STATEMENT OF BASIS (AI No. 42404)

For Draft Louisiana Pollutant Discharge Elimination System Permit No. LA0108944 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Marmac, L.L.C.
Belle Chasse Repair Yard
1750 Clearview Parkway
Metairie, LA 70001

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services (Office)
Post Office Box 4313
Baton Rouge, LA 70821-4313

PREPARED BY: Gene Jarreau

DATE PREPARED: June 29, 2009

1. PERMIT STATUS

A. Reason For Permit Action:

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit: NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits: LA0108944
LPDES permit effective date: June 1, 2002
LPDES permit expiration date: May 31, 2007

LAR05M284 Reauthorization
LPDES permit reauthorization effective date: May 23, 2006
LPDES permit reauthorization expiration date: April 30, 2011

D. Date Application Received: November 16, 2006

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY: Barge cleaning, repair, and fleeting facility.

This is an existing barge cleaning, repair, and fleeting facility. Barge cleaning consists of washing decks of deck barges. Minor barge repairs are also done. The ratio of barge repair to barge cleaning is close to equal. Barges at the site are rented to customers to carry deck cargo associated with construction activities (such as construction equipment) or transporting commodities (including cement, dirt/mud, wood, steel slag, rocks/crushed rocks, and sand). There is no cleaning of chemical barges, or cleaning of dry cargo hopper barges that carry traditional commodities (such as coal, grain, or coke). Therefore, there are no commodities cleaned that require special disposal. This facility has conducted sandblasting in the past, but is not currently sandblasting. It may resume sandblasting in the future. Barges do not arrive at this facility with deck cargo onboard. If this would occur, all deck cargo is removed from a deck barge prior to deck washing. Extended cleaning depends on the condition of the deck of the barge when it arrives at the facility. Any contaminated areas are cleaned prior to washing decks. Scrap material removed from a

barge is put in the facility dumpster, and disposed of by Allied Waste Services. There are no wash waters sent to disposal facilities. The only wash water is barge deck rinse wash water. Several deck barges may be cleaned in 1 day, or there may be several days with no barge cleaning. Normally, 1 deck barge is cleaned every 2 days. Approximately 15 deck barges per month are cleaned. This facility normally operates Monday through Friday, 12 hours per day, but it has the capability to operate 7 days a week, 24 hours a day. All discharges are intermittent, based upon changing business requirements. Stormwater discharges are covered by the Multi-Sector Storm Water General Permit authorization LAR05M284. Facility stormwater is sheet flow, with a small amount flowing into the adjacent waterway. Minimal work activities occur on the landside portion of the facility, for most occur on the barges. The other landside portions of the facility are grass areas with covered material storage. The facility only has petroleum products, and they are stored outside in containers, under cover, with secondary containment.

B. FEE RATE
1. Fee Rating Facility Type: Minor
2. Complexity Type: I
3. Wastewater Type: II
4. SIC Codes: 3731 & 4499

C. LOCATION: 414 Bayou Road in Belle Chasse, Plaquemines Parish.
Latitude 29° 49' 50"; Longitude 90° 03' 45".

3. OUTFALL INFORMATION

Outfall 001
Discharge Type: The intermittent discharge of treated sanitary wastewater.
Treatment: Aerobic treatment with chlorination.
Location: At the point of discharge from the STP prior to combining with other waters.
Flow: 525 GPD (Intermittent)
Discharge Route: By pipe into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

Outfall 002
Discharge Type: The intermittent discharge of dry commodity vessel washwater.
Treatment: None
Location: At the point of discharge from sheet flow off of barge decks.
Flow: 1500 GPD (Intermittent)
Discharge Route: By sheet flow into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

Outfall 003
Discharge Type: The intermittent discharge of incoming ballast water and void water.
Treatment: None
Location: At the point from the vessel prior to combining with other waters.
Flow: 11,000 GPD (Intermittent)
Discharge Route: By portable pump hoses into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

Outfall 004
Discharge Type: The intermittent discharge of facility ballast water, dry dock ballast water, and void water.
Treatment: None
Location: At the point from the vessel/dry dock prior to combining with other waters.
Flow: 500 GPD (Intermittent)
Discharge Route: By portable pump hoses into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

4. RECEIVING WATERS

STREAM: Bayou Barataria, thence into the Gulf Intracoastal Waterway.

