STATEMENT OF BASIS (AI No 32779)

for draft Louisiana Pollutant Discharge Elimination System permit No LA0116785 to discharge to waters of the State of Louisiana

THE APPLICANT IS Lower River Marine, Inc
P O Box 455
Kenner LA 70063

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

PREPARED BY Yvonne Baker

DATE PREPARED May 20, 2008

1 PERMIT STATUS

A Reason For Permit Action

Permit reissuance of an 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 – LA0116785
LPDES permit effective date March 1 2003
LPDES permit expiration date February 29, 2008

D Date Application Received April 25 2008

2 FACILITY INFORMATION

A FACILITY TYPE/ACTIVITY barge and ship cleaning and repair

Lower River Marine, Inc , is a barge and ship cleaning and repair facility Repair activities do not result in any discharge All solids are removed before facility begins cleaning barges and ships All dry cargos are cleaned by spraying river water inside the vessels starting at one end of the cargo hole and pumped overboard from the opposite end Seven barges can be cleaned in one day One ship may take 4 to 7 days to clean The facility operates 10 hours per day 5 to 7 days per week The facility cleans barges and ships containing the following commodities Grains Food Additives and other Biological Feedstocks (Soybean Meal, Corn Gluten Feed Pellets Expeller By Products Corn Distiller Grain Meal Beet Pulp Pellets Soyhulls Soyhull Pellets Rice Bran Peanut Meal, Corn Soybeans Rice Oats Fish Meal Meat and Bone Meal Wheat Millet Sorghum Barley Wheat Gluten) Pig Iron Iron Ores to include Direct Reduced Iron (Sinter Feeds Pellets Briquettes Illmenite), Minerals (Fluorspar, Barite, Bauxite, Silica, Graphite Manganese Zinc Limestone) Food Products (Sugar, Salt) Ferro Alloys (Ferro Manganese Ferro Silicon Silico Manganese Ferro Chrome), Concentrates (Zinc Lead Copper) Scrap (Stainless Ferrous) Aluminum (Ingots Slabs, T bars Sows) Alumina (Bulk) Fertilizers (Potash Monoammonium Phosphate (MAP) Diammonium Phosphate (DAP) Ammonium Sulfate Urea), Rubber Products (Pelletized, Shredded) Wood Products (Plywood

Timber, Chips, Pallets), Stone Refractory (Rock, Granite, Cement Clinkers), Miscellaneous (Ores Alloys, Minerals) and Coal and Coke Products (Coal Metallurgical Coke, Pitch, Petroleum Coke Anode Butts)

NOTE Facility has not discharged washwaters because the facility has never operated

B FEE RATE

1 Fee Rating Facility Type minor
2 Complexity Type II
3 Wastewater Type III
4 SIC code 3731 and 4491

C LOCATION based at 10017 River Road, River Mile 115 on the Mississippi River in St Rose St Charles Parish (Latitude 29 58' 18', Longitude 90 16' 56")
operating between River Miles 50 and 200 on the Mississippi River
Plaquemines, Orleans, St Bernard, Jefferson, St Charles, St John the Baptist, St James, Ascension and Iberville Parishes

3 OUTFALL INFORMATION

Outfall 001

Discharge Type dry commodity barge / vessel washwater
Treatment none
Location at the point of discharge from the barge / vessel being washed
Flow intermittent
Discharge Route to the Mississippi River

Outfall 002

Discharge Type coal and coke barge / vessel washwater
Treatment none
Location at the point of discharge from the barge / vessel being washed
Flow intermittent
Discharge Route to the Mississippi River

Outfall 03A

Discharge Type incoming ballast and void water from customer barges
Treatment none
Location at the point of discharge from the customer barge wing/void tanks
Flow intermittent
Discharge Route to the Mississippi River

Outfall 03B

Discharge Type maintenance ballast and void water
Treatment none
Location at the point of discharge from the work barge wing/void tanks
Flow intermittent
Discharge Route to the Mississippi River

4 RECEIVING WATERS

STREAM Mississippi River

BASIN AND SEGMENT Mississippi River Basin Segment 070301

DESIGNATED USES
a primary contact recreation
b secondary contact recreation
c propagation of fish and wildlife
d drinking water supply

5 TMDL STATUS

The discharges from Lower River Marine, Inc are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL s have been established A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs

6 PROPOSED EFFLUENT LIMITS

BASIS See Rationale below

There were no changes from the previous permit

7 COMPLIANCE HISTORY/COMMENTS

1 OEC – There are no open appealed or pending water enforcement actions as of May 21 2008 There are no recent inspections on file at LDEQ

2 DMR Review/Excursions – There were no exceedances in permitted limits noted in years 2006 and 2007

Note – All DMRS were marked with No Discharge The facility has never operated

8 EXISTING EFFLUENT LIMITS

Outfall 001 dry commodity barge / ship washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including Grains, Food Additives and other Biological Feedstocks (Soybean Meal, Corn Gluten Feed Pellets Expeller By Products Corn Distiller Grain Meal Beet Pulp Pellets, Soyhulls Soyhull Pellets Rice Bran Peanut Meal Corn Soybeans, Rice Oats Fish Meal, Meat and Bone Meal Wheat Millet Sorghum, Barley Wheat Gluten) Pig Iron, Iron Ores to include Direct Reduced Iron (Sinter Feeds Pellets Briquettes Illmenite), Minerals (Fluorspar, Barite, Bauxite Silica Graphite Manganese Zinc Limestone) Food Products (Sugar, Salt) Ferro Alloys (Ferro Manganese Ferro Silicon Silico Manganese Ferro Chrome) Concentrates (Zinc Lead Copper) Scrap (Stainless, Ferrous) Aluminum (Ingots Slabs T bars, Sows), Alumina (Bulk) Fertilizers (Potash Monoammonium Phosphate (MAP), Diammonium Phosphate (DAP) Ammonium Sulfate Urea) Rubber Products (Pelletized Shredded), Wood Products (Plywood Timber, Chips, Pallets) Stone Refractory (Rock Granite, Cement Clinkers) Miscellaneous (Ores Alloys Minerals) Best Management Practices (BMPs) for barge operations are listed in Part II

