FACT SHEET
GENERAL PERMIT NO. LAG480000
AI 84683
PER20090001

DISCHARGES FROM LIGHT COMMERCIAL FACILITIES

FACT SHEET FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM (LPDES) REISSUANCE PERMIT FOR DISCHARGES FROM LIGHT COMMERCIAL FACILITIES TO WATERS OF THE STATE.

Permit No.	LAG480000
Issuing Office:	State of Louisiana Department of Environmental Quality Office of Environmental Services Water Permits Division Municipal and General Water Permits Section
Prepared By: (LAC 33:IX.3111.B.7)	Linda Gauthier Municipal and General Water Permits Section (225) 219-0801
Permit Action:	Revocation and Reissuance of the LPDES General Permit for Discharges from Light Commercial Facilities
Date Prepared	December 15, 2009

I. ISSUANCE OF A GENERAL PERMIT (LAC 33:IX.2515)

The Office of Environmental Services, Water Permits Division, through its permitting system authorized under the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), is responsible for ensuring that certain sources of wastewaters and storm water are identified, receive adequate treatment, and are disposed of in accordance with applicable state regulations. In accordance with the "Memorandum of Agreement" between the State of Louisiana and the U.S. Environmental Protection Agency and LAC 33:IX.2301, et seq., the Department has the authority to administer the LPDES General Permits Program.

Under the authority of Section 402 of the Clean Water Act, 40 CFR 123.24, and LAC 33:IX.2515.A.2.b, a general permit can be used to cover a category or subcategory of discharges where the sources are either storm water point sources, or one or more

categories or subcategories of point sources other than storm water point sources, or one or more category or categories of treatment works treating domestic sewage, if the sources or treatment works treating domestic sewage all:

1. involve the same or substantially similar types of operations;
2. discharge the same types of wastes or engage in the same types of sludge use or disposal practices;
3. require the same effluent limitation or operating conditions, or standards for sewage sludge use or disposal;
4. require the same or similar monitoring; and
5. in the opinion of the state administrative authority, are more appropriately controlled under a general permit than under individual permits.

The general permit will authorize only discharges identified in Section B of the permit which typically are discharges of low volume flows. This permit **shall not** apply to:

1. discharges from facilities classed as "Majors" in the LPDES permitting system;
2. discharges other than those listed under Section II (Covered Activity) below (items 1 - 13);
3. discharges listed under Section II (Covered Activity) (items 1 - 13) below that are mixed with other, non-covered discharge types unless those other discharges are in compliance with another LPDES permit;
4. discharges, or the potential for discharge, of substances that are not addressed by or would not be adequately regulated by this permit, including any of the Organic Toxic Pollutants, Other Toxic Pollutants (Metals and Cyanide) and Total Phenols, and Toxic Pollutants and Hazardous Substances listed in Tables II, III, and V of LAC 33:IX Appendix D, except as specifically limited in Section B (Effluent Limitations), RLP 4 Outfall 004 of the permit for discharges of hydrostatic testing and vessel testing wastewaters;
5. discharges of wastewaters which have limits assigned to them in the Louisiana Water Quality Management Plan or an approved Waste Load Allocation which are different from the limits contained in this permit;
6. discharges which are likely to have unauthorized adverse effects upon threatened or endangered species, or on the critical habitat for these species as determined in conjunction with the U.S. Fish and Wildlife Service (USFWS);

7. discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless they are in compliance with requirements of the National Historic Preservation Act and any necessary activities to avoid or minimize impacts have been coordinated with the Louisiana State Historic Preservation Officer (for questions, the operator should contact the Section 106 Review Coordinator, Office of Cultural Development, P. O. Box 44247, Baton Rouge, LA 70804 or telephone (225) 342-8170);

8. discharges of wastewater determined by this Office to present an environmental risk or potential risk of discharging pollutants other than is intended to be regulated by this permit;

9. discharges resulting from the decontamination of equipment involved in remediation type activities;

10. discharges associated with the disposal, storage, or treatment of hazardous (RCRA non-exempt) oilfield waste;

11. discharges of treated or untreated waste related to oilfield exploration and production activity;

12. discharges of washwater from (a) the interior cleaning of tanks and vessels at oilfield service facilities, and from (b) vehicles with tanks or cargo compartments for the hauling or dispensing of pesticides, hazardous waste, or any chemical which is deemed by this Office to be a threat to the environment;

13. washing the inside of the storage compartment of garbage trucks that haul municipal/household solid waste;

14. washing garbage trucks that haul industrial waste materials;

15. washing garbage trucks that haul municipal/household solid waste if they are washed at any location other than a maintenance facility or a solid waste transfer station;

16. washing the outside of the storage compartment of garbage trucks that haul municipal/household solid waste if there is a visible accumulation of free liquids or waste materials on the outside of the compartment;

17. internal tank truck washing or the external washing of tank trucks that have a visible accumulation of product on the outside of the tank;

18. steam cleaning or pressure washing engines, and/or industrial equipment with non-biodegradable soaps and/or detergents or with chemicals containing any of the 126 priority pollutants;

19. discharges at operations classed as new sources or new dischargers, if the discharge will cause or contribute to the violation of water quality standards

not addressed by the terms, conditions and schedules of this general permit (LAC 33:IX.2317.A.9);

20. discharges which cause or contribute to the violation of a state water quality standard; and

21. proposed discharges directly into a waterbody designated as an Outstanding Natural Resource Water as defined in LAC 33:IX.1123.Table 3, except in accordance with LAC 33:IX.1119.C.4.

At the discretion of the Department this general permit **may not** apply to:

1) discharges from facilities not in compliance with a previously issued individual or general wastewater discharge permit;
2) discharges from facilities which have previously been in violation of state water quality regulations;
3) discharges from facilities which are located in an environmentally sensitive area;
4) discharges into water bodies designated by the State pursuant to Section 303(d) of the Clean Water Act;
5) discharges into waters that are likely to contain threatened or endangered species; or
6) discharges from facilities which owe any outstanding fees or fines to the Department.

The Department may deny coverage under this permit and require submittal of an application for an individual LPDES permit based on a review of the NOI or other information. This Office reserves the right to issue such facilities an individual LPDES permit with more appropriate limitations and conditions.

The LDEQ may require any discharger authorized by a general permit to apply for and obtain an individual LPDES permit. Any interested person may petition the LDEQ to take action under this Paragraph. Cases where an individual LPDES permit may be required include the following:

i. the discharger or treatment works treating domestic sewage is not in compliance with the conditions of the general LPDES permit;

ii. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source or treatment works treating domestic sewage;

iii. effluent limitation guidelines are promulgated for point sources covered by the general LPDES permit;

iv. a water quality management plan containing requirements applicable to such point sources is approved;

v. circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;

vi. standards for sewage sludge use or disposal have been promulgated for the sludge use and disposal practice covered by the general LPDES permit; or

vii. the discharge(s) is a significant contributor of pollutants. In making this determination, the LDEQ may consider the following factors:

(a) the location of the discharge with respect to waters of the state;
(b) the size of the discharge;
(c) the quantity and nature of the pollutants discharged to waters of the state; and
(d) other relevant factors (such as, but not limited to, critical flow and harmonic mean flow determinations, environmental considerations, site operational data, designated uses, water quality characteristics and other applicable water quality and regulatory requirements).

The facilities covered under this general permit would be assigned comparable effluent limitations and permit requirements if covered under an individual LPDES discharge permit. Given the large number of minor industrial facilities in Louisiana that generate common types of incidental, low-potential wastewaters, LDEQ considers this general permit the most effective means by which to implement and enforce Louisiana's Water Quality Regulations efficiently, consistently, and practically.

II. COVERED ACTIVITY (LAC 33:IX.3111.B.1,2)

This LPDES permit was initially issued by the Louisiana Department of Environmental Quality (LDEQ) on July 31, 2001 and effective August 1, 2001. That general permit expired on July 31, 2006. The permit that expired on July 31, 2006, was reissued July 25, 2006 and became effective August 1, 2006. After the final permit was issued, the Louisiana Environmental Action Network (LEAN) filed a Petition for Judicial Review with the 19th Judicial District Court. On August 30, 2006, the court stayed the effectiveness of the reissued general permit pending final resolution of the appeal. LDEQ then drafted a modification of the stayed general permit in response to the objections that were contained in LEAN's Petition for Judicial Review. The modified draft permit was public noticed on April 30, 2008. On June 2, 2008, LDEQ received comments on the modified draft permit from Tulane Environmental Law Clinic on behalf of LEAN and the Gulf Restoration Network (GRN). No final action was taken on the draft permit after receipt of Tulane's comments on the modified draft permit.

The LDEQ proposes to revoke and reissue the stayed version of the permit that was issued July 25, 2006, by issuing this general permit. This draft general permit differs from the stayed version of the permit as follows:

1. The effluent limitations schedule for discharges of treated sanitary wastewater 5,000 to 25,000 GPD has been removed from the permit.
2. Included coverage under the permit for washing of the exterior of garbage trucks that haul municipal/household solid waste provided that the washing occurs either at a maintenance facility or at a solid waste transfer station.
3. In Permit, Section A, updated language in the permit related to its applicability for discharges into water bodies designated by the State as Outstanding Natural Resource Waters, to prohibit proposed discharges directly to these waterbodies except in accordance with LAC 33:IX.1119.C.4.
4. In Permit, Section A, updated language in the permit related to its applicability for discharges into Section 303(d) designated water bodies, and discharges into waters that are likely to contain threatened or endangered species.
5. Added item no. 5 to page 6 of the permit to specify that discharges of treated or untreated waste related to oilfield exploration and production activity is not covered by permit LAG480000;
6. Revised Pages 8 of 28 of the permit to describe cases where a discharger authorized for coverage under a general permit may be required to apply for an individual LPDES permit.
7. The prior version of the permit stipulates that sanitary wastewater "shall be monitored at the point of discharge from the treatment unit and prior to mixing with any other water." In order to increase the effectiveness and applicability of the general permit, the reissuance permit will remove that restriction from RLP 1 Outfall 001 and allow the permitttee to monitor sanitary wastewater after it commingles with other regulated wastestreams and prior to mixing with other waters. Appendix A that will be attached to the permittees letter authorizing discharge under the general permit will identify the effluent schedule that applies to each wastewater constituent in the commingled wastestream. The permittee will be required to monitor the discharge consisting of commingled wastestreams in accordance with the monitoring requirements for each effluent schedule and for each wastewater constituent of the commingled wastestream. These monitoring requirements are adequate to ensure that water quality standards in receiving water bodies will not be compromised by allowing the permittee to monitor sanitary wastewater after it commingles with other regulated wastestreams and prior to mixing with other waters.
8. *Other Conditions*, Section Q of this permit requires that each permittee implement pollution prevention activities for specific activities when that activity occurs at the permitted facility. In accordance with the requirement of *Other Conditions*, Section Q, although permitted facilities that discharge non-regulated storm water are not required to have a written storm water pollution prevention plan (SWPPP) they are required to implement pollution prevention activities. RLP 9 Outfall 009 of the permit stipulates that permitted facilities whose storm water discharges are regulated under the Multi-Sector General Permit (MSGP) must comply with the applicable requirements set forth in the MSGP which is in effect at the time of authorization by means of the Light Commercial permit.

