



FINAL

AI 84683 / PER20060001  
GENERAL PERMIT NUMBER LAG480000

LIGHT COMMERCIAL FACILITIES

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, this Louisiana Pollutant Discharge Elimination System (LPDES) General Permit is reissued. This permit authorizes persons who meet the requirements of Part I.A herein and who have been approved by this Office, to discharge to waters of the State treated sanitary wastewater (less than 25,000 GPD), exterior vehicle and equipment washwater, equipment repair area washdown wastewater, shop floor washdown wastewater, dock washdown wastewater, utility wash water, hydrostatic testing and vessel testing wastewater, non-contact cooling water (less than 100,000 GPD flow), cooling tower blowdown (less than 25,000 GPD flow), boiler water treatment blowdown, boiler blowdown wastewater, condensate, industrial storm water, or any combination of these discharges from light commercial facilities in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III of this permit.

This permit shall become effective on 8/1/06

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

Issued on 7/25/06

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Chuck Carr Brown, Ph.D.  
Assistant Secretary

## PART I

### SECTION A. APPLICABILITY

Coverage under this general permit is available for wastewater and storm water discharges identified below and will become authorized upon determination of eligibility and written notification by this Office of authorization under the permit. Coverage under this permit extends only to these incidental, low potential wastewaters, which are common to many light commercial facilities classed as minors in the LPDES permitting program. The types of minor facilities which might be the source of these low potential wastewater streams include, but are 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; machine shops; fabrication shops; foundries; 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 storage, maintenance and repair facilities.

Notice of Intent (NOI) to be covered under this general permit shall be made using form LCF-G or an approved equivalent. Other approved NOIs may be used for specific facility types as follows.

<u>FORM</u>	<u>FACILITY TYPE</u>
WPC-3	Barge Cleaning and/or Repair Facilities
NGF-3	Natural Gas Compressor Stations and related facilities engaged in the transmission, distribution and/or storage of natural gas
NGF-3	Natural Gas Fractionation and/or Sweetening Facilities
OSC-2	Oil Field Service Companies

The LCF-G form and other approved NOI forms may be obtained from the LDEQ web site at <http://www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/LCF-G.doc> or by calling (225) 219-3294.

Existing facilities conducting activities that result in discharges eligible for coverage under this permit but which are not permitted by an LPDES permit should submit an NOI immediately. Proposed facilities desiring coverage under this permit must submit an NOI at

least sixty (60) days prior to commencement of discharge. Any permittee covered by an individual permit or other general permit(s) may submit an NOI and request that the individual permit or other general permit(s) be canceled if the permitted source or activity is also eligible for coverage under this general permit. Upon approval by this Office, the permittee will be concurrently notified of coverage by this general permit and of cancellation of the previous permit(s). If a facility's storm water discharges are currently authorized under an MSGP LAR05XXXX permit number and the facility is later authorized to discharge wastewater under a Light Commercial General Permit authorization number, the 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 LAG48XXXX permit authorization for both point source and storm water discharges from the facility.

Dischargers who are currently permitted under the LPDES version of this permit that expires on July 31, 2006, are not required to submit a new NOI. These permitted dischargers will be automatically covered under the reissued LPDES permit; notification of coverage and a copy of the permit will be sent to each permittee after permit finalization. Permit conditions in the reissued permit are effective for these automatically-authorized permittees three (3) days after the postmark date of the notification of the facility's coverage under the reissued general permit.

If circumstances at the permitted facility are expected to change in the future and the change will result in the addition or elimination of permitted outfalls, or a change in the composition of effluent from a permitted outfall, the permittee is required to notify the Water Permits Division of the proposed changes and to receive the appropriate permit coverage prior to adding a new outfall or changing the composition of effluent from a permitted outfall.

The permittee is required to submit a permit transfer request to the Environmental Assistance Division either prior to or no later than 45 days after a permitted facility changes ownership/operator. The request must be made on the official LDEQ form NOC-1 which is available on the LDEQ website at: [www.deq.louisiana.gov/portal/Portals/0/assistance/NOC-1%20FORM%20Jan%2025,%202006.pdf](http://www.deq.louisiana.gov/portal/Portals/0/assistance/NOC-1%20FORM%20Jan%2025,%202006.pdf). Any questions related to making a permit transfer should be directed to the Application Verification Group at (225) 219-3292.