Outfall 002 coal and coke barge / ship washwater

Pollutant	Monthly Average	Daily Maximum	Frequency
Flow	Report	Report	1/week
TSS	Report	Report	1/month
COD	250 mg/L	400 mg/L	1/week
pH Min/Max Values	6 0 (min)	9 0 (max)	1/week

Outfall 03A incoming ballast and void water from customer barges
Outfall 03B maintenance ballast and void water

Pollutant	Monthly Average	Daily Maximum	Frequency
Flow	Report	Report	1/week
COD		250 mg/L	1/week
Oil & Grease		15 mg/L	1/week
pH Min/Max Values	6 0 (min)	9 0 (max)	1/week

Sampling for Outfall 03B is only required if a visible oil sheen is present
The measurement frequency for Outfall 03B for the discharge of maintenance ballast water shall be 1/month whenever sampling is required instead of 1/week as stated above

9 ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U S Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon which is listed as an endangered species LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ) As set forth in the Memorandum of Understanding between the LDEQ and the FWS and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon 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

10 HISTORIC SITES

The discharge is from an existing facility 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

11 TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application

12 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 Lower River Marine, Inc

1 **Outfall 001** dry commodity barge / vessel washwater

Based on BPJ and on permits for similar facilities and the previous permit, no effluent limitations are established for washwaters from barges previously containing dry commodities including Grains, Food Additives and other Biological Feedstocks (Soybean Meal, Corn Gluten Feed Pellets, Expeller By Products, Corn Distiller Grain Meal, Beet Pulp Pellets, Soyhulls, Soyhull Pellets Rice Bran, Peanut Meal, Corn, Soybeans, Rice Oats, Fish Meal, Meat and Bone Meal Wheat Millet, Sorghum Barley, Wheat Gluten), Pig Iron, Iron Ores to include Direct Reduced Iron (Sinter Feeds, Pellets, Briquettes, Illmenite), Minerals (Fluorspar, Barite, Bauxite Silica Graphite, Manganese, Zinc, Limestone), Food Products (Sugar, Salt), Ferro Alloys (Ferro Manganese, Ferro Silicon Silico Manganese, Ferro Chrome) Concentrates (Zinc, Lead, Copper), Scrap (Stainless, Ferrous) Aluminum (Ingots Slabs T bars Sows), Alumina (Bulk), Fertilizers (Potash, Monoammonium Phosphate (MAP), Diammonium Phosphate (DAP), Ammonium Sulfate, Urea), Rubber Products (Pelletized, Shredded) Wood Products (Plywood Timber Chips Pallets) Stone Refractory (Rock, Granite Cement Clinkers), and Miscellaneous (Ores Alloys Minerals) Best Management Practices (BMPs) for barge operations are listed in Part II

2 **Outfall 002** coal and coke barge / vessel washwater

Pollutant	Limitation Mthly Avg Daily Max (mg/l)	Reference
Flow MGD	Report Report	LAC 33 IX 2701 I 1 b
COD	250 400	Similar Discharges BPJ, previous permit
TSS	Report Report	Similar Discharges BPJ, previous permit
pH	6 0 9 0 s u	Similar Discharges, BPJ previous permit

BPJ Best Professional Judgment

Treatment none

Monitoring Frequency TSS shall be observed once per month and Flow COD and pH shall be observed once per week at the point of discharge from the barge / vessel being washed

Limits Justification Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities and the previous permit

3 **Outfall 03A** incoming ballast and void water from customer barges
Outfall 03B maintenance ballast and void water

Pollutant	Limitation Mthly Avg Daily Max (mg/l)	Reference
Flow-MGD	Report Report	LAC 33 IX 2701 I 1 b
COD	250	Similar Discharges BPJ, previous permit
Oil and Grease	15	Similar Discharges, BPJ, previous permit
pH	6 0 9 0 s u	Similar Discharges, BPJ, previous permit

BPJ Best Professional Judgment

Treatment none

Monitoring Frequency Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the incoming customer barge/vessel

*The measurement frequency for Outfall 03B for the discharge of maintenance ballast and void water shall be 1/month whenever sampling is required

Limits Justification Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities and the previous permit

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442 because in accordance with 40 CFR 442 1 a "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical petroleum or food grade cargos ' This facility cleans barges and vessels containing dry commodities only This facility does not clean barges and vessels containing chemical, petroleum or food grade cargos as defined in 40 CFR 442

Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33 IX 2511 A 1, storm water discharges shall not be required to obtain an LPDES permit " except discharges associated with industrial activity In accordance with LAC 33 IX 2511 B 14 a k facilities classified as SIC code 3731 and 4491 are considered to have storm water discharges associated with industrial activity In addition to the SWP3 the barge BMPs will be applied because barge BMPs are comparable to the SWP3 requirements

The SWP3 shall be updated implemented and maintained within six(6) months of the effective date of the final permit The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II of the permit)