9. TMDL language was not included in the stayed version of the permit. The State Water Quality Standards section of the reissuance general permit (Section G, *Other Conditions*) states that "Pursuant to LAC 33:IX.2317.A.9 new source discharges or new discharges of wastewater from a facility whose discharges are in compliance with the general permit requirements should not adversely impact water quality of 303(d) listed impaired water bodies nor should they cause or contribute to the violation of state water quality standards in receiving water bodies throughout the state, including 303(d) listed impaired water bodies."
10. Alternate monitoring schedules have been included for most schedules in the permit which will require more frequent monitoring at facilities of concern, such as those with unsatisfactory compliance histories but which are otherwise eligible for coverage under the general permit. Increased monitoring frequencies will be available for discharges under every Schedule of the permit except for RLP 4 Outfall 004 (Hydrostatic Testing and Vessel Testing Wastewater), which requires that wastewater be monitored 1/discharge.
11. RLP 6 Outfall 006 and RLP 7 Outfall 007 allow a maximum pH of 11 standard units for discharges of boiler water treatment blowdown and boiler blowdown wastewater from boilers that are used for climate control or similar circumstances. Such boilers would be used for climate control at office buildings, office parks, warehouses, and similar buildings. This condition is intended to allow permit coverage to a minimal number of facilities if a thorough review of the NOI and local environmental conditions result in a determination that the facility-specific discharge will not violate state water quality regulations.
12. Updated language in the permit related to approved test methods. The specific requirements are listed in *Standard Conditions,* Section C.5.a.
13. Added Daily Maximum discharge limitation to the RLP 1 Outfall 001 schedule in accordance with LAC 33:IX.2709.D.
14. Outfalls in the draft permit are identified using TEMPO format.
15. Throughout the permit, updated references to LDEQ Internet website address and LDEQ office or group names.
16. Updated footnotes pertaining to Soaps and Detergents and Visible Sheen to make the requirements consistent with those contained in other recently issued general and individual permits.
17. Under Permit *Section C.* Monitoring and Reporting Requirements, clarified that Daily Maximum values cannot be averaged when reported on the DMR form.
18. Updated *Other Conditions*, Section A. Definitions.

The availability of an LPDES general permit for discharges from light commercial facilities streamlines the permit process for minor facilities that generate common types of incidental, low-potential wastewaters, which allows the Department to devote more resources to issuing individual LPDES permits to industrial facilities with discharges that require more regulatory oversight. It is an essential tool that will allow the Water Permits Division to effectively regulate these minor facilities during tough economic times when the Department is being required to carry out its mission of environmental protection with fewer

resources and enable the Water Permits Division to meet EPA permit issuance goals.

The reissued permit shall cover discharges of incidental, low-potential wastewaters from activities and operations which commonly occur at a variety of minor industrial facilities operating within the state including, but not limited to, general merchandise stores; aircraft service facilities; boat and barge repair operations; bulk cement terminals; docks; engine sales, service and/or repair operations; machinery and equipment manufacturing and rental facilities; small manufacturing and distribution facilities; fabrication shops; foundries; machine shops; equipment rental facilities; engine repair operations; oil field service/support operations; refined petroleum pipeline booster stations; railroad classification and service yards; ports and transportation terminals; military vehicle outfitting and storage facilities; and equipment and vehicle maintenance and storage facilities. The permit shall also cover the external washing of garbage trucks that haul municipal/household solid waste provided that the washing occurs at either a maintenance facility or at a solid waste transfer station and that all free liquids are removed from the storage compartment prior to entry into the wash bay. The draft permit will continue to regulate these discharges from facilities/operations that are deemed eligible for coverage under the general permit:

1) discharges of less than 5,000 GPD of treated sanitary wastewater;

2) discharges of wastewater from a washrack(s) used to wash the exterior of vehicles and/or equipment;

3) discharges of washdown wastewater from equipment repair areas;

4) discharges of wastewater from washing down shop floors;

5) discharges of wastewater from the washing of docks;

6) discharges of utility wash water;

7) discharges of hydrostatic testing and vessel testing wastewater from the testing of pipes, vessels, and/or tanks which are new, or which have been used for the transport, transfer, or storage of natural gas, crude oil, or liquid or gaseous petroleum hydrocarbons;

8) discharges of non-contact cooling water (less than 100,000 GPD flow) where the 126 priority pollutants are not components of the water additives;

9) discharges of cooling tower blowdown (less than 25,000 GPD flow) where the 126 priority pollutants are not components of the water additives;

10) discharges of boiler blowdown and boiler treatment blowdown where the 126 priority pollutants are not components of the water additives;

11) discharges of condensate which does not come into contact with products, raw materials, or waste materials;

12) regulated industrial storm water (see Permit *Other Conditions*, A.38), and

13) discharges of any combination of the above wastewaters.

III. OBTAINING COVERAGE

Proposed facilities desiring coverage under this permit must submit an NOI at least sixty (60) days prior to commencement of discharge. Several different NOI forms will be accepted for coverage under this general permit. The LCF-G form is the form most commonly submitted for permit coverage. Other approved forms are the WPC-3 for Barge Cleaning and/or Repair Facilities; the NGF-3 for Natural Gas Compressor Stations and related facilities engaged in the transmission, distribution and/or storage of natural gas; the NGF-3 for Natural Gas Fractionation and/or Sweetening Facilities; and the OSC-2 form for Oil Field Service Companies. Dischargers desiring coverage under this general permit must submit one of the approved NOI forms, all of which may be obtained by contacting the LDEQ Customer Support Center at (225) 219-5337, or from the LDEQ web site at http://www.deq.louisiana.gov/portal/. Go through the following links to find the appropriate NOI form: INFO ABOUT Water – Permits – LPDES Permits, Information, and Applications – LPDES Forms – LPDES Permit Application Forms – General Permit Notices of Intent – LCF-G (or other approved form).

As stated in the public notice and in the permit, if activity is currently being conducted and has not been permitted, an NOI shall be submitted immediately.

NOIs that are submitted for authorization under the general permit undergo the same detailed review, evaluation and documentation as applications for an individual LPDES permit.

After review of an NOI that is submitted to request coverage under the general permit, this Office will issue written notification to those applicants who are accepted for coverage under this general permit. Applicants who are determined to be ineligible for coverage under the general permit will be notified in writing of their ineligibility and of alternate permit options that are available to them.

Dischargers who are currently permitted under the LPDES version of this permit that expired on July 31, 2006, will not automatically be covered under the reissued LPDES permit. These permitted dischargers will be required to reapply for coverage under the reissued general permit. Each permitted discharger will be notified in writing when the final permit is issued and instructed to complete a new Notice of Intent (NOI) form LCF-G or an approved equivalent form to reapply for LPDES permit coverage. This Office will conduct a thorough evaluation of eligibility for each NOI that is submitted for permit coverage, and prepare a permit statement of basis to document the Agency's determination. After completing the evaluation of eligibility and documenting the Agency's determination, this Office will issue written notification to those applicants who are accepted for coverage under the reissued general permit. The Water Permits Division will terminate permit coverage for any currently permitted facility who fails to submit a new NOI within the time frame specified in the written notification from the Water Permits Division instructing the discharger to reapply for LPDES permit coverage.

A facility which has obtained coverage under permit LAG480000 for wastewater discharges and which also discharges industrial storm water as defined in LAC 33:IX.2511.B.14 – *Storm Water Discharge Associated With Industrial Activity* – must maintain coverage for those storm water discharges under the LPDES Multi-Sector General Permit (MSGP) or an alternate, equivalent permit. When alternate permit coverage is not already in place, these storm water discharges are, upon authorization under the Light Commercial General Permit (LAG480000), automatically granted authorization under the version of the LPDES MSGP which is in effect at the time of coverage under permit LAG480000. When applicable, this automatically authorized storm water coverage will be listed in Appendix A which will accompany the permittee's letter granting authorization to discharge under the general permit. When alternate coverage was obtained under the MSGP prior to obtaining coverage under permit LAG480000, the permitted facility is not required to submit a Notice of Termination (MSGP-NOT) to cancel the facility's LAR05XXXX permit authorization number. The applicability of the LAR05XXXX permit authorization number is automatically terminated on the effective date of issuance of the facility's LAG480000 permit authorization for both point source and storm water discharges from the facility.