A printed hard copy of this permit may be obtained by contacting LDEQ's Water Permits Division at (225) 219-3181, or a copy can be downloaded from the LDEQ website at

[www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/pdf/LAG480000.pdf](http://www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/pdf/LAG480000.pdf).

Construction activities that occur at a facility that is authorized under this general permit may require LPDES permit coverage under a different LPDES general permit for those construction activities. Construction activities include clearing, grubbing, grading, excavation, adding fill material, road construction, and similar activities. Construction activities that disturb one to five acres of land are regulated under LAC 33:IX.2511.B.15 and are covered under the LPDES Storm Water General Permit for Small Construction Activities (LAR200000). Construction activities that disturb five acres of land or more are regulated under LAC 33:IX.2511.B.14.j and are required to obtain permit coverage under the LPDES Storm Water General Permit for Large Construction Activities (LAR100000). Both of the construction storm water general permits can be accessed on the LDEQ web site. The LPDES Storm Water General Permit for Small Construction Activities (LAR200000) can be downloaded from the LDEQ website at [www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/LAR200000.pdf](http://www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/LAR200000.pdf). The LPDES Storm Water General Permit for Large Construction Activities can be downloaded from the LDEQ website at [www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/LAR100000.pdf](http://www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/LAR100000.pdf).

The following types of wastewater and/or storm water discharges from light commercial facilities are covered by this general permit. When flow limits are stipulated for a wastewater type, the stated flow limits are the maximum daily discharge of that type of wastewater from the entire facility that will be permitted under this general permit. Facilities that are expected to discharge more wastewater than the maximum daily discharge that is allowed under this general permit should apply for permit coverage under an individual facility-specific LPDES permit.

1. Discharges of less than 25,000 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 water 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. industrial storm water (see Permit Part II.A.36), and
13. discharges of any combinations of the above wastewaters.

Those facilities that obtain coverage under this permit for wastewater discharges and who also discharge industrial storm water as defined in LAC 33:IX.2511.B.14 - *Storm Water Discharge Associated With Industrial Activity* (see Permit Part II.A.36) - 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 Multi-Sector General Permit 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. The 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 LAG48XXXX permit authorization for both point source and storm water discharges from the facility.

The MSGP contains Special Provisions for Oil and Gas Extraction Operations classified under SIC codes 1311, 1321, 1381 - 1389, and 2911. Part 2.1.6 of the 2006 MSGP contains special provisions for oil and gas operations which do not require MSGP coverage at the time of permitting, but later require coverage as a result of a new Reportable Quantity release as defined in 40 CFR 110. After learning of the release, these provisionally excluded operations are no longer excluded from MSGP regulation and must submit an NOI (Form MSGP-G) for MSGP coverage within 14 calendar days of the Reportable Quantity release and must prepare and implement a facility-specific 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 operator shall take all appropriate measures to limit the discharge of pollutants in the facility's storm water runoff. The MSGP-G form is also available on the LDEQ website at <http://www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/msgp-g.doc>.

This general permit shall not apply to:

1. discharges from facilities classed as AMajors@in the LPDES permitting system;
2. discharges other than those listed above (items 1 through 13);
3. discharges listed above (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 Part I, Schedule F of the permit for discharges of hydrostatic test 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 70804-4247 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 those 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 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, waste materials such as garbage or hazardous waste, or any chemical which is deemed by this Office to be a threat to the environment;
12. discharges of internal tank truck washing wastewater;
13. discharges at operations classed as new sources or new dischargers, if the discharge will cause or contribute to the violation of water quality standards (LAC 33:IX.2317.A.9); and
14. discharges which cause or contribute to the violation of a state water quality standard.

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, or
4. 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.

## **SECTION B. EFFLUENT LIMITATIONS**

During the period beginning with written notification of coverage under this permit and lasting through the expiration date of this general permit, a permittee authorized to discharge under this general permit may be authorized to discharge treated sanitary wastewater (less than 5,000 GPD); treated sanitary wastewater (5,000 to 25,000 GPD); exterior vehicle and equipment washwater; equipment repair area washdown wastewater; shop floor washdown wastewater; dock washdown wastewater; utility wash water; hydrostatic testing and vessel testing wastewater; non-contact cooling water (less than 100,000 GPD flow); cooling tower blowdown (less than 25,000 GPD flow); boiler water treatment blowdown; boiler blowdown wastewater; condensate; industrial storm water; or any combination of these discharges as specified in Appendix A that will accompany the permittee's letter granting authorization to discharge in accordance with the conditions that follow.

