FACT SHEET

as required by LAC 33:IX.3111 for major LPDES facilities, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0006289; AI 19628; PER20060001** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

I. **THE APPLICANT IS:** City of Franklin
Franklin & Vicinity Wastewater Treatment Plant
Post Office Box 567
Franklin, Louisiana 70538

II. **PREPARED BY:** Todd Franklin

DATE PREPARED: February 8, 2008

III. **PERMIT ACTION:** reissue LPDES permit LA0006289, AI 19628; PER20060001

LPDES application received: December 27, 2006

EPA has not retained enforcement authority.

Previous LPDES permit effective: June 1, 2002
Previous LPDES permit expired: May 31, 2007

IV. **FACILITY INFORMATION:**

A. The application is for the discharge of treated sanitary wastewater from a publicly owned treatment works serving the City of Franklin, the Chatsworth Area, the St. Joseph Area, Hebert Subdivision, and Katy Circle.

B. The permit application does indicate the receipt of industrial wastewater. The industrial dischargers include:

Name of Discharger	Flow
Franklin Portable Potties	66.0 GPD

C. The facility is located at 811 Northwest Boulevard in Franklin, St. Mary Parish.

D. The treatment facility consists of a barscreen, grit removal, oxidation ditches, boat clarifiers, and chlorine contact for disinfection.

E. Outfall 001
Discharge Location: Latitude 29° 48' 7" North
Longitude 91° 31' 5" West

Description: treated sanitary wastewater

Design Capacity: 2.0 MGD

Type of Flow Measurement which the facility is currently using:

Totalizing / Continuous Recorder

V. RECEIVING WATERS:

The discharge is into Yokely Canal; thence into Franklin Canal in Subsegment 060501 of the Vermilion-Teche River Basin, defined at LAC 33:IX.1123.Table 3 as *Bayou Teche – Charenton Canal to Wax Lake Outlet.* **However, the discharge from the Franklin & Vicinity Wastewater Treatment Plant does not flow into this Subsegment of the Bayou Teche, rather into Subsegment 060907, defined at LAC 33:IX.1123.Table 3 as *Franklin Canal.* Therefore, for purposes of issuing this permit, Subsegment 060907 will be used in the development of requirements.**

Subsegment 060907 is not listed on the 303(d) list of impaired waterbodies; however, it is listed on the 2004 Integrated Report as CALM Category 4a-TMDL completed.

The **critical low flow** (7Q10) of Yokely Canal is 0.1 cfs.

The **hardness value** is 120.56 mg/l and the **fifteenth percentile value for TSS** is 38.40 mg/l.

The designated uses and degree of support for Subsegment 060907 of the Vermilion-Teche River Basin are as indicated in the table below[1/]:

Overall Degree of Support for Segment	Degree of Support of Each Use						
Not Supported	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
	Full	Full	Not Supported	N/A	N/A	N/A	N/A

[1/] The designated uses and degree of support for Subsegment 060907 of the Vermilion-Teche River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 060907 of the Vermilion-Teche River Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007, from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit modification and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mr. Todd Franklin
Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Subsegment 060907, Franklin Canal, is not listed on LDEQ's Final 2004 303(d) list as impaired. However, Subsegment 060907 was previously listed as impaired for organic enrichment / low DO, nutrients, phosphorus, suspended solids, turbidity, siltation, and carbofuran, for which the below TMDLs have been developed. The Department of Environmental Quality 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 TMDLs and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDLs for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDLs have been established for Subsegment 060907:

Franklin Canal TMDLs for Dissolved Oxygen and Nutrients

As per the TMDL, in order to meet the DO standard throughout Franklin Canal, a treatment upgrade for the City of Franklin WWTP will be required. The projection model showed that the plant would

be required to upgrade its treatment to meet effluent concentrations of 5 mg/l $CBOD_5$, 2 mg/l ammonia-nitrogen, and 5 mg/l DO. Therefore, these limitations shall be required in the permit.

Total Maximum Daily Load for TSS, Turbidity, and Siltation for the Bayou Teche Watershed

As per this TMDL,

Point sources do not represent a significant source of TSS as defined in this TMDL. Point sources discharge primarily organic TSS, which does not contribute to habitat impairment resulting from sedimentation. Because the point sources are minor contributors and discharges of organic suspended solids from point sources are already addressed by LDEQ through their permitting of point sources to maintain water quality standards for DO, the wasteload allocations for point source contributions were set to zero. This TMDL only addresses the landform contribution of TSS/sediment and does not address the insignificant point source contributions.