IV. DISCHARGE DESCRIPTION (LAC 33:IX.3111.B.2)

This permit **shall not** apply to:

1. discharges from facilities classed as AMajors≅ in the LPDES permitting system;

2. discharges other than those listed above in Section II (Covered Activity) (items 1 - 13);

3. discharges listed above in Section II (Covered Activity) (items 1 - 13) that are mixed with other, non-covered discharge types unless those other discharges are in compliance with another LPDES permit;

4. discharges, or the potential for discharge, of substances that are not addressed by or would not be adequately regulated by this permit, including any of the Organic Toxic Pollutants, Other Toxic Pollutants (Metals and Cyanide) and Total Phenols, and Toxic Pollutants and Hazardous Substances listed in Tables II, III, and V of LAC 33:IX Appendix D, except as specifically limited in Section B (Effluent Limitations), RLP 4 Outfall 004 of the permit for discharges of hydrostatic testing and vessel testing wastewaters;

5. discharges of wastewaters which have limits assigned to them in the Louisiana Water Quality Management Plan or an approved Waste Load Allocation which are different from the limits contained in this permit;

6. discharges which are likely to have unauthorized adverse effects upon threatened or endangered species, or on the critical habitat for these species as determined in conjunction with the U.S. Fish and Wildlife Service (USFWS);

7. discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless they are in compliance with requirements of the National Historic Preservation Act and any necessary activities to avoid or minimize impacts have been coordinated with the Louisiana State Historic Preservation Officer (for questions, the operator should contact the Section 106 Review Coordinator, Office of Cultural Development, P. O. Box 44247, Baton Rouge, LA 70804 or telephone (225) 342-8170);

8. discharges of wastewater determined by this Office to present an environmental risk or potential risk of discharging pollutants other than is intended to be regulated by this permit;

9. discharges resulting from the decontamination of equipment involved in remediation type activities;

10. discharges associated with the disposal, storage, or treatment of hazardous (RCRA non-exempt) oilfield waste;

11. discharges of treated or untreated waste related to oilfield exploration and production activity;

12. discharges of washwater from (a) the interior cleaning of tanks and vessels at oilfield service facilities, and from (b) vehicles with tanks or cargo compartments for the hauling or dispensing of pesticides, hazardous waste, or any chemical which is deemed by this Office to be a threat to the environment;

13. washing the inside of the storage compartment of garbage trucks that haul municipal/household solid waste;

14. washing garbage trucks that haul industrial waste materials;

15. washing garbage trucks that haul municipal/household solid waste if they are washed at any location other than a maintenance facility or a solid waste transfer station;

16. washing the outside of the storage compartment of garbage trucks that haul municipal/household solid waste if there is a visible accumulation of free liquids or waste materials on the outside of the compartment;

17. internal tank truck washing or the external washing of tank trucks that have a visible accumulation of product on the outside of the tank;

18. steam cleaning or pressure washing engines, and/or industrial equipment with non-biodegradable soaps and/or detergents or with chemicals containing any of the 126 priority pollutants;

LDEQ-EDMS Document 44707910, Page 18 of 44

19. discharges at operations classed as new sources or new dischargers, if the discharge will cause or contribute to the violation of water quality standards not addressed by the terms, conditions and schedules of this general permit (LAC 33:IX.2317.A.9);

20. discharges which cause or contribute to the violation of a state water quality standard; and

21. proposed discharges directly into a waterbody designated as an Outstanding Natural Resource Water as defined in LAC 33:IX.1123.Table 3, except in accordance with LAC 33:IX.1119.C.4.

At the discretion of the Department this general permit **may not** be available to:

1) discharges from facilities not in compliance with a previously issued individual or general wastewater discharge permit;
2) discharges from facilities which have previously been in violation of state water quality regulations;
3) discharges from facilities which are located in an environmentally sensitive area;
4) discharges into water bodies designated by the State pursuant to Section 303(d) of the Clean Water Act;
5) discharges into waters that are likely to contain threatened or endangered species; or
6) discharges from facilities which owe any outstanding fees or fines to the Department.

V. DISCHARGE LOCATION (LAC 33:IX.6519.A.1)

Within the geographic boundaries of the State of Louisiana.

VI. RECEIVING STREAM/USES (LAC 33:IX.6519.A.2)

The general permit covers discharges to any waterbody within the geographic boundaries of the State of Louisiana, as defined in LAC 33:IX.1123 and 2313. However, each individual facility covered under the general permit will only be allowed to discharge to the specific waterbody identified in that facility's Notice of Intent that is submitted for permit coverage.

The possible designated uses of the receiving streams are:

Primary Contact Recreation
Secondary Contact Recreation
Propagation of Fish and Wildlife
Oyster Propagation
Drinking Water Supply
Agriculture

LDEQ-EDMS Document 44707910, Page 19 of 44

Outstanding Natural Resource Waters
Limited Aquatic Life and Wildlife Use

VII. PROPOSED EFFLUENT LIMITATIONS AND/OR CONDITIONS

The specific effluent limitations and/or conditions will be found in the draft permit. Development of permit limits is detailed in the Permit Rationale section below.

VIII. PERMIT RATIONALE (LAC 33:IX.3111.B.4, LAC 33:IX.3305.B.1.d)

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the permit. Because the facility types covered by this general permit and others with similar discharges had received individual permits for years prior to the issuance of the initial general permit for discharges from light commercial facilities, effluent limitations for the initial general permit were based on those previously applied in the individual permits. The proposed effluent limitations and/or conditions contained in this permit are a continuation of those implemented in the current LPDES General Permit for Discharges from Light Commercial Facilities (effective August 1, 2001); the LPDES General Permit for Hydrostatic Test Wastewater (effective February 1, 2008); the LPDES General Permits for Discharge of Sanitary Wastewater (Class I effective December 1, 2007); the LPDES General Permit for Exterior Vehicle Wash Wastewater (effective March 15, 2009); the LPDES General Permit for Dewatering of Petroleum Storage Tanks, Tank Beds, New Tanks and Excavations (effective January 1, 2005); and individual LPDES permits recently issued by the Department.

A. TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Two types of technology-based effluent limitations must be included in this general permit. With regard to conventional pollutants, CWA Section 301(b)(1)(E) requires effluent limitations based on best conventional pollution control technology (BCT). With regard to nonconventional and toxic pollutants, CWA Section 301(b)(2)(A), (C), and (D) requires effluent limitations based on best available pollution control technology economically achievable (BAT). BAT and BCT effluent limitations may never be less stringent than corresponding effluent limitations based on best practicable control technology (BPT).

Frequently, EPA adopts nationally applicable guidelines identifying the BPT, BCT, and BAT standards to which specific industrial categories and subcategories are subject. Until such guidelines are published, however, CWA Section 402(a)(1) requires that appropriate BCT and BAT effluent limitations be determined using best professional judgment (BPJ). Since national guidelines establishing BPT, BCT, and BAT standards have not been promulgated for discharges regulated by this general permit, the appropriate BCT and BAT limitations have been established based on BPJ, as required by CWA

Section 402(a)(1) and LAC 33:IX.3705.

Discharges of storm water and wastewaters from these facilities are noncontinuous in nature. The determination of flow from these outfalls is derived by estimate of the flow. Because of this, in this permit effluent limitations for discharges that are intermittent or noncontinuous in nature will be in terms of daily maximum concentrations and/or monthly average concentrations, as allowed by LAC 33:IX.2709.F.1 and 40 CFR 122.45.

This general permit will also regulate facilities with sanitary wastewater discharges totaling less than 5,000 gallons per day maximum expected flow. Sanitary wastewaters are regulated in accordance with LAC 33:IX.711 or 709.B and by BPJ utilizing the sanitary general permits issued by this Office. Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses BOD_5 and TSS in terms of concentration.

B. TECHNOLOGY-BASED EFFLUENT LIMITATIONS AND CONDITIONS (LAC 33:IX.3111.B.4)

1. GENERAL COMMENTS

Regulations promulgated at LAC 33:IX.2707.A/40 CFR Part 122.44(a) require technology-based effluent limitations to be placed in LPDES permits based on effluent limitations guidelines where applicable, on BPJ (best professional judgment) in the absence of guidelines, or on a combination of the two. Effluent guidelines have not been promulgated for the types of discharges that are covered by this permit, so limitations were determined based on BPJ and on previously issued permits for similar discharges.

Discharges that may be authorized under this general permit will be those wastewater or storm water discharges described in Section II (items 1-13) of this fact sheet. The permit is intended to cover only the specific types of discharges described in Section II, items 1-13 of this fact sheet.

Other than the changes noted earlier in the fact sheet, the permit limits and conditions are equivalent to those in the current LPDES General Permit for Discharges from Light Commercial Facilities (effective January 1, 2001); and are based on the LPDES General Permit for Hydrostatic Test Wastewater (effective February 1, 2008); LPDES General Permit for Treated Groundwater, Potentially-Contaminated Storm Water, and/or Associated Wastewaters (effective January 1, 2006); LPDES General Permit for Exterior Vehicle Wash Wastewater (effective March 15, 2009); the LPDES General Permit for Dewatering of Petroleum Storage Tanks, Tank Beds, New Tanks and Excavations (effective January 1, 2005), and individual LPDES permits recently issued by the Department.

The following two items were included in the permit to ensure that permittees are aware of related LPDES regulations and to facilitate compliance with those regulations.

LDEQ-EDMS Document 44707910, Page 21 of 44

1) The permit contains a synopsis of regulations related to construction activities that might occur at a permitted site and guidance for obtaining permit coverage for regulated construction activities.

2) The permit offers guidance and instructions related to modification of a facility's authorization to discharge and transfer of permit coverage when a permitted facility changes ownership.

2. LIMITED PARAMETERS AND MONITORING REQUIREMENTS:

The following schedules are referred to in the tables in this section of the fact sheet:

RLP 1 Outfall 001:	Treated Sanitary Wastewater (less than 5,000 GPD)
RLP 2 Outfall 002:	Exterior Vehicle and Equipment Washing; Equipment Repair Area Washdown; Shop Floor Area Washdown; Dock Washdown; and Utility Wash Water (all with Soaps and/or Detergents)
RLP 3 Outfall 003:	Equipment Repair Area Washdown; Shop Floor Washdown; and Utility Wash Water (all without Soaps and/or Detergents)
RLP 4 Outfall 004:	Hydrostatic Testing and Vessel Testing Wastewater
RLP 5 Outfall 005:	Non-Contact Cooling Water (less than 100,000 GPD)
RLP 6 Outfall 006:	Cooling Tower Blowdown (less than 25,000 GPD); and Boiler Water Treatment Blowdown
RLP 7 Outfall 007:	Boiler Blowdown Wastewater
RLP 8 Outfall 008:	Condensate
RLP 9 Outfall 009:	MSGP regulated storm water discharges (not discussed in this section)

Discharges of sanitary wastewater are regulated in accordance with LAC 33:IX.711 or 709.B and by BPJ utilizing the sanitary general permits issued by this Office. LAC33:IX.2709.D requires that all permit effluent limitations for continuous discharges, including limitations necessary to achieve water quality standards, have daily maximum and monthly average (daily average) discharge limitations for all dischargers other than publicly owned treatment works. The current version of this permit contained monthly average and weekly average effluent limitations for discharges of treated sanitary wastewater. The monthly average and daily maximum effluent limitations for discharges of sanitary wastewater will be used in the reissuance permit because these discharge limitations are consistent with recently issued individual LPDES permits and general permits to regulate the intermittent, low volume flow of treated sanitary wastewater from minor industrial facilities. Daily maximum limitations are applied for fecal coliform in accordance with LAC 33:IX.2709.D.