**SCHEDULE A: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR DISCHARGES OF TREATED SANITARY WASTEWATER (Less Than 5,000 GPD)**

The permittee should refer to **Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	WEEKLY AVERAGE	MEASUREMENT FREQUENCY <sup>1</sup>	SAMPLE TYPE
Flow (GPD)	----	Report	1/6 months	Estimate
BOD <sub>5</sub>	----	45 mg/L	1/6 months	Grab
TSS <sup>2</sup>	----	45 mg/L	1/6 months	Grab
Oil & Grease <sup>3</sup>	----	15 mg/L	1/6 months	Grab
Fecal Coliform <sup>4&amp;5</sup> Colonies/100 ml	----	400	1/6 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/6 months	Grab

<sup>1</sup> Certain facilities of concern are subject to a monitoring frequency of 1/3 months. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.

<sup>2</sup> For an oxidation pond treatment unit the Weekly Average is 135 mg/L.

<sup>3</sup> Required only for discharges which include food service waste.

<sup>4</sup> If chlorination is chosen as a disinfection method, see Part II, Section M.

<sup>5</sup> If this discharge is located in an oyster propagation area, the Fecal Coliform limitation will be 43 colonies/100 ml Weekly Average. Instructions will be given in the cover letter of this permit if this more stringent Fecal Coliform limitation is required.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

**SCHEDULE B: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS  
FOR DISCHARGES OF WASTEWATERS FROM <sup>1</sup> :**

**EXTERIOR VEHICLE AND EQUIPMENT WASHING,  
EQUIPMENT REPAIR AREA WASHDOWN (with Soaps and/or Detergents),  
SHOP FLOOR WASHDOWN (with Soaps and/or Detergents),  
DOCK WASHDOWN (with Soaps and/or Detergents), and  
UTILITY WASH WATER (with Soaps and/or Detergents)**

The permittee should refer to **Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS <sup>2</sup>		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY <sup>3</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/3 months	Estimate
TSS	----	45 mg/L	1/3 months	Grab
COD <sup>4</sup>	200 mg/L	300 mg/L	1/3 months	Grab
Oil and Grease	----	15 mg/L	1/3 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/3 months	Grab
Soaps and/or Detergents <sup>5</sup>	N/A	N/A	1/3 months	Inventory Calculation
Visible Sheen <sup>6</sup>	----	No Presence	1/day	Observation

<sup>1</sup> See Part II, Section O Washing Prohibitions, and Section P Best Management Practices (BMP) - Washdown Wastewaters.

<sup>2</sup> The effluent limitations above do not apply to dockside cleaning performed without soaps or detergents provided that dry spill control and other appropriate housekeeping practices are conducted on the dock in order to prevent any spills of product, lubricating oils, fuels, etc. from entering waters of the State. In this case, the effluent limitation shall be *No Visible Sheen*. Visual observation shall be made each time the dock is washed and the presence or absence of a sheen recorded. The number of exceedences and the total number of observations shall be reported on a DMR annually.

<sup>3</sup> Certain facilities of concern are subject to a monitoring frequency of 1/month. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.

<sup>4</sup> If process wastewater is combined with storm water, the COD limitation shall be 125 mg/L Daily Maximum (no Monthly Average limitation is set).

- 5 You must document in a monthly inventory record the quantity and type of any Soap and/or Detergent that you use during each calendar month. Your inventory records should contain this information for each month beginning one month after the effective date of your permit coverage. Do not submit your inventory records to LDEQ when you submit your DMRs and do not report on your DMRs the quantity of Soap and/or Detergent used during the reporting period. A Material Safety Data Sheet (MSDS) for each material used shall be available upon the initial use of a product. The permittee must keep the inventory records, the MSDS for each Soap and/or Detergent used, and copies of the facility's DMR records on file at the permitted facility.
- 6 The limitation shall be "No Visible Sheen". Visual observation shall be made once per day when discharge occurs and the presence or absence of a sheen recorded. The number of exceedances and the total number of observations shall be reported on a DMR annually. **At facilities that are normally unmanned visual observation shall be made once per week** when discharge occurs and the presence or absence of a sheen recorded.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