TMDL for the Pesticide Carbofuran in the Mermentau River and Vermilion-Teche River Basins

There are no known point source discharges of Carbofuran in the Mermentau River Basin, and therefore, no allocation was given to point sources. There is one point source in the Vermilion-Teche River Basin (FMC Corp. / LA0064360) but they do not discharge Carbofuran. Likewise, no allocation was given to point source discharges in the Vermilion-Teche River Basin.

Interim Effluent Limits:

In order to allow the permittee time to upgrade the facility to meet the newly imposed limitations for Total Chloroform based on the Water Quality Screen (See Appendix B-1), **the following interim effluent limitations shall become effective on the effective date of the permit, and expire three years from the effective date of the permit.**

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
$CBOD_5$	83	5 mg/l	8 mg/l	Limits set in accordance with the *Franklin Canal TMDLs for Dissolved Oxygen and Nutrients* established on May 2, 2008.
TSS	250	15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
				type of treatment technology utilized at this facility.
NH_3-N	33	2 mg/l	4 mg/l	Limits set in accordance with the *Franklin Canal TMDLs for Dissolved Oxygen and Nutrients* established on May 2, 2008.
Dissolved Oxygen	---	5 mg/l	---	

Priority Pollutants

Effluent Characteristic	Monthly Avg. (lb/day	Daily Maximum (lb/day)	Basis
Total Dibromochloro-methane	0.09	0.21	Water Quality Based Limit (WQBL) remaining in the permit due to Biomonitoring concerns with the discharge.
Total Chloroform	Report	Report	Water Quality Screen indicated a need for a WQBL. Therefore, for monitoring and data information gathering purposes, Report is proposed in the interim period. See Appendix B-1 for additional information.

Final Effluent Limits:

Final Effluent Limits shall become effective three years from the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
$CBOD_5$	83	5 mg/l	8 mg/l	Limits set in accordance with the *Franklin Canal TMDLs for Dissolved Oxygen and Nutrients* established on May 2, 2008.
TSS	250	15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
				Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.
NH_3-N	33	2 mg/l	4 mg/l	Limits set in accordance with the *Franklin Canal TMDLs for Dissolved Oxygen and Nutrients* established on May 2, 2008.
Dissolved Oxygen	---	5 mg/l	---	

Priority Pollutants

Effluent Characteristic	Monthly Avg. (lb/day	Daily Maximum (lb/day)	Basis
Total Dibromochloro-methane	0.09	0.21	Water Quality Based Limit (WQBL) remaining in the permit due to Biomonitoring concerns with the discharge.
Total Chloroform*	1.21	2.87	Water Quality Screen indicated a need for a WQBL. Therefore, for monitoring and data information gathering purposes, Report is proposed in the interim period. See Appendix B-1 for additional information.

*The above draft priority pollutant limits for Chloroform are based upon the evaluation of one effluent analysis. The permittee may conduct and submit the results of three (3) or more additional effluent analyses to either refute or substantiate the presence of the above toxic pollutant during the Draft Permit comment period. The additional analyses will be evaluated by this Office to determine if the pollutant is potentially in the effluent and if it potentially exceeds the State's water quality standards.

Other Effluent Limitations

(Effective from the Effective Date of the Permit and Expires on the Expiration Date of the Permit)

1) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.a, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C, the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

4) Total Residual Chlorine

If chlorination is used to achieve the limitations for Fecal Coliform Bacteria, the effluent shall contain NO MEASURBALE Total Residual Chlorine (TRC) after disinfection and prior to disposal. Given the current constraints pertaining to chlorine analytical methods, No MEASURABLE will be defined as less than 0.1 mg/l of chlorine. Limits set through BPJ in accordance with the previous LPDES permit and the Water Quality Screen (see Appendix B-1).

