection of the facility site to identify areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed.

2. The permittee shall develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantities leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff.

3. Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural condition of (e.g. precipitation), or other circumstances which result in significant amounts of pollutants reaching surface waters, the SWP3 should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

4. The permittee shall maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the SWP3 and the permit, and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the date and time of inspection, name of inspector(s), conditions found, and changes to be made to the SWP3.

OTHER REQUIREMENTS (cont.)

5. The summary report and the following certification shall be signed in accordance with LAC 33:IX.2503. The summary report is to be attached to the SWP3 and provided to the Department upon request.

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

   Signatory requirements for the certification may be found in Part III, Section D.10 of this permit.

6. The permittee shall make available to the Department, upon request, a copy of the SWP3 and any supporting documentation.

E. The following shall be included in the SWP3, if applicable.

1. The permittee shall utilize all reasonable methods to minimize any adverse impact on the drainage system including but not limited to:

   a) maintaining adequate roads and driveway surfaces;
   b) removing debris and accumulated solids from the drainage system; and
   c) cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods.

2. All spilled product and other spilled wastes shall be immediately cleaned up and disposed of according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with State or Federal safety regulations (i.e., requirement for non-slippery work surface). In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.

3. All waste fuel, lubricants, coolants, solvents, or other fluids used in the repair or maintenance of vehicles or equipment shall be recycled or contained for proper disposal. Spills of these materials are to be cleaned up by dry means whenever possible.

4. All equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other materials exposed to stormwater shall be maintained in a manner which prevents contamination of stormwater by pollutants.

5. All storage tank installations (with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area) shall be constructed so that a secondary means of containment is provided

OTHER REQUIREMENTS (cont.)

for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.

6. All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. All drains from diked areas shall be equipped with valves which shall be kept in the closed condition except during periods of supervised discharge.

7. All check valves, tanks, drains, or other potential sources of pollutant releases shall be inspected and maintained on a regular basis to assure their proper operation and to prevent the discharge of pollutants.

8. The permittee shall assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law (L.R.S. 30:2151, etc.). Management practices required under above regulations shall be referenced in the SWP3.

9. The permittee shall amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

10. If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements.

F. Facility specific SWP3 Conditions:

1. **Drainage Area Site Map.** Identify locations of the following activities where such activities are exposed to precipitation / runoff: active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, leachate collection and handling systems.

2. **Summary of Potential Pollutant Sources.** A narrative description of the potential pollutant associated with any of the following: fertilizer, herbicide and pesticide application; earth/soil moving; waste hauling and loading/unloading; outdoor storage of significant materials including daily, interim and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; failure or leaks from leachate collection and treatment systems

3. **Good Housekeeping Measures.** As part of your good housekeeping program, consider providing protected materials storage areas for pesticides, herbicides, fertilizer, and other significant materials.

4. **Preventative Maintenance Program.** This program must also maintain: 1) containers used for outdoor chemical and significant materials storage to prevent leaking or rupture; 2) all elements of leachate collection and treatment systems to

OTHER REQUIREMENTS (cont.)

prevent commingling of leachate with storm water; 3) the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary to minimize the effects of settlement, sinking and erosion).

5. **Inspections of Active Sites:** for operating landfills, open dumps, and land application sites, inspections must be conducted at least once every 7 days. Qualified personnel must inspect areas of landfills that have not yet been finally stabilized, active land application areas, areas used for storage of material / wastes that are exposed to precipitation, stabilization and structural control measures, leachate collection and treatment systems, and locations where equipment and waste trucks enter and exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, conduct inspections at least once every month.

6. **Sediment and Erosion Control Plan**: Provide temporary stabilization (e.g., consider temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles): for materials stockpiled for daily, intermediate and final cover; inactive areas of the landfill or open dump; any landfill or open dump area that has received a final cover until vegetation has established itself; and where waste application has been completed at land application sites but final vegetation has not yet been established.

7. Include plans for the possibility for and control of the upward and lateral seepage of leachate. As a part of the plans, a method of prediction (estimation) of the direction of flow, rate of flow, and total quantity of storm water being contaminated by toxic pollutants reaching the surface through the process of seepage.