**SCHEDULE C: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS  
FOR DISCHARGES OF WASTEWATERS FROM:**

**EQUIPMENT REPAIR AREA WASHDOWN,  
SHOP FLOOR WASHDOWN, and  
UTILITY WASH WATER <sup>1</sup>**

**ALL WITHOUT SOAPS and/or DETERGENTS**

The permittee should refer to **Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY <sup>2</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/3 months	Estimate
TOC	----	50 mg/L	1/3 months	Grab
Oil and Grease	----	15 mg/L	1/3 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/3 months	Grab

<sup>1</sup> See Part II, Section P Best Management Practices (BMP) - Washdown Wastewaters.

<sup>2</sup> Certain facilities of concern are subject to a monitoring frequency of 1/month. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

**SCHEDULE D: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS  
FOR DISCHARGES OF HYDROSTATIC TESTING  
AND VESSEL TESTING WASTEWATER\***

The permittee should **refer to Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY <sup>1,2</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/discharge event	Estimate
TSS <sup>3</sup>	----	90 mg/L	once prior to proposed discharge	Grab
Oil and Grease	----	15 mg/L	once prior to proposed discharge	Grab
TOC <sup>4</sup>	----	50 mg/L	once prior to proposed discharge	Grab
Benzene <sup>4</sup>	----	50 µg/L	once prior to proposed discharge	Grab
Total BTEX <sup>4&amp;5</sup>	----	250 µg/L	once prior to proposed discharge	Grab
Lead <sup>4</sup>	----	50 µg/L	once prior to proposed discharge	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	once prior to proposed discharge	Grab

\* All “heels” or free liquids must be removed from a container **before** washing, rinsing or conducting a hydrostatic test on the storage tank, vessel, or similar container.

<sup>1</sup> If any discharge extends beyond one week in duration, then sampling of the above parameters shall continue on a weekly basis until the discharge ends.

<sup>2</sup> For discharges of wastewater from the hydrostatic testing of **new** pipes, vessels, and/or tanks, **if approved by the appropriate regional office (see Part II.S)**, the permittee may sample and run analysis for the required parameters at the time of discharge (i.e., not prior to discharge). All other reporting requirements in Part II.S must be met.

- <sup>3</sup> The background concentration of Total Suspended Solids (TSS) will be allowed in the discharge if the effluent is being returned to the same water source from which the intake water was obtained. In these cases, the permit limitations will be 90 mg/L plus the concentration of TSS in the intake water. The TSS concentration of the intake water shall be reported on the Discharge Monitoring Report (DMR) along with the concentration of TSS in the effluent.
- <sup>4</sup> Total Organic Carbon (TOC) shall be measured on discharges from pipes, vessels, and/or tanks which have previously been in service - i.e., those which are not new. Benzene, Total BTEX, and Lead shall be measured on discharges from pipes, vessels, and/or tanks which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons. **Accordingly, Flow, TSS, Oil and Grease, and pH are the only limitations and testing requirements for NEW pipes, vessels, and tanks.**
- <sup>5</sup> BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, ortho-xylene, meta-xylene, and para-xylene, as quantified by EPA methods 602, 624, or 1624.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

No discharge shall generate a flow condition within any drainage conveyance or water body which, either alone or in concert with storm water runoff, represents a threat to public safety by virtue of discharge velocity.

In addition to all other conditions and requirements contained within this permit, the permittee shall follow all reporting requirements in Part II.S.

Additives such as corrosion inhibitors, bactericides, and dyes may not be added to the test water to be discharged without prior written approval from this Office. Written requests for approval must include toxicity data for each additive proposed for use, as well as a clear description of the proposed discharge including projected volumes of wastewaters and additive levels in the wastewaters.