5) Toxicity Characteristics

In accordance with EPA's Region 6 Post-Third Round Toxics Strategy, permits issued to treatment works treating domestic wastewater with a flow (design or expected) greater than or equal to 1 MGD shall require biomonitoring at some frequency for the life of the permit or where available data show reasonable potential to cause lethality, the permit shall require a whole effluent toxicity (WET) limit (*Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards*, September 27, 2001 VERSION 4).

Whole effluent biomonitoring is the most direct measure of potential toxicity which incorporates the effects of synergism of the effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity. LAC 33:IX.1121.B.3. provides for the use of biomonitoring to monitor the effluent for protection of State waters. The biomonitoring procedures stipulated as a condition of this permit are as follows:

The permittee shall submit the results of any biomonitoring testings performed in accordance with the

LPDES Permit No. LA0006289, **Biomonitoring Section** for the organisms indicated below.

TOXICITY TESTS	FREQUENCY
Chronic static renewal 7-day survival & reproduction test using Ceriodaphnia dubia (Method 1002.0)	1/quarter
Chronic static renewal 7-day survival & growth test using fathead minnow (Pimephales promelas) (Method 1000.0)	1/quarter

Dilution Series - The permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests. These additional concentrations shall be 31%, 41%, 54%, 73%, and 97%. The low-flow effluent concentration (critical low-flow dilution) is defined as 97% effluent. The critical dilution is calculated in Appendix B-1 of this fact sheet. Results of all dilutions shall be documented in a full report according to the test method publication mentioned in the **Biomonitoring Section** under Whole Effluent Toxicity. This full report shall be submitted to the Office of Environmental Compliance as contained in the Reporting Paragraph located in the **Biomonitoring Section** of the permit.

The permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body. Modification or revocation of the permit is subject to the provisions of LAC 33:IX.2383. Accelerated or intensified toxicity testing may be required in accordance with Section 308 of the Clean Water Act

The City of Franklin failed a routine quarterly test performed in November of 2006. This required the City to perform two monthly retests to confirm lethality. The first retest in December 2006 passed; however, the second retest in January 2007 failed. The January 2007 retest confirmed lethality and the permittee should have submitted a Toxicity Reduction Evaluation (TRE) Action Plan 90 days from the date of confirmed lethality.

Date (Monitoring Period)	Routine/Retest	Test Species	Permit Limit	Result
09/01/06 – 11/30/06	Routine	C. dubia & P. promelas	Pass	Fail (lethal and sublethal)
12/01/06 – 02/28/07	Retest #1	C. dubia & P. promelas	Pass	Pass
12/01/06 – 02/28/07	Restest #2	C. dubia & P. promelas	Pass	Fail (lethal and sublethal)

As of October 2, 2007, the TRE Action Plan has not been received at this Office. Therefore, LDEQ is requiring the permittee to initiate a TRE via the reissued LPDES permit LA0006289, Part II. Section E.5.

X. PREVIOUS PERMITS:

LPDES Permit No. LA0006289: Effective: June 1, 2002
Expired: May 31, 2007

Effluent Characteristic	Discharge Limitations		Monitoring Requirements	
	Monthly Avg.	Weekly Avg.	Measurement Frequency	Sample Type
Flow	Report	Report	Continuous	Recorder
$CBOD_5$	200 lb/day / 10 mg/l	15 mg/l	2/week	6 Hour Composite
TSS	300 lb/day / 15 mg/l	23 mg/l	2/week	6 Hour Composite
NH_3-N	40 lb/day / 2 mg/l	4 mg/l	2/week	6 Hour Composite
DO	5 mg/l	---	2/week	Grab
TRC	less than 0.1 mg/l at any one time		2/week	Grab
Fecal Coliform Colonies/100 ml	200	400	2/week	Grab
pH	Range (6.0 su – 9.0 su)		2/week	Grab
Dibromochloro-Methane	0.10 lb/day	0.24 lb/day	1/quarter	24 Hour Composite
Biomonitoring				
Pimephales promelas	Report	Report	1/quarter	24 Hour Comp.
Ceriodaphnia dubia	Report	Report	1/quarter	24 Hour Comp.

The permit contains biomonitoring.
The permit contains pollution prevention language.
The permit contains pretreatment language.

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates the following most recent inspections performed for this facility.