In order to more effectively regulate operations under the permit, provision is made for alternate monitoring schedules which will require more frequent monitoring at facilities of concern, such as those with unsatisfactory compliance histories but which are otherwise

LDEQ-EDMS Document 44707910, Page 22 of 44

eligible for coverage under the general permit. The alternate monitoring frequencies are included as footnotes on the effluent schedule pages. Justification for application of the increased monitoring will be documented in the Statement of Basis which is completed for each facility authorized under the permit. Permittees will be notified in the coverage authorization letter if the increased monitoring frequency requirements are applicable.

Increased monitoring frequencies will be available for discharges under every Schedule of the permit except for RLP 4 Outfall 004 (Hydrostatic Testing and Vessel Testing Wastewater), which requires that wastewater be monitored 1/discharge.

The availability of an option for increased monitoring under the various schedules included in the general permit for discharges from light commercial facilities allows the Department to place more stringent requirements on minor facilities with low volume discharges of concern, such as facilities with an unsatisfactory compliance history. The use of more stringent monitoring requirements in the general permit will give the Department more regulatory oversight over facilities that discharge low volume wastewaters and will allow the Department to devote more resources to issuing individual LPDES permits to industrial facilities with discharges that require more regulatory oversight.

PARAMETER: FLOW IN GPD	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	DAILY MAXIMUM	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 1 Outfall 001	Report	----	1/6 months	Estimate
RLP 2 Outfall 002	Report	Report	1/3 months	Estimate
RLP 3 Outfall 003	Report	Report	1/3 months	Estimate
RLP 4 Outfall 004	Report	Report	1/discharge event	Estimate
RLP 5 Outfall 005	Report	Report	1/month	Estimate
RLP 6 Outfall 006	Report	Report	1/month	Estimate
RLP 7 Outfall 007	Report	Report	1/month	Estimate
RLP 8 Outfall 008	Report	Report	1/month	Estimate

The monitoring frequencies established in the permit for discharges of treated sanitary wastewater are consistent with the monitoring requirements contained in the initial General Permit for Discharges from Light Commercial Facilities, and current individual and general LPDES permits issued that contain effluent limitations for discharges of less than 5,000 GPD of treated sanitary wastewater. The determination of flow from these outfalls is derived by estimate of the flow.

Discharges of storm water and wastewaters from light commercial facilities are non-continuous in nature. The determination of flow from these outfalls is derived by estimate of the flow. Because of the intermittent or non-continuous nature of discharges that may be authorized under this general permit, the effluent limitations for discharges (other than discharges of treated sanitary wastewater) will be in terms of monthly average and daily maximum concentrations, as allowed by LAC 33:IX.2709.F.1 and 40 CFR 122.45.

The monitoring frequencies established in the permit are consistent with the monitoring requirements contained in the initial and stayed versions of the General Permit for Discharges from Light Commercial Facilities, the LPDES General Permit for Hydrostatic Test Wastewater; the LPDES General Permit for Discharges Resulting from Implementing a Corrective Plan for Cleanup of Petroleum Underground Storage Tank Systems; the LPDES General Permit for Exterior Vehicle Wash Wastewater; and current individual and general LPDES permits issued that contain effluent limitations for discharges of process wastewater or storm water from minor industrial facilities.

A footnote contained in each RLP # Outfall # allows the permit writer to increase the monitoring frequency for any facility of concern in order to obtain more monitoring data from the permittee to ensure that the facility is meeting its permit limits.

PARAMETER: BOD_5	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 1 Outfall 001	----	45 mg/L	1/6 months	Grab

BOD_5 effluent limitations are established as Best Conventional Pollutant Control Technology (BCT) based on Best Professional Judgment; LAC 33:IX.711, LAC 33:IX.705, and LAC 33:IX.5905.A. A daily maximum effluent limitation of 45 mg/L BOD_5 is included in this permit for discharges of treated sanitary wastewater. This effluent limitation of 45 mg/L daily maximum is being used in current individual and general permits issued by the Office of Environmental Services (formerly the Office of Water Resources). The monitoring frequencies established in the permit for BOD_5 are consistent with the monitoring requirements contained in the initial General Permit for Discharges from Light Commercial Facilities, and current LPDES general permits issued for discharges of less than 5,000 GPD of treated sanitary wastewater.

PARAMETER: TSS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 1 Outfall 001	----	45 mg/L	1/6 months	Grab
RLP 2 Outfall 002	----	45 mg/L	1/3 months	Grab
RLP 4 Outfall 004	----	90 mg/L	Once prior to proposed discharge	Grab
RLP 7 Outfall 007	30 mg/L	100 mg/L	1/month	Grab

TSS effluent limitations are established as Best Conventional Pollutant Control Technology (BCT) based on Best Professional Judgment; LAC 33:IX.711 and LAC 33:IX.5905.B. The TSS limitation of 45 mg/L daily maximum (for sewage treatment plants) will be included in the permit based on LAC 33:IX.711 and LAC 33:IX.5905.B; and a TSS limitation of 135 mg/L daily maximum (facilities that use oxidation ponds for treatment) in accordance with LAC 33:IX.5911; based on the current LPDES Class I General Sanitary Permit (LAG530000), issued by the Office of Environmental Services (formerly the Office of Water Resources). The monitoring frequency established in the permit for TSS is consistent with the monitoring requirements contained in the initial General Permit for Discharges from Light Commercial Facilities, and current LPDES general permits issued that contain effluent limitations for discharges of less than 5,000 GPD of treated sanitary wastewater.

For discharges of other than treated sanitary wastewater, Total Suspended Solids (TSS) - Best Conventional Pollutant Control Technology based on Best Professional Judgment (BPJ) and LAC 33:IX.705. The daily maximum effluent limitation of 45 mg/L has been assigned for discharges of exterior vehicle and/or equipment washwater; equipment repair area washdown using soaps and/or detergents; shop floor washdown using soaps and/or detergents; dock washdown using soaps and/or detergents; utility wash water using soaps and/or detergents; and boiler blowdown wastewater. The daily maximum effluent limitation of 90 mg/L has been assigned for discharges of hydrostatic testing and vessel testing wastewater.

RLP 7 Outfall 007 contains the daily maximum effluent limitation of 100 mg/L and the monthly average effluent limitation of 30 mg/L for discharges of boiler blowdown wastewater which is consistent with the effluent limitations contained in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities. The proposed effluent limitation for TSS is derived from the BCT effluent limitations found in 40 CFR 423 - Steam Electric Power Generating Point Source Category for low volume wastewaters which include boiler blowdown discharges. The composition and treatability of this wastewater, whether at an electric power plant or at a light commercial facility with a small boiler, are similar. Therefore, this effluent limitation has been proposed as a traditional Best Conventional Pollutant Control Technology based on

Best Professional Judgment and previously issued individual industrial permits.

There is no monthly average effluent limitation for TSS included in the permit for discharges in accordance with RLP 1 Outfall 001, RLP 2 Outfall 002 and RLP 4 Outfall 004 based on the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities, and current LPDES individual and general permits issued for similar discharges.

The monitoring frequency established in RLP 2 Outfall 002, RLP 4 Outfall 004, and RLP 7 Outfall 007 of the permit for TSS is consistent with the monitoring requirements contained in the initial and stayed versions of the General Permit for Discharges from Light Commercial Facilities, the LPDES General Permit for Hydrostatic Test Wastewater, the LPDES Exterior Vehicle Wash General Permit and current individual LPDES permits issued for similar types of discharges.

Footnote 1 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) of the permit requires increasing the monitoring frequency to once/week when a discharge event extends beyond one week in duration.

Footnote 3 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) states that the permit limitation will be 90 mg/L plus the concentration of TSS in the intake water if effluent is returned to the same water source from which it was obtained. The TSS concentration of the intake water shall be reported on the DMR along with the concentration of TSS in the effluent. When potable water is used for hydrostatic testing the effluent limit for TSS in the discharge shall be 90 mg/L.

PARAMETER: OIL & GREASE	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 1 Outfall 001	----	15 mg/L	1/6 months	Grab
RLP 2 Outfall 002	----	15 mg/L	1/3 months	Grab
RLP 3 Outfall 003	----	15 mg/L	1/3 months	Grab
RLP 4 Outfall 004	----	15 mg/L	Once prior to proposed discharge	Grab
RLP 7 Outfall 007	----	15 mg/L	1/month	Grab

Oil & Grease, COD, and Visible Sheen are used as surrogate parameters for the control of the many individual compounds which can be in oils and greases and soaps and detergents.

Oil & Grease limitations are established on Best Conventional Pollutant Control Technology (BCT) based on Best Professional Judgment; LAC 33:IX.711, LAC 33:IX.705, and LAC 33:IX.5905.A. The daily maximum effluent limitations for Oil & Grease discharges

LDEQ-EDMS Document 44707910, Page 26 of 44

from sanitary wastewater treatment plants included in this permit are consistent with the daily maximum limitations currently being used for discharges of less than 5,000 GPD of treated sanitary wastewater in individual permits and other LPDES general permits that have recently been issued by the Department.

A daily maximum effluent limitation of 15 mg/L Oil and Grease is included in the permit for discharges of process wastewater and process area storm water as Best Conventional Pollutant Control Technology based on LAC 33:IX.705, Best Professional Judgment; the initial and stayed versions of the LPDES General Permit for Light Commercial Facilities; the General Permit for Sand and Gravel Extraction Operations; LPDES Exterior Vehicle Wash General Permit; the LPDES General Permit Discharges of Hydrostatic Test Wastewater; other current LPDES General Permits; and current individual industrial permits.