8. Include an outline plan of action to address pollutants which exceed the threshold criteria of the priority pollutants (Part II, Section B. 3.).

OTHER REQUIREMENTS (cont.)

SECTION D. DISPOSAL OF SEWAGE SLUDGE IN LANDFILLS

1. Definitions

   a. Domestic Septage – the liquid and solid material pumped from a septic tank, cesspool, portable toilet, Type III marine sanitation device, any similar domestic sewage treatment system, or a holding tank when the system is cleaned or maintained that receives only domestic sewage.

   b. Domestic Sewage – waste and wastewater from humans or household operations that are discharged to or otherwise enter a treatment works.

   c. Sewage Sludge – any solid, semi-solid or liquid residue removed during the treatment of municipal wastewater or domestic sewage including but not limited to, solids removed during primary, secondary, or advanced wastewater treatment, scum, septage, portable toilet pumpings, Type III marine sanitation device pumpings, and sewage sludge products. Sewage sludge does not include grit or screenings, or ash generated during the incineration of sewage sludge.

2. Any truck disposing of hauled sewage sludge into the landfill must be properly registered by the Louisiana Department of Environmental Quality (LDEQ) to haul sewage sludge. The receipt of hauled sewage sludge from an unauthorized/unregistered hauler shall constitute a violation of this permit.

3. Reporting and record keeping requirements.

   a. Authorized Vehicles.

      The landfill shall maintain a list of all vehicles authorized to discharge into the landfill. This shall include the make and model of the vehicle, the state of registration, the LDEQ registration number, the state vehicle license number and the tank volume, in gallons, for each vehicle authorized by the landfill. This list shall be maintained by the landfill and shall be made available upon request by duly authorized regional inspectors and/or Department Headquarters representatives.

   b. Septage Hauler Manifest System

      The permittee shall develop and implement a septage hauler manifest system. The manifest system shall be the primary mechanism by which the landfill will identify the quantity and quality of wastes being discharged into the landfill. The manifest system also provides a means to ensure only authorized wastes are being introduced into the landfill. The manifest system shall require the waste hauler to complete an entry for each load picked up for disposal in the landfill. The manifest form shall include at minimum the following information:

      i. Name, address and phone number of the hauler.
      ii. Hauler Vehicle number.
      iii. LDEQ registration number.
      iv. Driver name.
      v. Generator Information (where the septage was picked up from) including:
         1. Address of the generator.
         2. Name of generator (business name) if not an individual residence.
         3. Date the waste was pumped.
         4. Volume pumped by the hauler.
      vi. A statement to be signed by the hauler certifying:
         1. The manifest was prepared by him or under his direct supervision;
         2. The information contained in the manifest is to the best of his knowledge complete and true;

OTHER REQUIREMENTS (cont.)

3. The vehicle load contains only those wastes authorized by the landfill;
4. The vehicle load does not contain hazardous wastes as defined at 40 CFR Part 261; and
5. That the hauler is aware of penalties for submititting false information.

The certification shall be followed by the Printed Name, Signature and Date of Signature of the hauler.

vii. Name of disposal facility.
viii. The landfill shall supply blank manifest forms to each hauler.
ix. A copy of the completed, signed and dated manifest form shall be supplied to the hauler upon disposal of the wastes into the landfill. Duplicate forms are permissible.

Manifests shall be maintained by the landfill and shall be made available upon request by duly authorized regional inspectors and/or Department Headquarters representatives. An example manifest form has been attached for your convience.

c. Reporting to the Department.

An updated copy of the registered vehicle list and a report summarizing the total annual amount of sewage sludge received by landfill from each individual hauler shall be submitted annually to the Department no later than February 28th of each calendar year. This information will be utilized to provide QA/QC in the annual licensing of septage haulers. This information shall be submitted to:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Permit Compliance Unit

4. The acceptance of hauled sewage sludge into an on-site oxidation pond or treatment facility is prohibited unless otherwise authorized by this Department. Approval by the Department may require a modification of this permit and coverage under a Sewage Sludge Use & Disposal Permit.

OTHER REQUIREMENTS (cont.)

SECTION E. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC: FRESHWATER)

It is unlawful and a violation of this permit for a permittee or the designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by the Louisiana Department of Environmental Quality.