Date – September 21, 2005
Inspector – LDEQ
Findings and/or Violations –

- The facility is an activated sludge treatment plant with two boat clarifiers.
- Site is well kept.
- Permit was effective on 6/1/02.
- Effluent was clear.
- The receiving waters were inspected.
- Meters were calibrated on August 2, 2004.
- Flow calculation check -- weir #1 revealed an error of 0.04% and weir #2 revealed an error of 0.46%.
- All treatment units were operating properly.
- Plant exceeds its design capacity of 2.4 MGD during rainfall events, but no exceedances have occurred since the previous inspection on 8/24/04.
- The City is currently looking at either a batch reactor for additional treatment or possibly wetlands treatment.

- Sludge is sent to the St. Mary Parish Landfill. Sludge wasting is currently at facility capacity.
- Discharge Monitoring Reports were reviewed for a timeframe of 8/1/04 through 8/31/05. One Weekly Average Ammonia-Nitrogen excursion was noted (permit limit 4.0 mg/l / reported value 4.7 mg/l). The cause of the excursion was unknown. Note that two Weekly Average TSS exceedances were reported in February and March of 2005. Actually, these were not exceedances because loading values were reported instead of concentration values.
- Note that the facility was issued Administrative Order CWA-06-2005-2032 for not submitting the annual sludge report to the EPA. The report was accidentally sent to the LDEQ.

Date – February 22, 2007
Inspector –LDEQ
Findings and/or Violations –

- The facility is an activated sludge treatment plant with 2 boat clarifiers.
- Facility has permit on site and expires on 5/31/07.
- Facility has reapplied for permit.
- DMRs, lab analysis, and flow sheets are available for review.
- Facility is not keeping calibration logs for pH meter, DO meter, and chlorine meter.
- DMRs are consistent with self-monitoring data.
- Flow device calibration records are available.
- Sampling for Dibromochloromethane is not consistent with permit requirements (last sampled in February 2006 but is required to be sampled quarterly).
- Balance used for TSS sample results is overdue for calibration since February 2006.
- Facility is not sending in non-compliance reports as required.
- Facility is well kept and neat.
- Effluent is clear and free of any foam, solids, or odor.
- Flow calculation conducted during the inspection revealed a 6.7% and 6.4% error.
- Both flow devices last calibrated on 3/30/2006.
- Facility takes sample at proper location and is correctly flow-proportioning samples.
- Facility uses in-house lab to analyze $CBOD_5$, TSS, DO, TRC, Fecal Coliform, and pH. Hoh-Pak performs analysis of Ammonia-Nitrogen. Gillespie performs Biomonitoring.
- YSI-550A for DO last calibrated on June 12, 2006. YSI-5000 last calibrated on November 3, 2004. Facility says they calibrate the meters but do not have calibration logs for DO meters or pH meters.
- No expiration dates on pH Buffer Powder Pillows.
- Collection system has I/I problems and plant sometimes exceeds design capacity.
- Aerators are in operation.
- Facility has 16 sludge drying beds.

- Facility has ceased taking grease trap waste and last accepted grease trap waste in December 2006 or January 2007.
- Facility sends sludge to St. Mary Parish Landfill in Berwick.
- Several of the beds are due for sludge removal.
- DMR review from 12/05 – 1/07 revealed 1 pH violation and 2 TSS excursions.
- Facility had trouble passing the Biomonitoring tests for the last quarter. Retest #1 in December 2006 all passed, but Retest #2 in January 2007 all failed.
- MWPP report for 2005 was submitted. MWPP report for 2006 has not been submitted yet.
- Sludge reports are sent annually to EPA.

B) Compliance and/or Administrative Orders

A review of the files indicates the following most recent enforcement action administered against this facility:

LDEQ Issuance:

Consolidated Compliance Order & Notice of Potential Penalty
Enforcement Tracking No. WE-CN-01-0410 and WE-CN-01-0410A
Date Issued – November 29, 2001, and February 28, 2007
Findings of Fact:

1. The Respondent owns and/or operates a sanitary wastewater treatment plant located at 811 Northwest Boulevard in Franklin, St. Mary Parish, Louisiana. The Respondent does not have a LPDES permit or other authority to discharge wastes or other substances to waters of the state. The Respondent was issued a NPDES permit with an effective date of May 1, 1995, and an expiration date of April 30, 2000. In accordance with the assumption of the NPDES program by the state, the NPDES permit became a LPDES permit. LPDES permit LA0006289 authorized the Respondent to discharge treated sanitary wastewaters to Bayou Yokely, thence to the Franklin Canal, thence to the Intracoastal Waterway, all waters of the state. An application for a LPDES permit was received untimely on January 19, 2000.
2. The Respondent was issued Compliance Order WE-CN-99-0150 on December 12, 2000. The relevant violations or the Compliance Order were:
   A. Operation and maintenance deficiencies.
   B. Monitoring and record deficiencies.
   C. Excursions of the effluent limitations.
   D. Failure to submit non-compliance reports for excursions of the effluent limitations.

   The relevant requirements of the Compliance Order were to:
   A. Cease all unauthorized discharges from the facility and take all steps necessary to meet and maintain compliance with its LPDES permit LA0006289.
   B. Submit a complete written report including a detailed description of the circumstances of the cited violations, the actions taken to achieve compliance, and corrective or remedial actions taken to mitigate any damages resulting from the violations.

Compliance Order WE-CN-99-0150 is a final action of the Department and not subject to further review.

3. A file review on September 18, 2001, disclosed that the Respondent allowed LPDES permit LA0006289 to expire without submission of a permit renewal application 180 days prior to the expiration date.
4. A file review conducted on February 23, 2007, disclosed the following permit excursions, as reported by the Respondent on its DMRs and Noncompliance Reports:

Date	Parameter	Permit Limit	Reported Value
4/24/00	NH_3-N (Daily Max.)	3.00 mg/l	4.26 mg/l
4/18/00	NH_3-N (Daily Max.)	3.00 mg/l	5.81 mg/l
	TSS (Daily Max.)	23.0 mg/l	24.0 mg/l
4/17/00	NH_3-N (Daily Max.)	3.00 mg/l	4.68 mg/l
4/10/00	NH_3-N (Daily Max.)	3.00 mg/l	8.88 mg/l
	TSS (Daily Max.)	23.0 mg/l	40.0 mg/l
4/04/00	NH_3-N (Daily Max.)	3.00 mg/l	8.78 mg/l
4/03/00	NH_3-N (Daily Max.)	3.00 mg/l	4.96 mg/l
5/20/02	NH_3-N	3.00 mg/l	5.00 mg/l
5/28/02	NH_3-N	3.00 mg/l	5.40 mg/l
5/31/02	NH_3-N (Monthly Avg.)	2.00 mg/l	2.86 mg/l
	NH_3-N (Daily Max.)	3.00 mg/l	6.00 mg/l
10/31/02	NH_3-N (Weekly Avg.)	4.00 mg/l	5.50 mg/l
11/30/02	TSS (Weekly Avg.)	23.0 mg/l	24.0 mg/l
6/2/03	NH_3-N	3.00 mg/l	5.60 mg/l
6/30/03	NH_3-N (Monthly Avg.)	2.00 mg/l	2.29 mg/l
	NH_3-N (Weekly Avg.)	4.00 mg/l	9.50 mg/l
	NH_3-N (Monthly Avg.)	40 lbs/day	No report
1/31/04	NH_3-N (Weekly Avg.)	4.00 mg/l	12.7 mg/l
3/31/04	NH_3-N (Weekly Avg.)	4.00 mg/l	4.2 mg/l
2/28/05	TSS (Weekly Avg.)	23.0 mg/l	255.62 mg/l
3/31/05	TSS (Weekly Avg.)	23.0 mg/l	182.52 mg/l
5/31/05	NH_3-N (Weekly Avg.)	4.00 mg/l	4.7 mg/l
10/31/05	NH_3-N (Weekly Avg.)	4.00 mg/l	4.4 mg/l
11/30/05	NH_3-N (Monthly Avg.)	2.00 mg/l	2.8 mg/l
	NH_3-N (Weekly Avg.)	4.00 mg/l	8.55 mg/l
12/31/05	Dissolved Oxygen	5.00 mg/l	0.7 mg/l
	TSS (Weekly Avg.)	23.0 mg/l	23.5 mg/l
3/31/06	TSS (Monthly Avg.)	15.0 mg/l	16.46 mg/l
	TSS (Weekly Avg.)	23.0 mg/l	27.00 mg/l
4/30/06	pH	6.0 SU	5.73 SU