There shall be no discharge of PCB-~~s~~. **Proof that PCB-~~s~~ are not present in the pipe is required for all pipelines which have been in use for transmission of *natural gas*.** Such proof shall consist of a statement, signed by a responsible company official, certifying that *either* the pipeline has been tested for, and found to be free of PCB-~~s~~, *or* that compressors or other equipment that contained PCB-~~s~~ were never used on the pipeline. If the permittee cannot furnish such certification, then the discharge water must be tested for PCB-~~s~~ prior to any discharge, in accordance with EPA methods 608 or 625, and the results submitted to the Water Permits Division. For certification purposes, analytical concentrations less than 1 µg/L are considered Non-detects@

**SCHEDULE E: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS  
FOR DISCHARGES OF NON-CONTACT COOLING WATER  
(Less Than 100,000 GPD Flow) <sup>1</sup>**

The permittee should refer to **Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY <sup>2</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/month	Estimate
TOC	----	5 mg/L (NET) <sup>3</sup>	1/month	Grab
Temperature (Freshwater)	----	Report <sup>4,7</sup>	1/month	Grab <sup>8</sup>
Temperature (Estuarine & Coastal Waters)	----	Report <sup>5,7</sup>	1/month	Grab <sup>8</sup>
Total Residual Chlorine (TRC) <sup>6</sup>	----	0.2 mg/L	1/month	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab

<sup>1</sup> The use of any additives or corrosion inhibitors containing any of the 126 priority pollutants is prohibited.

<sup>2</sup> Certain facilities of concern are subject to a monitoring frequency of 1/week. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.

<sup>3</sup> Net = Effluent - Influent. Sampling for the TOC parameter shall be required only when additives of any kind are used in the non-contact cooling water or when the cooling water may be contaminated with organics. The TOC of the discharge shall not exceed the intake TOC by more than 5.0 mg/L. Simultaneous sampling of the effluent and the influent shall be required to establish the net value. The influent, effluent, and net value shall be reported on the DMR.

<sup>4</sup> The temperature at the edge of the mixing zone shall not exceed 32.2EC (90 EF). This condition does not apply to privately owned reservoirs or to reservoirs constructed solely for industrial cooling purposes.

<sup>5</sup> The temperature at the edge of the mixing zone shall not exceed 35EC (95EF), except when natural conditions elevate temperature above this level. This condition does not apply to privately owned reservoirs or to reservoirs constructed solely for industrial cooling purposes.

- 6 Limitation and monitoring for TRC are required only if chlorine or a chlorine compound is used as treatment.
- 7 Instantaneous Maximum.
- 8 Analyze immediately.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

**SCHEDULE F: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS  
FOR DISCHARGES OF:**

**COOLING TOWER BLOWDOWN (Less Than 25,000 GPD Flow ) and  
BOILER WATER TREATMENT BLOWDOWN <sup>1</sup>**

The permittee should refer to **Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY <sup>2</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/month	Estimate
Temperature (Freshwater)	----	Report <sup>3, 5</sup>	1/month	Grab <sup>6</sup>
Temperature (Estuarine & Coastal Waters)	----	Report <sup>4, 5</sup>	1/month	Grab <sup>6</sup>
Total Residual Chlorine (TRC) <sup>7</sup>	----	0.2 mg/L	1/month	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 <sup>8</sup> (Maximum)	1/month	Grab

- <sup>1</sup> The use of any additives or corrosion inhibitors containing any of the 126 priority pollutants is prohibited.
- <sup>2</sup> Certain facilities of concern are subject to a monitoring frequency of 1/week. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.
- <sup>3</sup> The temperature at the edge of the mixing zone shall not exceed 32.2EC (90EF). This condition does not apply to privately owned reservoirs or to reservoirs constructed solely for industrial cooling purposes.
- <sup>4</sup> The temperature at the edge of the mixing zone shall not exceed 35EC (95EF), except when natural conditions elevate temperature above this level. This condition does not apply to privately owned reservoirs or to reservoirs constructed solely for industrial cooling.
- <sup>5</sup> Instantaneous Maximum.

- 6 Analyze immediately.
- 7 Limitation and monitoring for TRC are required only if chlorine or a chlorine compound is used as treatment.
- 8 For discharges of boiler water treatment blowdown from office buildings, office parks, warehouses, shops, and similar buildings where the boiler is used for climate control purposes the maximum allowable pH value may not exceed 11 standard units. The actual value observed shall be reported on the DMR.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

**SCHEDULE G: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS  
FOR DISCHARGES OF BOILER BLOWDOWN WASTEWATER <sup>1</sup>**