The proposed effluent limitation in RLP 7 Outfall 007 for Oil and Grease is derived from the BCT effluent limitations found in 40 CFR 423 - Steam Electric Power Generating Point Source Category for low volume wastewaters which include boiler blowdown discharges. The composition and treatability of this wastewater are similar to discharges from a large boiler found at a steam electric power plant. Therefore, this effluent limitation has been proposed as a traditional Best Conventional Pollutant Control Technology based on Best Professional Judgment and previously issued individual industrial permits.

The monitoring frequency established in RLP 2 Outfall 002 of the permit for Oil and Grease is consistent with the monitoring requirements contained in the initial and stayed versions of the General Permit for Discharges from Light Commercial Facilities, the LPDES Exterior Vehicle Wash General Permit and current individual LPDES permits issued that contain effluent limitations for Temperature (Freshwater).

Footnote 1 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) of the permit requires increasing the monitoring frequency to once/week when a discharge event extends beyond one week in duration.

PARAMETER: FECAL COLIFORM	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	DAILY MAXIMUM	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 1 Outfall 001	400 colonies/ 100 ml	----	1/6 months	Grab

The permit establishes the fecal coliform limitations to protect water quality commensurate with the most stringent designated use as described at LAC 33:IX.1113.C.5. The most stringent bacteria standards are established for water bodies that have been designated as Primary Contact Recreation water bodies. Discharges of treated sanitary wastewater are intermittent, therefore, the daily maximum limit of 400/100 mL is proposed as the fecal

coliform limit in the permit. In accordance with LAC 33:IX.2709.D, this limit is being proposed through Best Professional Judgment in order to ensure that the water quality standards are not exceeded in water bodies that are designated for Primary Contact Recreation. The monitoring frequency established in the permit for fecal coliform is consistent with the monitoring requirements contained in the current General Permit for Discharges from Light Commercial Facilities, and current individual and general LPDES permits issued that contain effluent limitations for discharges of less than 5,000 GPD of treated sanitary wastewater.

The BCT effluent limitations for fecal coliform which will be assigned to facilities located in areas which have oyster propagation as a designated use is a daily maximum limitation of 43 fecal colonies/100 mL for flows of less than 5,000 GPD. If this more stringent fecal coliform limitation is required, the permittee will be informed in the letter that LDEQ sends to the permittee authorizing discharge under the general permit. This fecal coliform effluent limitation for sanitary wastewater is also used in the LPDES Class I General Permit, the LPDES General Permit for Discharges from Cement, Concrete and Asphalt Facilities, the LPDES General Permit for Exterior Vehicle Dealerships, Pain and Body Shops, Automotive Repair and Maintenance Shops, Motorcycle Dealerships, and Recreational Vehicle Dealerships and in individual permits issued by the Office of Environmental Services (formerly the Office of Water Resources).

PARAMETER: pH – Allowable Range in Standard Units	**DISCHARGE LIMITATIONS**		**MONITORING REQUIREMENTS**	
	MONTHLY AVERAGE	**DAILY MAXIMUM**	**MEASUREMENT FREQUENCY**	**SAMPLE TYPE**
RLP 1 Outfall 001	6.0 (Minimum)	9.0 (Maximum)	1/6 months	Grab
RLP 2 Outfall 002	6.0 (Minimum)	9.0 (Maximum)	1/3 months	Grab
RLP 3 Outfall 003	6.0 (Minimum)	9.0 (Maximum)	1/3 months	Grab
RLP 4 Outfall 004	6.0 (Minimum)	9.0 (Maximum)	Once prior to proposed discharge	Grab
RLP 5 Outfall 005	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab
RLP 6 Outfall 006	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab
RLP 7 Outfall 007	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab

pH effluent limitation of 6.0 minimum to 9.0 maximum standard units will be included in this permit for all discharges of wastewater and storm water, based on Best Professional Judgment; and LAC 33:IX.705 and LAC 33:IX.5905.C. This effluent limitation was included in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities; the LPDES Hydrostatic Test Wastewater General Permit; the LPDES General Permit for Exterior Vehicle Wash Wastewater General Permit; and other current individual and general LPDES permits issued by this Office for similar discharges.

This effluent limitation can also be found in the EPA Region VI Storm Water Guidance Document and in previous individual and general permits issued by the Office of Environmental Services (formerly the Office of Water Resources). The monitoring frequency established in the permit for pH is consistent with the monitoring requirements contained in the initial and stayed versions of the General Permit for Discharges from Light Commercial Facilities, and current LPDES general permits issued for similar discharges.

For discharges of boiler water treatment blowdown and boiler blowdown wastewater from office buildings and office parks the permit allows a maximum pH of 11 standard units provided that a review of the NOI and the local receiving stream conditions result in a determination that a pH of 11 will not adversely impact the water quality of the receiving stream. The higher pH is allowed for these discharges because the low pressure boilers used at most light commercial facilities are designed to operate optimally at a pH near 11. According to Chapter 3 of the *Technical Reference and Training Manual* of the Association of Water Technologies pH must be controlled in the range of pH 9 to 11 to prevent corrosion. At a pH of 10 to 11 silica is rendered less volatile, magnesium will precipitate as the hydroxide, and calcium will form calcium carbonate. At pH 11.5 phosphate is efficient at precipitating calcium hardness, magnesium will precipitate as $Mg(OH)_2$ and silica will be soluble as silica ion. Maintaining a high pH is standard treatment for discharges of boiler water treatment blowdown and boiler blowdown wastewater at office buildings, office parks, warehouses and similar facilities where the boiler is used for climate control purposes. Past history has established that discharges of boiler water treatment blowdown and boiler blowdown wastewater from office buildings and office parks have minimal impacts on the pH of receiving water bodies. Typically these are the only discharges from office buildings, office parks, warehouses, and similar buildings so there is no dilution from commingled wastestreams to lower the pH. The pH of the discharges from these buildings is lightly buffered and discharges typically are routed through local drainage systems rather than directly to a receiving water body which results in the pH of the low volume flow from such buildings being neutralized and having minimal impact on the receiving stream. Therefore, the permit allows a maximum pH of 11 standard units for discharges of boiler water treatment blowdown and boiler blowdown wastewater from office buildings, office parks, warehouses and similar buildings to alleviate the administrative costs associated with issuing individual permits for these discharges which have proven in the past to have insignificant impacts on receiving water bodies. Based on current knowledge of facility types and discharge types, the LDEQ knows of very few instances where this higher pH limit might be applicable and will fully evaluate the NOI and local environmental conditions prior to granting permit coverage to a facility that might be eligible for the higher pH limit. If a thorough review reveals that granting general permit coverage to a particular facility will violate state water quality standards then that facility will be granted coverage under the general permit with the stipulation that the permit limit for discharges of boiler water treatment blowdown and boiler blowdown wastewater from the facility is the standard 6.0

minimum pH and 9.0 maximum pH and that any regulated discharges from the facility that are not within that pH range will be a permit violation.

The monitoring frequency established in the permit for pH is consistent with the monitoring requirements contained in the initial and stayed versions of the General Permit for Discharges from Light Commercial Facilities, the LPDES Exterior Vehicle Wash General Permit and current individual LPDES permits issued by the Department.

Footnote 1 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) of the permit requires increasing the monitoring frequency to once/week when a discharge event extends beyond one week in duration.

PARAMETER: COD	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 2 Outfall 002	200 mg/L	300 mg/L	1/3 months	Grab

COD, Oil & Grease, and Visible Sheen are used as surrogate parameters for the control of the many individual compounds which can be in oils and greases and soaps and detergents. The monthly average COD shall be 200 mg/L and the daily maximum COD shall be 300 mg/L for discharges of exterior vehicle and/or equipment wash water; equipment repair area washdown; shop floor washdown; dock washdown; and/or utility wash water when soaps and/or detergents and used during the washing. If the exterior vehicle and/or equipment wash water; equipment repair area washdown; shop floor washdown; dock washdown; or utility wash water is combined with storm water, the COD limitation shall be 125 mg/L Daily Maximum. These effluent limitations were included as the daily maximum limitation in current version of LPDES General Permit for Discharges from Automotive Repair and Maintenance Shops, Motorcycle Dealerships, and Recreational Vehicle Dealerships. These effluent limitations have also been used in the LPDES Light Commercial Facilities General Permit; the LPDES Exterior Vehicle Wash Wastewater General Permit; and in previous individual and in other general permits issued by the Office of Environmental Services for similar discharges.

The monitoring frequency established in RLP 2 Outfall 002 of the permit for COD is consistent with the monitoring requirements contained in the current version of the General Permit for Discharges from Light Commercial Facilities, the LPDES Exterior Vehicle Wash General Permit and current LPDES individual and general permits issued for similar discharges.

PARAMETER: Soaps and/or Detergents	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 2 Outfall 002	Report	N/A	1/3 months	Inventory calculation

Soaps and/or Detergents - This condition is being required for discharges of wastewater from washing activities that use soaps and/or detergents. Based on BPJ, this condition is being required for discharges of washrack, shop floor washdown, equipment repair area washdown, dock washdown and utility wash water. This condition was included to monitor similar types of discharges covered by the initial and stayed versions of the LPDES Light Commercial Facilities General Permit; the LPDES General Permit for Discharges from Automotive Repair and Maintenance Shops, Motorcycle Dealerships, and Recreational Vehicle Dealerships; the LPDES Exterior Vehicle Wash Wastewater General Permit and in previous individual permits issued by the Office of Environmental Services (formerly the Office of Water Resources). The current version of this permit requires that the permittee submit to the permitting authority a Material Safety Data Sheet (MSDS) for each soap and/or detergent that was reported on the Discharge Monitoring Report as being used by the facility during the reporting period and to report the quantity of any soap and/or detergent used during the monitoring period. This permit no longer requires the permittee to submit copies of the MSDS to the permitting authority or to report on the quarterly DMR the amount of soap and/or detergent used during the monitoring period. The permitted facility will now be required to document in a monthly inventory record the quantity and type of any soap and/or detergent that is used at the facility during each calendar month. The inventory records and a MSDS for each material used shall be retained on site along with the facility's copy of DMR records. As per LAC 33:IX.2701.J.2 no DMR reporting is required for Soaps and/or Detergents.