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO OUTFALL(S):	**001**
CRITICAL DILUTION:	**83%**
EFFLUENT DILUTION SERIES:	**26%, 35%, 47%, 62%, 83%**
SAMPLE TYPE:	**24-Hour Composite**
TEST SPECIES/METHODS:	**40 CFR Part 136**

Ceriodaphnia dubia chronic static renewal survival and reproduction test, Method 1002.0, EPA-821-R-02-013, or the most recent update thereof. This test should be terminated when 60% of the surviving females in the control produce three broods or at the end of eight days, whichever comes first.

Pimephales promelas (Fathead minnow) chronic static renewal 7-day larval survival and growth test, Method 1000.0, EPA-821-R-02-013, or the most recent update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The survival NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. The NOEC for growth or reproduction is defined as the greatest effluent dilution at and below which sub-lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. Lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth or reproduction) at test completion to a test species at or below the critical dilution.

2. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

OTHER REQUIREMENTS (cont.)

i. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.

ii. The mean number of Ceriodaphnia dubia neonates produced per surviving female in the control (0% effluent) must be 15 or more.

iii. 60% of the surviving control females must produce three broods.

iv. The mean dry weight of surviving Fathead minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.25 mg per larva or greater.

v. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the Fathead minnow test.

vi. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal or nonlethal effects are exhibited for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the Fathead minnow test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

i. For the Ceriodaphnia dubia survival test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be Fisher's Exact Test as described in EPA-821-R-02-013, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 2.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report a survival NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 3 below.

ii. For the Ceriodaphnia dubia reproduction test and the Fathead minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-013, or the most recent update thereof.

c. Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness and alkalinity to the closest downstream perennial water for;

A. toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

B. toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test

OTHER REQUIREMENTS (cont.)

acceptance criteria of item 2.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

A. a synthetic dilution water control which fulfills the test acceptance requirements of item 2.a was run concurrently with the receiving water control;

B. the test indicating receiving water toxicity has been carried out to completion (i.e., 7 days);

C. the permittee includes all test results indicating receiving water toxicity with the full report and information required by item 3 below; and

D. the synthetic dilution water shall have a pH, hardness and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

i. The permittee shall collect a minimum of three flow-weighted 24-hour composite samples from the outfall(s) listed at item 1.a above. A 24-hour composite sample consists of a minimum of 4 effluent portions collected at equal time intervals representative of a 24-hour operating day and combined proportional to flow or a sample continuously collected proportional to flow over a 24-hour operating day.

ii. The permittee shall collect second and third 24-hour composite samples for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the 24-hour composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iii. The permittee must collect the 24-hour composite samples so that the maximum holding time for any effluent sample shall not exceed 72 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first 24-hour composite sample. Samples shall be chilled to 0-6 degrees Centigrade during collection, shipping and/or storage.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in item 3 of this section.

OTHER REQUIREMENTS (cont.)

3. REPORTING

a. A valid test must be completed and test results must be submitted for each species during each Monitoring Period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA-821-R-02-013, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C of this permit. For any test which fails, is considered invalid, or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to the following address:

Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

b. The permittee shall submit the results of each valid toxicity test on the DMR for that Monitoring Period in accordance with Part III. D.4 and the DMR Monitoring Period schedule contained in Part II of this permit. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 1 Summary Sheet with each valid test.

i. Pimephales promelas (Fathead Minnow)

A. If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP6C.

B. Report the NOEC value for survival, Parameter No. TOP6C.

C. Report the NOEC value for growth, Parameter No. TPP6C.

D. If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP6C.

E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6C.

ii. Ceriodaphnia dubia

A. If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP3B.

B. Report the NOEC value for survival, Parameter No. TOP3B.

C. Report the NOEC value for reproduction, Parameter No. TPP3B.

D. If the No Observed Effect Concentration (NOEC) for reproduction is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP3B.

E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP3B.

OTHER REQUIREMENTS (cont.)

SECTION F. WHOLE EFFLUENT TOXICITY LIMITS (7- DAY CHRONIC NOEC: FRESHWATER)

It is unlawful and a violation of this permit for a permittee or the designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by the Louisiana Department of Environmental Quality.