5. A file review conducted on September 18, 2001, revealed that Respondent submitted inaccurate DMRs. Specifically, Respondent submitted DMRs for the month of April 2000 with the incorrect number of excursions for Dissolved Oxygen, TSS, and Total Ammonia Nitrogen.
6. A file review conducted on September 18, 2001, and subsequent inspection on September 25, 2001, revealed the Respondent allowed the unauthorized discharge of treated sanitary wastewater to waters of the

state. Specifically, the unauthorized discharge was documented by the Respondent's submittal of DMRs after expiration of the permit on April 30, 2000, and was documented by the inspector at the time the flow calculation was done.

7. A file review conducted on February 9, 2007, revealed the following violations:

Date	Parameter	Violation
8/31/02	Whole Effluent Toxicity	Failed to Report
11/30/02	Dibromochloromethane	Failed to Report
2/28/03	Dibromochloromethane	Failed to Report
8/31/03	Whole Effluent Toxicity	Failed to Sample
11/30/04	Dibromochloromethane	Failed to Sample
2/28/05	Dibromochloromethane	Failed to Sample
8/31/05	Dibromochloromethane	Failed to Sample
5/31/06	Dibromochloromethane	Failed to Sample
8/31/06	Dibromochloromethane	Failed to Sample
11/30/06	Whole Effluent Toxicity	Failed to Submit DMR
	Dibromochloromethane	Failed to Report

Order:

1. To protect water quality, the Respondent is required to comply with the following:

   If the Respondent chooses to discharge to waters of the state, the following interim limitations and monitoring requirements shall apply:

   The point of discharge from the facility is hereby designated as Outfall 001. The discharge from this facility's operation shall be monitored at the point of discharge from the last treatment unit prior to entering waters of the state of Louisiana. The Respondent shall monitor and report all discharges from its facility under the effluent limitations, monitoring requirements, and all other permit conditions described in its expired LPDES permit LA0006289 until a final LPDES permit is re-issued by the Department or until Respondent is otherwise notified in writing by the Department.
2. To submit to the Enforcement Division a complete written report that shall include a detailed description of the circumstances of the cited violations, and the actions taken to achieve compliance with the Compliance Order.
3. To ensure that the Respondent will be able to comply with the final effluent limitations of its LPDES permit, in response to Compliance Order and Notice of Potential Penalty WE-CN-99-0150, the Respondent submitted a Compliance Schedule as follows:

Events	Date
Submittal of Plans and Specifications to DEQ	September 2007
Receipt of bids	January 2008
Complete Construction	November 2008
Meet and Maintain Compliance with Permit Limits	January 2009

The Respondent shall submit to the Department progress reports beginning 14 days after Compliance Schedule date concerning construction upgrade work at the Respondent's facility. If the project completion percentage is less than would be required to assure completion of each activity by the required date, the quarterly progress shall also include an explanation for this delay and proposed remedial actions.

C) DMR Review

A review of the discharge monitoring reports for the period beginning May 2005 through June 2007 has revealed the following violations:

Parameter	Outfall	Period of Excursion	Permit Limit	Reported Quantity
NH_3-N (Weekly Avg.)	001	May 2005	4 mg/l	4.7 mg/l
NH_3-N (Weekly Avg.)	001	October 2005	4 mg/l	4.4 mg/l
NH_3-N (Monthly Avg.)	001	November 2005	2 mg/l	2.8 mg/l
NH_3-N (Weekly Avg.)	001	November 2005	4 mg/l	8.55 mg/l
DO (Monthly Avg.)	001	December 2005	5 mg/l minimum	0.07 mg/l
TSS (Weekly Avg.)	001	December 2005	23 mg/l	23.5 mg/l
TSS (Monthly Avg.)	001	March 2006	15 mg/l	16.46 mg/l
TSS (Weekly Avg.)	001	March 2006	23 mg/l	27 mg/l
pH	001	April 2006	6.0 su minimum	5.73 su

- $CBOD_5$ was not reported on the December 2005 DMR.
- DMR for June 2006 through August 2006 for Dibromochloromethane was missing from the file.
- DMR for March 2006 through May 2006 for Dibromochloromethane was missing from the file.
- DMRs for September 2006 through January 2007 for Dibromochloromethane were missing from the file.