The monitoring frequency established in RLP 2 Outfall 002 of the permit for Soaps and/or Detergents is consistent with the monitoring requirements contained in the initial and stayed versions of the General Permit for Discharges from Light Commercial Facilities, the LPDES Exterior Vehicle Wash General Permit and current individual LPDES permits issued that require an inventory calculation for Soaps and/or Detergents.

PARAMETER: Visible Sheen	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 2 Outfall 002	----	No Presence	1/day	Grab
RLP 8 Outfall 008	----	No Presence	1/month	Grab

LDEQ-EDMS Document 44707910, Page 31 of 44

COD, Oil & Grease, and Visible Sheen are used as surrogate parameters for the control of the many individual compounds which can be in oils and greases and soaps and detergents.

Visible Sheen – Permitted facilities are required to make a visual observation at the frequency specified in each schedule and to record the presence or absence of a visible sheen at the outfall. The permittee is required to note the presence of a visible sheen in the manual log that is used to record the results of the visual observations. If a visible sheen is noted during an inspection, a letter of noncompliance shall be submitted in accordance with *Standard Conditions*, Section D.7. No DMR reporting is required for visible sheen. This condition is being required for discharges from the above referenced schedules based on best professional judgment. This condition was included in the initial and stayed versions of the LPDES Light Commercial Facilities General Permit; the LPDES General Permit for Discharges from Automotive Repair and Maintenance Shops, Motorcycle Dealerships, and Recreational Vehicle Dealerships; the LPDES Exterior Vehicle Wash General Permit; and in current individual LPDES permits issued by the Office of Environmental Services for similar discharges.

The monitoring frequency established in RLP 2 Outfall 002 and RLP 8 Outfall 008 of the permit for Visible Sheen is consistent with the monitoring requirements contained in the initial and stayed versions of the General Permit for Discharges from Light Commercial Facilities, the LPDES General Permit for Discharges from Automotive Repair and Maintenance Shops, Motorcycle Dealerships, and Recreational Vehicle Dealerships; the LPDES Exterior Vehicle Wash General Permit and current individual LPDES permits issued that require visual observations for the presence of a visible sheen at the outfall.

PARAMETER: TOC	**DISCHARGE LIMITATIONS**		**MONITORING REQUIREMENTS**	
	MONTHLY AVERAGE	**DAILY MAXIMUM**	**MEASUREMENT FREQUENCY**	**SAMPLE TYPE**
RLP 3 Outfall 003	----	50 mg/L	1/3 months	Grab
RLP 4 Outfall 004	----	50 mg/L	Once prior to proposed discharge	Grab
RLP 5 Outfall 005	----	5 mg/L (NET)	1/month	Grab

Daily maximum effluent limitations of 50 mg/L TOC shall be included in this general permit for discharges from RLP 3 Outfall 003 and RLP 4 Outfall 004. A daily maximum effluent limitation of 5 mg/L (NET) is established for RLP 5 Outfall 005. The total amount of organically bound carbon will be more clearly measured using TOC, which will be limited under Best Available Technology Economically Achievable (BAT) based on Best Professional Judgment (BPJ). This effluent limitation for TOC was assigned in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities. This effluent limitation can also be found in the EPA Region VI Storm Water

LDEQ-EDMS Document 44707910, Page 32 of 44

Guidance Document; the LPDES General Permit for Dewatering of Petroleum Storage Tanks, Tank Beds, New Tanks and Excavations; the LPDES Cement, Concrete and Asphalt Facilities General Permit; the LPDES General Permit for Discharges Resulting From Implementing Corrective Action Plans for Cleanup of Petroleum UST Systems in Louisiana, in recent individual permits issued by this Office; and LDEQ Storm Water Guidance letter from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region VI), dated June 17, 1987.

The monitoring frequency established in RLP 3 Outfall 003, RLP 4 Outfall 004, and RLP 5 Outfall 005 of the permit for TOC is consistent with the monitoring requirements contained in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities; the LPDES General Permit for Hydrostatic Test Wastewater; the LPDES General Permit for Cement, Concrete and Asphalt Facilities; and recent individual LPDES permits issued that contain effluent limitations for TOC.

Footnote 1 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) of the permit requires increasing the monitoring frequency to once/week when a discharge event extends beyond one week in duration.

Footnote 4 of RLP 4 Outfall 004 states that TOC shall be measured on discharges from pipes, vessels, and/or tanks which have previously been in service. TOC measurement is not required for discharges of hydrostatic testing and vessel testing wastewater used to test new pipes, vessels, and/or tanks.

PARAMETER: Benzene	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 4 Outfall 004	---	50 µg/L	Once prior to proposed discharge	Grab

Benzene: EPA documents cite a study that was performed for the Gas Research Institute (GRI) in April, 1996, by Tallon, Myerski and Fillo and is titled "Environmental Aspects of Hydrostatic Test Water Discharges: Operations, Characterization, Treatment and Disposal." The GRI study gathered data on benzene, BTEX, oil and grease, and TSS. This study illustrates that benzene can be a pollutant of particular concern in discharges from facilities which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons. Benzene is an appropriate BAT parameter representing the toxic hydrocarbons which may be present in discharges of hydrostatic test wastewater. Therefore, the permit contains a limitation, based on BAT, for benzene. Based on the above mentioned study, the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities, and the LPDES Hydrostatic Test Wastewater General Permit, the permit contains a daily maximum concentration of 50 µg/L benzene.

When analytical test results report a Benzene concentration of less than 10 µg/L, that result may be reported as zero on the Discharge Monitoring Report (DMR) form that is submitted to the LDEQ Office of Environmental Compliance.

The monitoring frequency established in RLP 4 Outfall 004 of the permit for Benzene is consistent with the monitoring requirements contained in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities, the LPDES General Permit for Hydrostatic Test Wastewater; and current individual LPDES permits issued that contain effluent limitations for Benzene.

Footnote 1 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) of the permit requires increasing the monitoring frequency to once/week when a discharge event extends beyond one week in duration.

Footnote 4 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) states that Benzene shall be measured on discharges from pipes, vessels, and/or tanks which have previously been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons.

PARAMETER: Total BTEX	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 4 Outfall 004	----	250 µg/L	Once prior to proposed discharge	Grab

Total BTEX: BTEX components such as toluene and xylenes may be present in water contaminated by liquid or gaseous petroleum hydrocarbons. EPA documents cite a study that was performed for the Gas Research Institute (GRI) in April, 1996, by Tallon, Myerski and Fillo and is titled "Environmental Aspects of Hydrostatic Test Water Discharges: Operations, Characterization, Treatment and Disposal." The GRI study gathered data on benzene, BTEX, oil and grease, and TSS. The data in the GRI study illustrate that BTEX can be a pollutant of particular concern from hydrocarbons stored in storage tanks. The BTEX parameter is determined to be an appropriate indicator parameter for other hydrocarbon fuel components which might be discharged in hydrostatic wastewater, during the testing of pipes, vessels, and/or tanks that have contained or been used in the past for the storage of hydrocarbons. Because of the highly variable composition of petroleum hydrocarbon fuels, for some products any one of the four BTEX constituents can be the predominant constituent; therefore, application of this aggregate parameter is appropriate.

A daily maximum BAT effluent limitation of 250 µg/L has been established in this general permit for Total BTEX. This limitation is well below the total of the human health drinking water criteria for benzene, ethylbenzene, and toluene, the BTEX constituents for which

LDEQ-EDMS Document 44707910, Page 34 of 44

standards are established in LAC 33:IX.1113. The other constituent, xylene, is not expected to be present in amounts which might significantly affect the totals. This pollutant is of concern mainly in aviation fuels, which will constitute at most only a small number of the total discharges this permit will authorize. The proposed effluent limitation of 250 µg/L for Total BTEX is the same as that used in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities and the LPDES General Permit for Discharges of Hydrostatic Test Wastewater.

Footnote 1 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) of the permit requires increasing the monitoring frequency to once/week when a discharge event extends beyond one week in duration.

Footnote 4 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) states that Total BTEX shall be measured on discharges from pipes, vessels, and/or tanks which have previously been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons.

Footnote 5 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) states that Total BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, ortho-xylene, meta-xylene, and para-xylene, as quantified using the methods prescribed by the latest approved 40 CFR 136, Tables A, B, C, D, E, F, G. This requirement is consistent with other current LPDES General Permits for Hydrostatic Test Wastewater; Implementing Corrective Action Plans for Cleanup of Petroleum Underground Storage Tank Systems; and Discharges of Treated Groundwater, Potentially Contaminated Storm Water, and/or Associated Wastewaters.

PARAMETER: Lead	**DISCHARGE LIMITATIONS**		**MONITORING REQUIREMENTS**	
	MONTHLY AVERAGE	**DAILY MAXIMUM**	**MEASUREMENT FREQUENCY**	**SAMPLE TYPE**
RLP 4 Outfall 004	---	50 µg/L	Once prior to proposed discharge	Grab

Total Lead: An effluent limitation for lead is included in this general permit for discharges of hydrostatic testing and vessel testing wastewater that are generated at light commercial facilities. Further, this Office has found through its permitting experience with the LPDES General Permit for Discharges Resulting From Implementing Corrective Action Plans for Cleanup of Petroleum UST Systems in Louisiana that lead is a useful parameter, in conjunction with Total BTEX, for the regulation of hydrocarbons from hydrostatic testing activities. A lead BAT effluent limitation of 50 µg/L is therefore established. This effluent limitation is also utilized in the LPDES General Permit for Discharges Resulting from the

Dewatering of Petroleum Storage Tanks, Tank Beds, New Tanks and Excavations related to the surface cleanup of spills or leaks resulting from the handling of petroleum; the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities; the LDPES General Permit for Potentially Contaminated Storm Water, and/or Associated Wastewater; and the LPDES General Permit for Discharge of Hydrostatic Test Wastewater.

Footnote 1 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) of the permit requires increasing the monitoring frequency to once/week when a discharge event extends beyond one week in duration.

Footnote 4 of RLP 4 Outfall 004 (Discharges of Hydrostatic Testing and Vessel Testing Wastewater) states that Lead shall be measured on discharges from pipes, vessels, and/or tanks which have previously been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons.