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO FINAL OUTFALL(S):	**001**
CRITICAL DILUTION (%):	**83%**
EFFLUENT DILUTION SERIES (%):	**26%, 35%, 47%, 62%, 83%**
SAMPLE TYPE:	**24-Hour Composite**
TEST SPECIES/METHODS:	**40 CFR Part 136**

Ceriodaphnia dubia chronic static renewal survival and reproduction test, Method 1002.0, EPA-821-R-02-013, or the most recent update thereof. This test should be terminated when 60% of the surviving females in the control produce three broods or at the end of eight days, whichever comes first.

Pimephales promelas (Fathead minnow) chronic static renewal 7-day larval survival and growth test, Method 1000.0, EPA-821-R-02-013, or the most recent update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The Lethal NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. The Sub-lethal NOEC is defined as the greatest effluent dilution at and below which sub-lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.

c. Lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth or reproduction) at test completion to a test species at or below the critical dilution.

d. When the testing frequency/Monitoring Period is quarterly and the effluent fails the lethal and/or sub-lethal endpoint at or below the critical dilution, the permittee shall be considered in violation of the Whole Effluent Toxicity Limit as stated in Part I and the frequency/Monitoring Period for the affected species will increase to monthly until such time compliance with the Lethal and Sub-lethal No Observed Effluent Concentration (NOEC) effluent limitation is demonstrated for a period of three consecutive months, at which time the monitoring frequency/Monitoring Period shall revert to quarterly.

e. This permit may be reopened to require chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

OTHER REQUIREMENTS (cont.)

2. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

i. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.

ii. The mean number of Ceriodaphnia dubia neonates produced per surviving female in the control (0% effluent) must be 15 or more.

iii. 60% of the surviving control females must produce three broods.

iv. The mean dry weight of surviving Fathead minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.25 mg per larva or greater.

v. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: the young of surviving females in the Ceriodaphnia dubia reproduction test, the growth and survival of the Fathead minnow test.

vi. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal or nonlethal effects are exhibited for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints in the Fathead minnow test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

i. For the Ceriodaphnia dubia survival test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be Fisher's Exact Test as described in EPA-821-R-02-013, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 2.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report a Lethal NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 3 below.

ii. For the Ceriodaphnia dubia reproduction test and the Fathead minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-013, or the most recent update thereof.

c. Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water

OTHER REQUIREMENTS (cont.)

where the receiving stream is classified as intermittent or where the receiving stream has no flow due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 2.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

A. a synthetic dilution water control which fulfills the test acceptance requirements of Item 2.a was run concurrently with the receiving water control;

B. the test indicating receiving water toxicity has been carried out to completion (i.e., 7 days);

C. the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 3.a below; and

D. the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

i. The permittee shall collect a minimum of three flow-weighted 24-hour composite samples from the outfall(s) listed at item 1.a above. A 24-hour composite sample consists of a minimum of 4 effluent portions collected at equal time intervals representative of a 24-hour operating day and combined proportional to flow or a sample continuously collected proportional to flow over a 24-hour operating day.

ii. The permittee shall collect second and third 24-hour composite samples for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the 24-hour composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iii. The permittee must collect the 24-hour composite samples so that the maximum holding time for any effluent sample shall not exceed 72 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first 24-hour composite sample. Samples shall be chilled to 0-6 degrees Centigrade during collection, shipping and/or storage.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 3 of this section.

OTHER REQUIREMENTS (cont.)

3. **REPORTING**

a. A valid test must be completed and test results must be submitted for each species during each Monitoring Period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA-821-R-02-013, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C of this permit. For any test which fails, is considered invalid, or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to:

Department of Environmental Quality
Office of Environmental Compliance
P. O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

b. The permittee shall report the lowest 7-Day Minimum NOEC and the lowest 30-Day Average Minimum NOEC for Lethality or Sub-lethality (whichever is lower) under Parameter No. 22414 (Whole Effluent Toxicity) on the DMR for the Monitoring Period in accordance with Part III.D of this permit.

If more than one valid test for a species was performed during the Monitoring Period, the test NOECs will be averaged arithmetically and reported as the DAILY AVERAGE MINIMUM NOEC for that Monitoring Period.