XII. ADDITIONAL INFORMATION:

The Department of Environmental Quality 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 DEQ 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.

Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity of 2 MGD.

Effluent loadings are calculated using the following example:

$CBOD_5$: 8.34 gal/lb x 2 MGD x 5 mg/l = 83 lbs/day

At present, the Monitoring Requirements, Sample Types, and Frequency of Sampling as shown in the permit are standard for facilities of flows between 1 MGD and 5 MGD.

Effluent Characteristics	Monitoring Requirements	
	Measurement Frequency	Sample Type
Flow	Continuous	Recorder
$CBOD_5$	2/week	6 Hr. Composite
Total Suspended Solids	2/week	6 Hr. Composite
Ammonia-Nitrogen	2/week	6 Hr. Composite
Dissolved Oxygen	2/week	6 Hr. Composite
Fecal Coliform Bacteria	2/week	Grab
pH	2/week	Grab
Total Chloroform	1/quarter	24 Hr. Composite
Dibromochloromethane	1/quarter	24 Hr. Composite
Biomonitoring		
Ceriodaphnia dubia (Method 1002.0)	1/quarter	24 Hr. Composite
Pimephales promelas (Method 1000.0)	1/quarter	24 Hr. Composite

Compliance Schedule

In order to allow the permittee time to upgrade the facility to meet limitations imposed by water quality based limits, **INTERIM LIMITS** are proposed for this facility.

The permittee shall achieve compliance with the FINAL EFFLUENT LIMITATIONS and MONITORING REQUIREMENTS as specified in accordance with the following schedule:

ACTIVITY	DATE
Achieve Interim Effluent Limitations and Monitoring Requirements	On the effective date of the permit
Achieve Final Effluent Limitations and Monitoring Requirements	Three years from the effective date of the permit

The above listed activities must be achieved on or before the deadline date. Additionally, the permittee shall submit a progress report outlining the status of all facility improvements on a yearly basis until compliance is achieved.

Within 14 days of completion of the new facility or facility upgrade and/or expansion, the Permittee shall notify the Department of Environmental Quality-Office of Environmental Services in writing that construction has been completed.

The Permittee shall achieve sustained compliance with Final Effluent Limitations.

Where the percent project completion reported is less than would be required to assure completion of necessary upgrades by the required date, the report of progress shall also include an explanation for

this delay and proposed remedial actions.

No later than 14 days following a date for a specific action (as opposed to a report of progress), the permittee shall submit a written notice of compliance or noncompliance.

Pretreatment Requirements

Based upon consultation with LDEQ pretreatment personnel, general pretreatment language will be used due to the lack of either an approved or required pretreatment program. (See attached Pretreatment Evaluation and Recommendation)

Pollution Prevention Requirements

The permittee shall institute or continue programs directed towards pollution prevention. The permittee shall institute or continue programs to improve the operating efficiency and extend the useful life of the facility. The permittee will complete an annual Environmental Audit Report **each year** for the life of this permit according to the schedule below. The permittee will accomplish this requirement by completing an Environmental Audit Form which has been attached to the permit. All other requirements of the Municipal Wastewater Pollution Prevention Program are contained in Part II of the permit.

The audit evaluation period is as follows:

Audit Period Begins	Audit Period Ends	Audit Report Completion Date
Effective Date of Permit	12 Months from Audit Period Beginning Date	3 Months from Audit Period Ending Date

Stormwater Discharges

Because the design flow of the Franklin & Vicinity WWTP is equal to or greater than 1.0 MGD and in accordance with LAC 33:IX.2511.B.14.i, the facility may contain storm water discharges associated with industrial activity. Therefore, in accordance with LAC 33:IX.2511.A.1.b, specific requirements addressing stormwater discharges will be included in the discharge permit.

Acceptance of Hauled Domestic Septage

The permit application indicated that hauled domestic septage was being accepted at the facility. Therefore, specific requirements pertaining to the acceptance of hauled domestic septage has been included in the discharge permit.

XIII TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards", Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program", Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, City of Franklin, Franklin & Vicinity WWTP, December 27, 2006.