PARAMETER: Temperature (Freshwater)	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 5 Outfall 005	----	Report	1/month	Grab
RLP 6 Outfall 006	----	Report	1/month	Grab
RLP 7 Outfall 007	----	Report	1/month	Grab

Temperature (Freshwater, Estuarine and Coastal Waters) - The temperature requirements in the permit are based on the temperature criterion listed in LAC 33:IX.1113.C.4 of the water quality standards. At light commercial facilities, the discharge of non-contact cooling water, cooling tower blowdown, boiler water treatment blowdown, and boiler blowdown wastewater will typically be of low volume as compared to large industrial facilities such as steam electric power plants and is not considered a significant pollutant to waters of the state at these volumes. However, due to the future development of TMDLs and wasteload allocations for various water bodies, temperature is being included in the permit as "Report" in order to obtain the information needed for this work. This reporting requirement is based on Best Professional Judgment, LAC 33:IX.1113.C.4, and previously issued individual industrial permits. The monitoring frequency established in the permit for Temperature (Freshwater) is consistent with the monitoring requirements contained in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities, and current individual LPDES permits issued that require reporting Temperature (Freshwater).

PARAMETER: Temperature (Estuarine & Coastal Waters)	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 5 Outfall 005	----	Report	1/month	Grab
RLP 6 Outfall 006	----	Report	1/month	Grab
RLP 7 Outfall 007	----	Report	1/month	Grab

Temperature (Freshwater, Estuarine and Coastal Waters) - The temperature requirements in the permit are based on the temperature criterion listed in LAC 33:IX.1113.C.4 of the water quality standards. At light commercial facilities, the discharge of non-contact cooling water, cooling tower blowdown, boiler water treatment blowdown, and boiler blowdown wastewater will typically be of low volume as compared to large industrial facilities such as steam electric power plants and is not considered a significant pollutant to water of the state at these volumes. However, due to the future development of TMDLs and wasteload allocations for various water bodies, temperature is being included in the permit as "Report" in order to obtain the information needed for this work. This reporting requirement is based on Best Professional Judgment, LAC 33:IX.1113.C.4, and previously issued individual industrial permits. The monitoring frequency established in the permit for Temperature (Estuarine & Coastal Waters) is consistent with the monitoring requirements contained in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities, and current individual LPDES permits that require reporting Temperature (Estuarine & Coastal Waters).

PARAMETER: Total Residual Chlorine (TRC) (NET)	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
RLP 5 Outfall 005	----	0.2 mg/L	1/month	Grab
RLP 6 Outfall 006	----	0.2 mg/L	1/month	Grab

The TRC daily maximum limitation of 0.2 mg/L has been established based on best professional judgment, effluent limitations in the current LPDES General Permit for Discharges from Light Commercial Facilities; the effluent guidelines promulgated in 40 CFR 423 for Steam Electric Power Generating Point Source Category, and previously issued individual industrial permits. The monitoring frequency established in the permit for TRC is consistent with the monitoring requirements contained in the initial and stayed versions of the LPDES General Permit for Discharges from Light Commercial Facilities, and current individual LPDES permits that contain effluent limitations for TRC.

LDEQ-EDMS Document 44707910, Page 37 of 44

C. MONITORING FREQUENCIES FOR LIMITED PARAMETERS

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity (LAC 33:IX.2715/40 CFR 122.48(b)) and to assure compliance with permit limitations (LAC 33:IX.2707.I.1/40 CFR 122.44(I)(1)).

The monitoring frequencies assigned to each parameter in the permit appear in the applicable table in VII.B above and are equivalent to the monitoring frequencies used in existing LPDES general permits and in individual LPDES permits issued by this Office for similar type of discharges. RLP 1 Outfall 001, RLP 2 Outfall 002, RLP 3 Outfall 003, RLP 5 Outfall 005, RLP 6 Outfall 006, RLP 7 Outfall 007, and RLP 8 Outfall 008 of the permit allow the Department to establish more stringent monitoring frequencies for discharges from minor facilities whose discharges are otherwise eligible for coverage under the general permit but may require more regulatory oversight than the majority of facilities that are authorized to discharge under the general permit. An example of a facility that might require more regulatory oversight is a facility with an unsatisfactory compliance history. The use of more stringent monitoring requirements in the general permit will allow the Department more regulatory oversight over certain facilities covered by the general permit while allowing the Department to devote more resources to issuing individual LPDES permits to industrial facilities with discharges that consistently require more regulatory oversight.

D. REQUIREMENTS FOR REGULATED STORM WATER DISCHARGES

This condition is continued unchanged from the 2006 LAG480000 general permit.

For those facilities with storm water discharges associated with industrial activity as defined in LAC 33:IX.2511.B.14.a-i and k, coverage by the Louisiana Pollutant Discharge Elimination System Multi-Sector General Permit (MSGP) will be automatic and effective upon authorization under the Light Commercial General Permit. Those facilities will submit all reports required by the permit under their Light Commercial Facilities General Permit authorization number, LAG48XXXX. Permittees shall comply will all applicable requirements set forth in the MSGP which is in effect at the time of authorization by means of the LPDES General Permit for Discharges from Light Commercial Facilities.

The following sections of the current MSGP are not applicable to permittees with storm water permit coverage granted automatically upon authorization to discharge under the LPDES General Permit for Discharges from Light Commercial Facilities.

Part 1.3.2	(NOI submittal)
Part 1.4	(Terminating Coverage)
Part 2	(NOI Requirements)
Part 11.1	(Transfer of Permit Coverage)
Part 11.2 and 11.3	(NOT)

Facilities whose storm water discharges are not currently authorized by the MSGP and whose storm water permit coverage is granted automatically upon authorization to discharge under the LPDES General Permit for Discharges from Light Commercial Facilities shall prepare the storm water pollution prevention plan (SWPPP) as required by the MSGP within 60 days after authorization under the Light Commercial Facilities General Permit (rather than prior to submittal of the MSGP NOI as the MSGP states). Those operators with current coverage under the MSGP shall continue to follow the plan already in effect. However, when the facility receives their LAG48XXXX permit authorization number that automatically authorizes discharges under the MSGP, the facility's MSGP permit number (LAR05XXXX) shall be automatically terminated. In this specific instance, the permitee will not be required to submit a NOT to terminate their facility-specific MSGP permit authorization number.

Operators who can certify that they are eligible for the industrial storm water No Exposure Exclusion may be removed from coverage by the MSGP as provided in Parts 1.5 and 11.4 of the current MSGP.

Oil and Gas Extraction Operations (SIC codes 1311, 1321, 1381-1389, and 2911) do not require MSGP coverage if they have not had a Reportable Quantity Release at the facility since November 16, 1987. However, they could later require MSGP coverage if a new Reportable Quantity release as defined in 40 CFR 110 occurs at the facility. After learning of the release, these operations must submit an NOI (form MSGP-G) for MSGP coverage within 14 calendar days and must prepare and implement the SWPPP as required in Part 4 of the MSGP within 60 calendar days. During this interim period while the SWPPP is being prepared and implemented, the operation shall take all appropriate measures to limit the discharge of pollutants in the facility's storm water runoff. The MSGP-G form is available on the LDEQ website at http://www.deq.louisiana.gov/portal/. Go through the following links to find the NOI form: INFO ABOUT Water – Permits – LPDES Permits, Information, and Applications – LPDES Forms – LPDES Permit Application Forms – Stormwater Permit Notices of Intent – MSGP-G.

A copy of the applicable provisions of the MSGP, based upon the facility's reported primary SIC code, will be provided with the permittee's written authorization letter under LAG480000. In addition, in accordance with the current MSGP Part 1.2.1.2 "Co-located Activities", compliance with sector requirements for "co-located industrial activities on-site" is also required. The permittee shall be responsible for conducting an evaluation of facility activities and shall apply all appropriate sector requirements if it is determined that co-located activities occur on-site. See *Other Conditions*, Section Y of this permit for a complete Sector/SIC code list of coverage for the current MSGP. A copy of the complete current MSGP may be obtained by contacting the LDEQ Water Permits Division at (225) 219-3181; or a copy can be downloaded from the LDEQ Internet website at http://www.deq.louisiana.gov/portal/. Go through the following links to find the permit: INFO ABOUT Water – Permits – LPDES Permits, Information, and Applications – LPDES General Permits – LAR050000.

LDEQ-EDMS Document 44707910, Page 39 of 44

IX. PUBLIC NOTICES (LAC 33:IX.3111.B.6)

The public notice describes the procedures for the formulation of final determinations.

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 person may submit written comments on the permit. Any interested person may also submit a written request for clarification of issues related to the content of the general permit or the permit issuance process. Interested persons may also submit written requests for notification of the final permit decision or to request a public hearing to clarify issues involved in the permit decision. A request for a public hearing shall state the nature of the issues proposed to be raised in the hearing. The public notice specifies that written comments and/or written requests shall be submitted to the LDEQ Public Participation Group and that written comments and/or written requests must be received by the Department by a specific deadline.

Public notice will be published in:

THE ADVOCATE of Baton Rouge
LAKE CHARLES AMERICAN PRESS
THE ADVERTISER of Lafayette
THE TIMES of Shreveport
THE TIMES PICAYUNE of New Orleans
THE NEWS-STAR of Monroe
THE TOWN TALK of Alexandria
THE COURIER of Houma

LDEQ Permits Public Notice Mailing List
LDEQ Permits Public Web Page at http://www3.deq.louisiana.gov/news/pubnotice/default.asp.

The draft permit, NOI, and fact sheet will be available for review at the LDEQ Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, Louisiana, during the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays).

The Water Permits Division will send notification of the final permit decision to each person who has submitted written comments or a written request for notification of the final decision.

X. ENDANGERED SPECIES ACT

The proposed limitations on these discharges are sufficiently stringent to assure state water quality standards, both aquatic life and human health protection, will be met for any receiving stream throughout the state. The effluent limitations established in this permit

LDEQ-EDMS Document 44707910, Page 40 of 44

mirror those found in the stayed permit that was issued on July 25, 2006.

The United States Fish and Wildlife Service (USFWS) issued a letter of no objection dated September 1, 2005, for the issuance of the stayed version of LPDES LAG480000. Section II.3 of the 2008-2009 Implementation Strategy for the Louisiana Department of Environmental Quality and the U.S. Fish and Wildlife Service Memorandum of Understanding (MOU) from the USFWS dated November 17, 2008, notes that no coordination with the USFWS is required for the reissuance of LAG480000. The MOU notes that the effluent limitations in the permit are established to ensure the protection of aquatic life and maintenance of the receiving waters. Therefore, no coordination is required because the general permit is not likely to adversely affect listed species.