If more than one species is tested during the Monitoring Period, the permittee shall report the lowest 7-Day Minimum NOEC and the lowest 30-Day Average Minimum NOEC for Lethality or Sub-lethality (whichever is lower) under Parameter No. 22414 on the DMR for that Monitoring Period in accordance with Part III.D of this permit..

All invalid and repeat tests (for invalid tests) performed during the Monitoring Period must be attached to the DMR for LDEQ review.

c. The permittee shall submit the results of each valid toxicity test on the DMR for that Monitoring Period in accordance with Part III.D.4 and the DMR Monitoring Period schedule contained in Part II of this permit. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 1 Summary Sheet with each valid test.

i. **Pimephales promelas** (Fathead Minnow)

A. If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP6C.

B. Report the NOEC value for survival, Parameter No. TOP6C.

C. Report the NOEC value for growth, Parameter No. TPP6C.

D. If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP6C.

E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6C.

OTHER REQUIREMENTS (cont.)

ii. **Ceriodaphnia dubia**

A. If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP3B.

B. Report the NOEC value for survival, Parameter No. TOP3B.

C. Report the NOEC value for reproduction, Parameter No. TPP3B.

D. If the No Observed Effect Concentration (NOEC) for reproduction is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP3B.

E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP3B.

The permittee shall submit the toxicity testing information contained in Table 1 of this permit with the DMR subsequent to each and every toxicity test Monitoring Period. The DMR and the summary table should be sent to the address indicated in 3.a.

TABLE 1
SUMMARY SHEET
Ceriodaphnia dubia SURVIVAL AND REPRODUCTION TEST

PERMITTEE:_____
FACILITY SITE:_____LPDES PERMIT NUMBER:_____
OUTFALL IDENTIFICATION:_____
OUTFALL SAMPLE IS FROM _____SINGLE _____MULTIPLE DISCHARGE
BIOMONITORING LABORATORY:_____
DILUTION WATER USED:_____RECEIVING WATER _____LAB WATER
CRITICAL DILUTION _____% DATE TEST INITIATED_____

1. LOW-FLOW LETHALITY:

Is the mean survival at 7 days significantly less (p=0.05) than the control survival at the low-flow or critical dilution? ___Yes___No

PERCENT SURVIVAL - Ceriodaphnia

TIME OF READING	PERCENT EFFLUENT					
	0 %	%	%	%	%	%
24 HOUR						
48 HOUR						
7 DAY						

2. LOW-FLOW SUB-LETHALITY:

Is the mean number of young produced per female at 7 days significantly less (p=0.05) than the control's number of young per female for the low-flow or critical dilution? _____Yes ____No

NUMBER OF YOUNG PRODUCED PER FEMALE @ 7 DAYS - Ceriodaphnia

REPLICATE	PERCENT EFFLUENT					
	0 %	%	%	%	%	%
A						
B						
C						
D						
E						
F						
G						
H						
I						
J						
Mean No. of young						
CV%*						

* Coefficient of variation = Standard Deviation * 100/mean

3. Are the test results to be considered valid? ___Yes___No
   If _X_no (test invalid) , what reasons for invalidity?

4. Is this a retest of a previous invalid test? ___Yes___No
   Is this a retest of a previous test failure? ___Yes___No

5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Ceriodaphnia:

   a. NOEC SURVIVAL = _____% effluent

   b. NOEC REPRODUCTION = _____% effluent

TABLE 1
SUMMARY SHEET
Pimephales promelas ("fathead minnow") SURVIVAL AND GROWTH TEST

PERMITTEE:_____
FACILITY SITE:_____LPDES PERMIT NUMBER:_____
OUTFALL IDENTIFICATION:_____
OUTFALL SAMPLE IS FROM _____SINGLE _____MULTIPLE DISCHARGE
BIOMONITORING LABORATORY:_____
DILUTION WATER USED:_____RECEIVING WATER _____LAB WATER
CRITICAL DILUTION _____% DATE TEST INITIATED_____

1. LOW-FLOW LETHALITY:

Is the mean survival at 7 days significantly less (p=0.05) than the control survival at the low-flow or critical dilution?_____Yes ___No