BASIN AND SUBSEGMENT: Barataria Basin; Subsegment 020601

DESIGNATED USES: a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife

5. TMDL STATUS

Subsegment 020601, Intracoastal Waterway – from Bayou Villars to Mississippi River, is listed on LDEQ's Final 2006 303(d) List as impaired for fecal coliform. Although TMDLs for the Barataria Basin were due to be completed by 2004, a TMDL has not yet been developed for fecal coliform for this waterbody. A TMDL will be scheduled following completion of the EPA Consent Decree TMDL schedule. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a future TMDL.
The volume of sanitary discharges from these facilities are small and should not have a significant impact on the receiving stream. Discharges in compliance with standard sanitary effluent limitations, which includes a fecal coliform limit set at the standard end-of-pipe, should not cause or further contribute to the fecal impairment on the receiving stream.

6. PROPOSED EFFLUENT LIMITS

BASIS: See Rationale below.

7. COMPLIANCE HISTORY/COMMENTS

A compliance history/DMR review was done covering the period of August 24, 2004 to June 29, 2009.

1. Compliance History – There are no known open, appealed, or pending water enforcement actions as of June 29, 2009.
2. DMR Review/Excursions Reported – A DMR review from August 24, 2004 to June 29, 2009 noted only two excursions.
   One occurred for Outfall 003A in October 2006. A COD sample measured 914 mg/L, with the daily maximum permit requirement being 250mg/L. An explanation on the DMR stated that water had been in the void tanks for a long period of time, and may have been stagnant. The company also stated that they would test the water prior to discharging in the future.
   Another occurred for Outfall 003A in January 2008. A COD sample measured 1,120 mg/L, with the daily maximum permit requirement being 250mg/L. An explanation on the DMR stated before discharge, the COD for this water sample was reported to be <24 mg/L. After discharge, the COD for this water sample was corrected and reported to be 1,120 mg/L. An explanation on the attached letter to the DMR stated that this was due to a lab error in the first analysis. The company also stated if they would have been given the correct information before discharge (that the COD was in exceedance of their permit limit), they would have not discharged this water.
3. Inspections – The only water permit routine LDEQ Compliance Evaluation Inspection (CEI) was performed on April 26, 2000. The BOD_5 and TSS samples that were collected were within permit limits. The status was rated as compliant in all areas.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrated two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities, and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

8. CHANGES FROM EXISTING PERMIT

The following changes are proposed from the existing June 1, 2002 LPDES permit:

A. The description for Outfall 002 has been changed from "the intermittent discharge of dry commodity barge washwater from deck barges" to "the intermittent discharge of dry commodity vessel washwater". If a sheen is present, the parameter COD – 100 mg/L has been replaced with TOC – 50 mg/L. The following paragraph has been added: There shall be no discharge of floating solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

B. Outfall 003A is now 003, and the description has been changed from "the intermittent discharge of incoming ballast water from rental customer barges" to "the intermittent discharge of incoming ballast water and void water".

C. Outfall 003B is now 004, and the description has been changed from "the intermittent discharge of maintenance ballast water" to "the intermittent discharge of facility ballast water, dry dock ballast water, and void water". The Measurement Frequencies have been changed from "1/month" to "1/event". Visual Sheen has been added as an Effluent Characteristic, with No Presence as a Discharge Limitation, a Measurement Frequency of 1/day, and Observation as the Sample Type.

D. The facility name has been changed from "McDonough Marine Service Belle Chasse Repair Yard" to "Belle Chasse Repair Yard".

E. The facility type/activity has been changed from a "barge repair facility" to a "barge cleaning, repair, and fleeting facility.

F. For Outfall 001, the Measurement Frequencies have been reduced from 1/month to 1/6 months and Monthly Average mg/L Discharge Limitations have been added, consistent with the current Class I Sanitary Discharge General Permit, and due to very good compliance with the existing permit discharge limitations. Weekly Average mg/L Discharge Limitations have been changed to Daily Maximum mg/L Discharge Limitations, in accordance with new practices regarding treated sanitary wastewater discharges from non-POTWs in individual permits (per LAC 33:IX.2709.D). For Flow, the requirement to Report the Monthly Average has been deleted.

9. EXISTING EFFLUENT LIMITS

Outfall 001: The intermittent discharge of treated sanitary wastewater.

Effluent Characteristic	Monthly Average	Weekly Average	Frequency
Flow	Report	Report	1/month
BOD5	---	45 mg/L	1/month
TSS	---	45 mg/L	1/month
Fecal Coliform	---	400 colonies/ 100 mL	1/month
pH (standard units)	---	6.0 (minimum) – 9.0 (maximum)	1/month

Outfall 002: The intermittent discharge of dry commodity barge washwater from deck barges.