The permittee should refer to **Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY <sup>2</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/month	Estimate
TSS	30 mg/L	100 mg/L	1/month	Grab
Oil & Grease	----	15 mg/L	1/month	Grab
Temperature (Freshwater)	----	Report <sup>3, 5</sup>	1/month	Grab <sup>6</sup>
Temperature (Estuarine & Coastal Waters)	----	Report <sup>4, 5</sup>	1/month	Grab <sup>6</sup>
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 <sup>7</sup> (Maximum)	1/month	Grab

- <sup>1</sup> The use of any additives or corrosion inhibitors containing any of the 126 priority pollutants is prohibited.
- <sup>2</sup> Certain facilities of concern are subject to a monitoring frequency of 1/week. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.
- <sup>3</sup> The temperature at the edge of the mixing zone shall not exceed 32.2EC (90EF). This condition does not apply to privately owned reservoirs or to reservoirs constructed solely for industrial cooling purposes.
- <sup>4</sup> The temperature at the edge of the mixing zone shall not exceed 35EC (95EF), except when natural conditions elevate temperature above this level. This condition does not apply to privately owned reservoirs or to reservoirs constructed solely for industrial cooling purposes.
- <sup>5</sup> Instantaneous Maximum.
- <sup>6</sup> Analyze immediately.
- <sup>7</sup> For discharges of boiler blowdown wastewater from office buildings, office parks, warehouses, shops, and similar buildings where the boiler is used for climate control purposes the maximum allowable pH value may not exceed 11 standard units. The actual value observed shall be reported on the DMR.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

**SCHEDULE H: EFFLUENT LIMITATIONS AND MONITORING  
REQUIREMENTS FOR CONDENSATE <sup>1</sup>**

The permittee should **refer to Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY <sup>2</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/month	Estimate
Visible Sheen <sup>3</sup>	No Presence	No Presence	1/month	Observation

<sup>1</sup> See definition below, Part II.A.7.

<sup>2</sup> Certain facilities of concern are subject to a monitoring frequency of 1/week. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.

<sup>3</sup> The limitation shall be ANo Visible Sheen@ Visual observation shall be made once per month and the presence or absence of a sheen recorded. The number of exceedences and the total number of observations shall be reported on a DMR annually.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

**SCHEDULE I: REQUIREMENTS FOR STORM WATER DISCHARGES  
ASSOCIATED WITH INDUSTRIAL ACTIVITY<sup>1</sup>**

The permittee should **refer to Appendix A** to determine whether this Schedule page applies to the facility.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS/ BENCHMARK LEVELS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Apply requirements in applicable MSGP sector as assigned in Authorization Letter, Appendix A.				

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) is automatic and effective upon authorization under the Light Commercial General Permit. Permittees shall comply with all applicable requirements set forth in the MSGP which is in effect at the time of authorization by means of the Light Commercial permit.

NOTE: The following sections of the 2006 MSGP are not applicable to permittees covered by this alternate authorization method.

- 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)

Because separate NOI submittal for coverage under the MSGP is not required, for facilities not currently authorized by the MSGP, the operator shall prepare the storm water pollution prevention plan as required in the MSGP within 60 days after authorization under the Light Commercial General Permit (rather than prior to submittal of the MSGP NOI as

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<sup>1</sup> Applicable to the categories of facilities considered to be engaging in industrial activity as defined in LAC 33:IX.2511.B.14.a-l and k. See Permit Part II.A.36.

the MSGP states). Those operators with current coverage under the MSGP shall continue to follow the plan already in effect.

*(Note: Refer to Permit Part I.A for special provisions applicable to storm water permitting at oil and gas extraction operations.)*

Operators meeting the requirements for exclusion for no exposure as defined in LAC 33:IX.2511.G may, upon satisfying that section's conditions for certifying eligibility for the exclusion, be removed from coverage by the MSGP as provided in Parts 1.5 and 11.4 of the 2006 MSGP.

A copy of 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 2006 MSGP Part 1.2.1.2 ACo-located Activities@ compliance with sector requirements for Aco-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 Part II.V of this permit for a complete Sector/SIC list of coverage for the 2006 MSGP. A copy of the complete 2006 MSGP may be obtained by contacting the LDEQ Water Permits Division at (225) 219-3181; the permit is also available on the LDEQ web site at <http://www.deq.louisiana.gov/portal/Portals/0/permits/lpdes/LAR050000.pdf>.