PERCENT SURVIVAL - Pimephales

PERCENT EFFLUENT	% SURVIVAL / REPLICATES				MEAN % SURVIVAL			CV %
	A	B	C	D	24-HR	48-HR	7 DAY	
0%								
%								
%								
%								
%								
%								

2. LOW-FLOW SUB-LETHALITY:

Is the mean dry weight (growth) at 7 days significantly less (p=0.05) than the control's dry weight (growth) for the low-flow or critical dilution? ___Yes___No

DATA TABLE FOR GROWTH - Pimephales

PERCENT EFFLUENT	AVERAGE DRY WEIGHT IN MILLIGRAMS IN REPLICATE CHAMBERS					MEAN DRY WEIGHT	CV%*
	A	B	C	D	E		
0%							
%							
%							
%							
%							
%							

* Coefficient of variation – standard deviation x 100/mean

3. Are the test results to be considered valid? ___Yes___No
   If _X_no (test invalid) , what reasons for invalidity?

4. Is this a retest of a previous invalid test? ___Yes___No
   Is this a retest of a previous test failure? ___Yes___No

5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Pimephales:

   a. NOEC SURVIVAL = _____% effluent

   b. NOEC GROWTH = _____% effluent

PART III
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Introduction
   In accordance with the provisions of LAC 33:IX.2701, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply
   The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions
   a. LA. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. LA. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).

   b. Any person may be assessed an administrative penalty by the State Administrative Authority under LA. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants
   a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

   b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply
   a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

b. General Permits. General permits expire five years after the effective date. The 180-day reapplication period as defined above is not applicable to general permit authorizations. Reissued general permits may provide automatic coverage for permittees authorized under the previous version of the permit, and no new application is required. Requirements for obtaining authorization under the reissued general permit will be outlined in Part I of the new permit. Permittees authorized to discharge under an expiring general permit should follow the requirements for obtaining coverage under the new general permit to maintain discharge authorization.

6. Permit Action
This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

a. Noncompliance by the permittee with any condition of the permit;

b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant f acts, or the permittee's misrepresentation of any relevant facts at any time;

c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;

d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge; or

e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13;

f. Change of ownership or operational control;

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.

7. Property Rights
This permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information
The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability
Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. Oil and Hazardous Substance Liability
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability
If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution
A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

14. Facilities Requiring Approval from Other State Agencies
In accordance with La R.S.40.4(A)(6) the plans and specifications of all sanitary sewerage treatment systems, both public and private, must be approved by the Department of Health and Hospitals state health officer or his designee. It is unlawful for any person, firm, or corporation, both municipal and private to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with La R.S.40.1149, it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Department of Health and Hospitals state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with La R.S.48.385, it is unlawful for any industrial wastes, sewage, septic tanks effluent, or any noxious or harmful matter, solid, liquid or gaseous to be discharged into the side or cross ditches or placed upon the rights-of-ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Department of Health and Hospitals.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. Need to Halt or Reduce not a Defense
It shall not be a defense for a 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.

2. Duty to Mitigate
The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance
   a. 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 conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

   b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities
   a. ***Bypass***. The intentional diversion of waste streams from any portion of a treatment facility.

   b. Bypass not exceeding limitations. The permittee may allow any 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 of Section B.4.c. and 4.d of these standard conditions.

   c. Notice
      (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water Permits Division, if possible at least ten days before the date of the bypass.

      (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6, (24-hour notice) and Section D.6.e. of these standard conditions.

   d. Prohibition of bypass
      (1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:

         (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

         (b) There were 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 back-up 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; and,

         (c) The permittee submitted notices as required by Section B.4.c of these standard conditions.

      (2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions
   a. Upset. An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

   b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

   c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
      (1) An upset occurred and that the permittee can identify the cause(s) of the upset;

      (2) The permitted facility was at the time being properly operated; and

      (3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii. and Section D.6.e.(2) of these standard conditions; and

(4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances
Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal
For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3. and B.3.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry
The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

a. 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.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection
(1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.
(2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

g. Upon written request copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling
Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) may be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records
Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents
Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;
b. The individual(s) who performed the sampling or measurements;
c. The date(s) analyses were performed;
d. The time(s) analyses were begun;
e. The individual(s) who performed the analyses;
f. The analytical techniques or methods used;
g. The results of such analyses; and
h. The results of all quality control procedures.