XI. NATIONAL HISTORIC PRESERVATION ACT

An operator must be in compliance with the National Historic Preservation Act to be eligible for coverage under this general permit. Discharges may be authorized under this permit only if:

(1) The proposed discharge(s) from the light commercial facility will not affect a property that is listed or eligible for listing on the National Register of Historic Places, unless the discharge(s) is in compliance with requirements of the National Historic Preservation Act and any necessary activities to avoid or minimize impacts have been coordinated with the Louisiana State Historic Preservation Officer (SHPO); and

(2) If applicable, the operator has obtained and is in compliance with a written agreement with the SHPO that outlines all measures that will be undertaken to mitigate or prevent adverse effects to the historic property.

The state finds that adoption of the draft permit is unlikely to have unauthorized adverse effects upon properties listed or eligible for listing in the National Register of Historic Places provided that permittees meet the applicability requirements contained in the permit. The draft permit and fact sheet have been submitted to the State Historic Preservation Office for their comments and/or concurrence with the state's determination.

XII. FEES

At the time of proposed issuance, the annual maintenance and surveillance fee for coverage under this permit will be $345.00. A twenty percent surcharge (up to a maximum surcharge of $150.00) will be added to the annual fee of all facilities located in the following basins: Atchafalaya River, Barataria, Lake Pontchartrain, Mississippi River, and Terrebonne. Monies collected through this surcharge are deposited in the Oyster Sanitation Fund, which is used to support molluscan sanitation efforts. The agency may adjust fee amounts at a later date by promulgation in the Louisiana Administrative Code.

LDEQ-EDMS Document 44707910, Page 41 of 44

XIII. SCHEDULE OF COMPLIANCE

The permittee is to be in compliance with the permit limitations and conditions as of the date of coverage under the general permit.

XIV. STATE WATER QUALITY STANDARDS

Pursuant to the Louisiana Environmental Quality Act (LA. R.S. 30:2001, et seq.) and in conformity with the Clean Water Act the state of Louisiana has established "... water quality standards to prohibit, control, or abate water pollution."

Each NOI that is received by LDEQ to request coverage under the permit undergoes a thorough evaluation to ascertain that the subject facility or project can be adequately regulated by coverage under the general permit. The evaluation is conducted prior to issuing a general permit authorization number to the facility or project, and to confirm that the facility or project is eligible for coverage under the general permit. The evaluation includes, but is not limited to, assessing the reasonable potential for the discharge of pollutants from the facility to cause or contribute to a violation of water quality standards. The scientist who evaluates the NOI may request additional information from the applicant, and, if necessary the facility may be visited to clarify information and to confirm that the facility is eligible for general permit coverage. The scientist determines which LDEQ basin subsegment the facility discharges will enter, the route of the facility's discharges, the designated uses of the receiving water body, and the potential to impact threatened or endangered species that may exist in the basin subsegment, in order to confirm that the facility meets the eligibility requirements of the general permit prior to issuing a permit authorization number to the facility. The evaluation includes a review of the applicant's compliance history. A facility-specific statement of basis is prepared for each permit authorization granted under the general permit. The statement of basis clearly documents the findings of the eligibility determination.

The proposed permit would require as an eligibility condition that covered discharges not cause or have the reasonable potential to cause or contribute to a violation of a state water quality standard. If a discharge is known to be doing such the operator must seek coverage under an alternative permit. Where a discharger is already operating under the permit and is later discovered to cause or have the reasonable potential to cause or contribute to the violation of a state water quality standard, the permitting authority will notify the operator of such violation(s) and the permittee shall take all necessary actions to ensure future discharges do not cause or contribute to the violation of a water quality standard and document these actions in the pollution prevention plan. If violations remain or recur then coverage under the permit will be terminated after alternate coverage is obtained. Compliance with this requirement does not preclude any enforcement activity as provided by the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.) for the underlying violation. A permit reopener clause is included in the permit.

Should any TMDLS and wasteload allocations (WLA) which address these discharges be developed, implementation within the required time frames for application of these requirements will be completed. After a complete evaluation is conducted to assess the reasonable potential for the discharge of pollutants from the facility to cause or contribute to further violation of water quality standards for any known impairments, coverage under the general permit may be denied and regulation under an individual permit required if more stringent limitations than the limitations contained in the general permit are required for protection of the impaired receiving stream.

Where an approved or established TMDL has not specified a wasteload allocation applicable to discharges covered by this general permit, but has not specifically excluded these discharges, it will generally be assumed that discharges from facilities permitted under this general permit are consistent with approved TMDLs.

Each NOI received to request authorization under this LPDES general permit will be thoroughly evaluated by the Agency to assure any WLAs are met, and that in-stream standards will not be violated by the proposed discharges. Coverage under the general permit may be denied and regulation under an individual permit required if more stringent limitations than the limitations contained in the general permit are required for protection of a receiving stream.

In order to meet the assumptions and requirements of established or approved TMDLs, coverage under this general permit may be denied and regulation under an individual permit required. Facilities that discharge to a specific 303(d) listed impaired water body will not be eligible for coverage under this general permit if the TMDL for that particular water body specifically precludes discharges covered by this general permit, or where the discharge can be expected to cause or contribute to the water quality impairment addressed by the TMDL.

The general criteria and numerical criteria which make up the stream standards are provided in the "Louisiana Surface Water Quality Standards", (LAC 33:IX.11, amended as of September 1989, March 1991, April 1994, August 1994, July 1995, November 1996, October 1998, December 1999, March 2001, March 2002, August 2002, September 2003, July 2004, November 2004, April 2005, May 2006, May 2007, and September 2008).

For the purposes of assuring that state water quality standards are achieved, the following language is being included in the general permit (*OTHER CONDITIONS*, SECTION G) along with a reopener clause (*OTHER CONDITIONS*, SECTION N).

> LAC 33:IX.1113 describes numerical and general criteria that apply to all water bodies of the State. Criteria are elements of the water quality which set limitations on the permissible amounts of a substance or other characteristics of state waters. The General Criteria, as described in the Louisiana Administrative Code, limit discharges to maintain aesthetics, color, turbidity, the biologic and aquatic

community integrity, and many other elements in the receiving water body. Any noncompliance with the General or Numerical Criteria is not authorized under this permit.

Discharges from facilities permitted under LPDES general permits typically consist of low volume flows, and discharges that are intermittent in nature. This general permit is applicable to very specific types of facilities and allows very limited types of discharges that specifically occur at facilities that are eligible for coverage under this permit. The effluent limitations and other conditions are determined to be sufficient to assure protection to state waters. Pursuant to LAC 33:IX.2317.A.9, new source discharges or new discharges of wastewater from a facility whose discharges are in compliance with the general permit requirements should not adversely impact water quality of 303(d) listed impaired water bodies nor should they cause or contribute to the violation of state water quality standards in receiving water bodies throughout the state, including 303(d) impaired water bodies. ... Discharges from "minor" industrial facilities which are determined to be eligible for permit coverage and authorized under this general permit will not negatively impact the water quality of receiving streams because permitted facilities are required to be in compliance with the general permit requirements immediately upon coverage by the permit. In accordance with *Other Conditions*, Sections F, H and N, measures can be taken by the permitting authority to prohibit any discharge that is not protective of state water quality standards.

Discharges of wastewater and/or industrial storm water from minor industrial facilities that are eligible for general permit coverage are relatively small flows and generally non-continuous in nature. The experience which this Office has in permitting these discharges, and the absence of any identified adverse effects to the receiving water bodies for discharges under previously-issued permits, support the adequacy of continuing the previously applied conditions and effluent limitations to assure that water quality standards will be met, as supported in the following discussion and above in Section VII of this Fact Sheet.

The permit duplicates the parameters, limitations, and requirements found in the LPDES General Permit for Discharges from Light Commercial Facilities, effective August 1, 2001, except for the changes described above in Section II and Section VII.B.1.

EPA Region VI concurred that the effluent limitations established in both the August 1, 2001 permit and the August 1, 2006, permit ensured attainment of water quality standards. By letter dated August 13, 2009, EPA Region VI approved the draft reissuance permit. The state does not believe any water quality issues have developed that were not considered when those permits were prepared; therefore, that determination is still valid and those limitations continue to be used in the draft reissuance permit.

LDEQ-EDMS Document 44707910, Page 44 of 44

The parameters and limits contained in the permit will offer adequate protection to any streams listed on the LDEQ Section 303(d) List of Impaired Water Bodies. DO impacted streams will be adequately protected by the TOC limitation of 50 mg/L on hydrostatic testing and vessel testing wastewater; the 5 mg/L (NET) TOC limit on non-contact cooling water; the 300 mg/L COD limit on wash water discharges; the 125 mg/l COD limit on discharges of combined exterior vehicle, equipment and utility wash water and dock and shop wash down wastewater and storm water; and the 45 mg/l BOD_5 limit on discharges of treated sanitary wastewater.

XV. FINAL DETERMINATION

The availability of an LPDES General Permit for Discharges from Light Commercial Facilities streamlines the permit process for certain sources from minor industrial facilities that generate common types of incidental, low-potential wastewaters that can be effectively treated by common types of treatment systems, to meet the effluent limitations contained in the permit. LDEQ streamlines the permit process for low impact dischargers by utilizing a general permit to regulate discharges from facilities or operations with discharges from light commercial facilities. Utilization of a general permit to permit these facilities and discharges allows the Department to devote more resources to issuing individual LPDES permits to industrial facilities with discharges that require more regulatory oversight while ensuring that discharges permitted under this general permit are protective of state water quality standards in receiving streams throughout the state.

This agency has determined that discharges covered by this authorization can be adequately treated by common types of treatment systems to meet the effluent limitations contained in the general permit. The resulting discharges that are in compliance with the permit limitations do not pose any reasonable potential to cause or contribute to any existing water quality or 303(d) listed impairment.

The effluent limitations and monitoring requirements of this permit are adequate to protect for the designated uses and water quality standards of Louisiana.

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue the permit for the discharges described above in Sections I and III.