**SCHEDULE J: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR  
DISCHARGES OF TREATED SANITARY WASTEWATER  
(5,000 to 25,000 GPD)**

The permittee should refer to **Appendix A** to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitation page(s) that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	WEEKLY AVERAGE	MEASUREMENT FREQUENCY <sup>1</sup>	SAMPLE TYPE
Flow (GPD)	Report	Report	1/3 months	Estimate
BOD <sub>5</sub>	30 mg/L	45 mg/L	1/3 months	Grab
TSS <sup>2</sup>	30 mg/L	45 mg/L	1/3 months	Grab
Oil & Grease <sup>3</sup>	10 mg/L	15 mg/L	1/3 months	Grab
Fecal Coliform <sup>4&amp;5</sup> Colonies/100 ml	200	400	1/3 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/3 months	Grab

<sup>1</sup> Certain facilities of concern are subject to a monitoring frequency of 1/month. Instructions will be given in the cover letter granting authorization to discharge under this permit if this condition is applicable to the permittee.

<sup>2</sup> For an oxidation pond treatment unit the weekly average is 135 mg/L.

<sup>3</sup> Required only for discharges which include food service waste.

<sup>4</sup> If chlorination is chosen as a disinfection method, see Part II, Section M.

<sup>5</sup> If this discharge is located in an oyster propagation area, the Fecal Coliform limitations will be 14 colonies/100 ml monthly average and 43 colonies/100 ml weekly average. Instructions will be given in the authorization letter of this permit if these more stringent Fecal Coliform limitations are required.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, or of free oil or other oily materials, or 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. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

## SECTION C. MONITORING AND REPORTING REQUIREMENTS

**NOTE:** *This section applies to discharges covered under Schedules A through H, and J, of this permit. Storm water discharges covered by the MSGP as authorized under Schedule I shall follow the monitoring and reporting requirements in that LPDES permit (LAR050000).*

1. All sampling and testing shall be conducted in accordance with the methods prescribed by the latest EPA approved edition of Standard Methods For the Examination of Water and Wastewater.
2. Samples shall be taken at the monitoring points specified in the facility's Appendix A, and unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. *A facility-specific Appendix A will be attached to each cover letter that authorizes facility-specific discharges under this general permit.*
3. Provisions must be made during the installation of the treatment unit for obtaining a proper sample.
4. Proper sampling techniques shall be used to ensure that analytical results are representative of pollutants in the discharge.
5. The flow measurement sample type for the effluent schedules contained in this general permit are specified as "estimate". Flow measurements shall not be subject to the accuracy provisions established in this permit. When collecting samples the flow value may be estimated using best engineering judgment. [LAC 33:IX.2701]
6. If a discharge is found to be in violation of specified limits, the permittee will be subject to enforcement action, including civil penalties, and may be required to obtain an individual permit.
7. All monitoring records must be retained for a period of at least three (3) years from the date of the sample measurements. The permittee shall make available to this Office, upon request, copies of all monitoring data required by this permit.

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measuring;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) and time(s) analyses were begun;

- d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used;
  - f. The results of such analyses; and
  - g. The results of all Quality Control procedures.
8. Monitoring results for each discharge point (outfall number) listed in the permittee's Appendix A must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an LDEQ approved substitute). *A facility-specific Appendix A will be issued to each individual facility that receives written notification of authorization to discharge under this general permit.* If there is no discharge event at any outfall(s) during the sampling period, write "No Discharge" in the upper right corner of the DMR. Permittees shall submit a DMR for each outfall listed in Appendix A of the permit cover letter for every monitoring period even if there were no discharges during a monitoring period.

When the permit stipulates that monitoring shall occur once/day, once/week, or at any frequency greater than once/month during any month, laboratory results for each regulated parameter in your discharge shall be averaged for each sample analyzed during the month and summarized on a Discharge Monitoring Report (DMR) form. When the facility-specific Appendix A stipulates that monitoring at an outfall shall occur once/month, the permittee must complete one DMR form each month for that outfall even if there were no discharges from the outfall. Collect your monthly DMR forms and submit them to LDEQ on a quarterly basis.