5. Monitoring Procedures
a. Monitoring results must be conducted according to test procedures 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, unless other test procedures have been specified in this permit.

b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.

c. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of know precision and accuracy. All quality control measures shall be assessed and evaluated on an on-going basis and quality control acceptance criteria shall be used to determine the validity of the data. All method specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) Standard Methods for the Examination of Water and Wastes, Sections 1020A and 1020B. General sampling protocol shall follow guidelines established in the

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"Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982 "U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503.

6. Flow Measurements
Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:
   a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.
   b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.
   c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering: Penalties
   a. LA R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.

   b. LA R.S. 30:2076.2 provides for penalties for any person who 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 non compliance.

8. Additional Monitoring by the Permittee
If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR Part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements
Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation
   a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:
      (1) Submitted on behalf of any facility, as defined in R.S.30:2004;
      (2) Required as part of any permit application;
      (3) Required by order of the department;
      (4) Required to be included on any monitoring reports submitted to the department;
      (5) Required to be submitted by contractor
      (6) Otherwise required by department regulations.

b. The department laboratory accreditation program, Louisiana Environmental Laboratory Accreditation Program (LELAP) is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not (LELAP) accredited will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

Where retesting of effluent is not possible (i.e. data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

c. Regulations on the Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under DIVISIONS → LABORATORY SERVICES at the following link:

http://www.deq.louisiana.gov

Questions concerning the program may be directed to (225) 219-9800.

SECTION D. REPORTING REQUIREMENTS

1. Facility Changes
The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only 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); or

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.

   c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance
The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers
This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX.2903. A.2.b), or a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

4. Monitoring Reports
Monitoring results shall be reported at the intervals and in the form specified in Part I or Part II of this permit.

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) on the form specified in the permit. Preprinted DMRs are provided to majors/92-500's and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit
Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, LA 70821-4312

Copies of blank DMR templates, plus instructions for completing them, and EPA's LPDES Reporting Handbook are available at the department website located at:

http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2276

5. Compliance Schedules
Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Requirements for Notification

a. Emergency Notification
As required by LAC 33.I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within seven calendar days after the notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:I.3925.B.

b. Prompt Notification
As required by LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Subchapter E, but does not cause an emergency condition, the discharger shall promptly notify the department within 24 hours after learning of the discharge. Notification should be made to the Office of Environmental Compliance, Surveillance Division Single Point of Contact (SPOC) in accordance with LAC 33:I.3923.

In accordance with LAC 33:I.3923, prompt notification shall be provided within a time frame not to exceed 24 hours and shall be given to the Office of Environmental Compliance, Surveillance Division Single Point of Contact (SPOC) as follows:

(1) by the Online Incident Reporting screens found at http://www3.deq.louisiana.gov/surveillance/irf/forms/ ;or

(2) by e-mail utilizing the Incident Report Form and instructions found at http://www.deq.louisiana.gov/portal/Default.aspx?tabid=279;or

(3) by telephone at (225) 219-3640 during office hours, or (225) 342-1234 after hours and on weekends and holidays.

c. Content of Prompt Notifications. The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:

(1) the name of the person making the notification and the telephone number where any return calls from response agencies can be placed;

(2) the name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;

(3) the date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;

(4) the extent of any injuries and identification of any known personnel hazards that response agencies may face;

(5) the common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all discharged pollutants;

(6) a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity.

d. Written Notification Procedures. Written reports for any unauthorized discharge that requires notification under Section D.6.a. or 6.b., or shall be submitted by the discharger to the Office of Environmental Compliance, Surveillance Division SPOC in accordance with LAC 33:IX.3925 within seven calendar days after the notification required by D.6.a. or 6.b., unless otherwise provided for in a valid permit or other department regulation. Written notification reports shall include, but not be limited to, the following information:

(1) the name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of the person, company, or other party who is filing the written report, and specific identification that the report is the written follow-up report required by this section;

(2) the time and date of prompt notification, the state official contacted when reporting, the name of person making that notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;

(3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;

(4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:

(a) the current permitted limit for the pollutant(s) released;and

(b) the permitted release point/outfall ID.