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwater from deck barges previously containing dry commodities including cement, dirt/mud, wood, steel slag, crushed rock, and sand. Best Management Practices (BMPs) for barge operations are listed in Part II, along with Other Requirements.
Rain water that has accumulated in open top barges that have been properly cleaned, and/or in the permittee's spar barges that never contain any cargo, may be discharged without sampling provided there is no visible oil sheen. If a sheen is present, a sample must be taken and tested for compliance with the following parameters prior to discharge:
COD - 100 mg/L; Oil & Grease - 15 mg/L; pH within the range of 6.0 - 9.0 standard units.

Outfall 003A: The intermittent discharge of incoming ballast water from rental customer barges.
Outfall 003B: The intermittent discharge of maintenance ballast water.

Effluent Characteristic	Monthly Average	Daily Maximum	Frequency
Flow	Report	Report	1/week
COD	---	250 mg/L	1/week
Oil & Grease	---	15 mg/L	1/week
pH (standard units)	---	6.0 (minimum) – 9.0 (maximum)	1/week

Sampling for Outfall 003B is only required if a visible oil sheen is present.

The measurement frequency for Outfall 003B shall be 1/month whenever sampling is required, instead of 1/week as stated above.

Maintenance ballast from cleaning plant work barges, wastewater treatment barges, office barges, spar barge, repair plant work barge, and dry docks may be discharged without sampling provided there is no visible oil sheen. **If a sheen is present, a sample shall be taken once per month and tested for compliance with Outfall 003B**. The volume of all such discharges, the date of discharge, and the name of the vessel must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports. Discharges which exceed the specified limits must be reported to LDEQ as excursions. As used in this paragraph, "maintenance ballast" means bayou water that has leaked into work barges which are a fixed part of the facility.

10. ENDANGERED SPECIES

The receiving waterbody, Subsegment 020601 of the Barataria Basin, has not been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for any species, which are listed federally as a threatened species. Also, this type of discharge is not listed in Section II.2 of the Implementation Strategy as requiring

consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species, or the critical habitat.

11. HISTORIC SITES

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

12. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Louisiana Department of Environmental Quality has made a tentative determination to issue a permit for the discharges described in the notice of intent.

13. PUBLIC NOTICES

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

Local newspaper of general circulation;

Office of Environmental Services Public Notice Mailing List.

Rationale for Marmac, L.L.C./Belle Chasse Repair Yard

Outfall 001: The intermittent discharge of treated sanitary wastewater.

Pollutant	Limitation	Reference
Flow (GPD)	Report****	LAC 33:IX.2707.I.1.b
BOD_5	30 mg/L**; 45 mg/L*	Class I Sanitary General Permit; LAC33:IX.2709.D
TSS	30 mg/L**; 45 mg/L*	Class I Sanitary General Permit; LAC33:IX.2709.D
Fecal Coliform	200 colonies/100 ml**; 400 colonies/100 ml*	Class I Sanitary General Permit; LAC33:IX.2709.D
pH	6.0 – 9.0 standard units (Minimum – Maximum)	Class I Sanitary General Permit and ***

* Daily Maximum
** Monthly Average
*** Previous Permit
**** Weekly Average

BPJ Best Professional Judgment
GPD Gallons Per Day
BOD_5 Biochemical Oxygen Demand (5-Day)
TSS Total Suspended Solids

Treatment: Aerobic treatment with chlorination.
Monitoring Frequency: All parameters shall be monitored once per six months, when discharging (consistent with the current Class I Sanitary Discharge General Permit).
Limits Justification: Treated sanitary wastewater is regulated in accordance with LAC 33:IX.711 or 709.B, by BPJ utilizing the sanitary general permits issued by this Office, and the Louisiana Water Quality Management Plan, Volume 8, Appendices A (Areawide Policies) and B (Statewide Sanitary Effluent Limitations Policy), as applicable. 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. Weekly Average mg/L Discharge Limitations have been changed to Daily Maximum mg/L Discharge Limitations, in accordance with new practices regarding treated sanitary wastewater discharges from non-POTWs in individual permits (per LAC 33:IX.2709.D).

Outfall 002: The intermittent discharge of dry commodity vessel washwater.

Based on BPJ and on permits for similar facilities, no effluent limitations are established for rinse washwater from barge decks previously containing dry commodities (including cement, dirt/mud, wood, steel slag, rocks/crushed rocks, and sand). Best Management Practices (BMPs) for barge operations are listed in Part II, Section I (along with Other Requirements).