(5) the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds, including calculations);

(6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted;

(7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.

(8) Written notification reports shall be submitted to the Office of Environmental Compliance, Surveillance Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked "**UNAUTHORIZED DISCHARGE NOTIFICATION REPORT.**"

Please see LAC 33:I.3925.B for additional written notification procedures.

e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. 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 recurrence of the noncompliance. The following shall be included as information which must be reported within 24hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);

(2) Any upset which exceeds any effluent limitation in the permit;

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance
The permittee shall report all instances of noncompliance not reported under Section D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. 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 the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances
In addition to the reporting requirements under Section D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Water Permits Division as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:

i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 µg/L);

(2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;

(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC33:IX.2501.G.7; or

(4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

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b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:
   i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

      (1) Five hundred micrograms per liter (500 µg/L);
      (2) One milligram per liter (1 mg/L) for antimony;
      (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
      (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

   ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

10. Signatory Requirements
All applications, reports, or information submitted to the state administrative authority shall be signed and certified.
a. All permit applications shall be signed as follows:
   (1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
      (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,
      (b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

   NOTE: DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a.(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a.(1)(b) rather than to specific individuals.

   (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or
   (3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
      (a) The chief executive officer of the agency, or
      (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:
   (1) The authorization is made in writing by a person described in Section D.10.a. of these standard conditions;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,

(3) The written authorization is submitted to the state administrative authority.

c. Changes to authorization. If an authorization under Section D.10.b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under Section D.10. a. or b. above, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:

a. The name and address of any permit applicant or permittee;
b. Permit applications, permits, and effluent data.
c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

1. Criminal

a. Negligent Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $50,000 per day of violation, or imprisonment of not more than two years, or both.

b. Knowing Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under

the LPDES is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $100,000 per day of violation, or imprisonment of not more than six years, or both.

c. Knowing Endangerment
The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements
The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than $10,000, or imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than $20,000 per day of violation, or imprisonment of not more than 4 years, or both.

2. Civil Penalties
The Louisiana Revised Statutes LA. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than $32,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(**PLEASE NOTE**: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).

2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.

3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.

4. Applicable Standards and Limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including, effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308 and 403.

5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.

6. Commercial Laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with R.S.49:1001 et seq.

7. 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 terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling 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 sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample.

8. Daily Maximum discharge limitation means the highest allowable "daily discharge".

9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.

10. Domestic septage means either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant.

11. Domestic sewage means waste and wastewater from humans, or household operations that is discharged to or otherwise enters a treatment works.

12. Environmental Protection Agency or (EPA) means the U.S. Environmental Protection Agency.

13. Grab sample means an individual sample collected over a period of time not exceeding 15 minutes, unless more time is needed to collect an adequate sample, and is representative of the discharge.

14. Industrial user means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.

15. LEQA means the Louisiana Environmental Quality Act.

16. Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

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17. Monthly Average, other than for fecal coliform bacteria, discharge limitations are calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

When the permit establishes monthly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the monthly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar month.

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

18. National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

19. 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.

20. Sewage sludge means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; portable toilet pumpings, type III marine sanitation device pumpings (33 CFR part 159); and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

21. Stormwater Runoff—aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.

22. Surface Water: all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.

23. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act)

24. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.

25. The term MGD shall mean million gallons per day.

26. The term GPD shall mean gallons per day.

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27. The term mg/L shall mean milligrams per liter or parts per million (ppm).

28. The term SPC shall mean Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.9).

29. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.

30. The term µg/L shall mean micrograms per liter or parts per billion (ppb).

31. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).

32. Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.

33. Wastewater—liquid waste resulting from commercial, municipal, private, or industrial processes. Wastewater includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and contaminated rainwater runoff.

34. Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams, (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

35. Weekly average, other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge

$$= \frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the weekly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

36. Sanitary Wastewater Term(s):

a. 3-hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.

b. 6-hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.

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c. 12-hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 12-hour period. The daily sampling intervals shall include the highest flow periods.

d. 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24-hour period.