Rainwater or water that has accumulated in open top customer vessels that have been properly cleaned (excluding coal and coke*) or have never contained any cargo, and/or in the permittee's spar vessels that never contain any cargo, may be discharged without sampling provided there is no visible oil sheen and no visible indication of any other

contamination other than minor amounts of rust. If a sheen or visible indication of other contamination is present, a sample must be taken and tested for compliance with the following parameters prior to discharge:

TOC - 50 mg/L; Oil & Grease - 15 mg/L; pH within the range of 6.0 - 9.0 standard units.

If a sample(s) has been taken and tested, monitoring results (summarized monthly) must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). DMR forms shall be submitted quarterly along with and in the same manner as DMR forms for outfalls.

* The discharge of rainwater or water from vessels that contained coal and/or coke is considered contaminated and is not permitted.

Outfall 003: The intermittent discharge of incoming ballast water and void water.

Pollutant	Limitation	Reference
Flow (MGD)**	Report*	LAC 33:IX.2701.I.1.b
COD	250 mg/L*	Similar Discharges, BPJ,***
Oil and Grease	15 mg/L*	Similar Discharges, BPJ,***
pH	6.0 – 9.0 standard units (Minimum – Maximum)	Similar Discharges, BPJ,***

* Daily Maximum
** For flow, also report the monthly average.
*** Previous Permit

BPJ Best Professional Judgment
MGD Million Gallons per Day
COD Chemical Oxygen Demand

Treatment: None
Monitoring Frequency: All parameters shall be monitored once per **week**, when discharging
Limits Justification: Effluent Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities, and are retained from the previous permit.

Incoming ballast/void tank water from a randomly selected customer vessel must be sampled once per week and tested for compliance with Part I requirements applicable to incoming ballast water. The volume of all such ballast water discharges, the date of the discharge and the name of the vessel must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports. Discharges which exceed the specified limits must be reported to LDEQ as excursions. "Incoming ballast water" means ballast water that comes into the permittee's facility on board customer vessel wing tanks/ballast tanks or is generated as a result of the permittee placing water into customer vessel wing tanks/ballast tanks.

Outfall 004: The intermittent discharge of facility ballast water, dry dock ballast water, and void water.

Pollutant	Limitation	Reference
Flow (MGD)**	Report*	LAC 33:IX.2701.1.1.b
COD	250 mg/L*	Similar Discharges, BPJ,***
Oil and Grease	15 mg/L*	Similar Discharges, BPJ,***
Visual Sheen	No Presence	Similar Discharges, BPJ,***
pH	6.0 – 9.0 standard units (Minimum – Maximum)	Similar Discharges, BPJ,***

* Daily Maximum
** For flow, also report the monthly average.
*** Previous Permit

BPJ Best Professional Judgment
MGD Million Gallons per Day
COD Chemical Oxygen Demand

Sampling for 004 is only required if a visible sheen is present.

Treatment: None
Monitoring Frequency: For the discharge of facility ballast water, dry dock ballast water, and void water, all parameters (except Visual Sheen) shall be monitored once per **event**, whenever sampling is required. Visual Sheen shall have a Measurement Frequency of 1/day, and Observation as the Sample Type.
Limits Justification: Effluent Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities, and are retained from the previous permit.

The volume of all discharges of facility ballast water, dry dock ballast water, and/or void water from work, treatment, spar, office vessels, or dry dock(s), the date of discharge, the presence or absence of a sheen, and the location of the discharge must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports. Discharges which exceed the specified limits must be reported to DEQ as excursions. As used in this paragraph, "facility ballast water" means water that has accumulated in vessels which are either semi-permanently or permanently moored at the facility or ballast water discharged as a result of shipbuilding or repairs. "Dry dock ballast water" means water that has been pumped/flooded into a dry dock by the permittee for the purpose of maintenance and/or inspection of a vessel.

Facility ballast water, dry dock ballast water, and/or void water may be discharged without sampling for COD and/or TOC (if applicable), Oil & Grease, and pH provided there is no visible sheen.

Storm Water Pollution Prevention Plan (SWP3) Requirement
The facility's stormwater discharges are covered by the Multi-Sector Storm Water General Permit authorization LAR05M284. Barge BMPs are comparable to the SWP3 requirements; therefore, barge BMPs will be applied instead. Should the permittee terminate coverage under general permit authorization LAR05M284 during the life of this permit, the permittee shall request a modification to incorporate stormwater discharges into this permit.