When the permit stipulates that monitoring at an outfall shall occur 1/3 months you must complete one DMR for each quarter and submit the DMR to LDEQ on a quarterly basis. If samples are taken at a frequency of greater than 1/3 months, laboratory results for each regulated parameter in your discharge shall be averaged for each sample analyzed during the quarter and summarized on a Discharge Monitoring Report (DMR) form. When the facility-specific Appendix A stipulates that monitoring at an outfall shall occur 1/3 months, the permittee must complete one DMR form each quarter for that outfall even if there were no discharges from the outfall. Submit your DMR forms for these outfalls to LDEQ on a quarterly basis.

The schedule for quarterly DMR submission is as follows:

Quarterly Submission

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

When the permit stipulates that monitoring at an outfall shall occur 1/6 months you must complete one DMR every six months and submit the DMR to LDEQ on a semiannual basis. If samples are taken at a frequency of greater than 1/6 months, laboratory results for each regulated parameter in all samples analyzed during the six month period shall be summarized on a Discharge Monitoring Report (DMR) form. When the facility-specific Appendix A stipulates that monitoring at an outfall shall occur 1/6 months, the permittee must complete one DMR form for each six-month monitoring period for that outfall even if there were no discharges from the outfall. Submit the DMRs to LDEQ on a semiannual basis.

The schedule for semi-annual DMR submission is as follows:

Semiannual Submission

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January-June	July 28th
July-December	January 28th

Schedules B and H of the permit contain annual reporting requirements for observations of visible sheen. When the facility-specific Appendix A authorizes discharges of wastewater(s) in accordance with Schedule B and/or Schedule H of the permit, the permittee must summarize on a separate DMR form for each permitted outfall the record of observations for the calendar year for each permitted outfall. Submit the DMR(s) to LDEQ annually.

The schedule for annual DMR submission is as follows:

Annual Submission

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January - December	January 28th

The “Monthly Average” concentration that is reported on the DMR form is calculated using one formula when flow is not measured as a continuous record and is calculated using a different formula when flow is measured as a continuous record or with a totalizer. Part III.F.17 of the permit explains which formula should be used and how to calculate “Monthly Average” concentrations when flow is not measured as a continuous record versus when flow is measured as a continuous record or with a totalizer.

In accordance with LAC 33:IX.2503.A and B, DMRs must be signed and certified by an authorized person. Be aware that LDEQ will accept laboratory results only from “LDEQ accredited” laboratories (see Part III.C.10).

Discharge Monitoring Reports shall be submitted to the Enforcement Division, Office of Environmental Compliance, Department of Environmental Quality, P. O. Box 4312, Baton Rouge, LA 70821-4312. **DMRs must be postmarked or hand delivered to LDEQ no later than the DMR Postmark Dates noted above in the Schedules for Quarterly Submission, Semiannual Submission, and Annual Submission.** Mailing addresses for the different Department offices are posted on the LDEQ web page at <http://www.deq.louisiana.gov/portal/tabid/62/Default.aspx>.

## PART II OTHER REQUIREMENTS

The permittee must comply with all applicable provisions of the Louisiana Water Quality Regulations including standard conditions found in LAC 33:IX.2701. This Office has established the following definitions and requirements in accordance with those regulations. The definition of other terms may be found in the Louisiana Water Pollution Control Regulations (LAC 33:IX.2313).

### **SECTION A. DEFINITIONS**

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

#### **Additional definitions:**

1. Act: means Act 449 of the 1979 Louisiana Legislature which established Section 2001, et seq. of Title 30 of the Louisiana Revised Statutes of 1950 and any subsequent amendment to these Sections.
2. Activity: means any conduct, operation or process which causes or may cause the discharge of pollutants into the waters of the state.
3. Biochemical Oxygen Demand (BOD): means the amount of oxygen required by bacteria during the decay of organic and nitrogenous materials.
4. Boiler Blowdown: means small amounts of heated water, water used to generate steam, or water used to maintain heated tanks and lines for storage or transport of a product, which are discharged from a power or steam boiler for the purposes of reducing the dissolved solids concentration.
5. Boiler Water Treatment Blowdown: means discharges of boiler make-up water containing chemical additives used to reduce the scale or fouling agents present in the boiler make-up water.
6. Commingled Discharges: means waste streams that are mixed prior to final discharge and can not be sampled separately as internal outfalls.
7. Condensate: means water condensed from steam used for heating or other purposes and having had no contact with any process materials.

8. Cooling Tower Blowdown: means that bleed stream of cooling water released from evaporative cooling towers to control the buildup of dissolved solids which results from the evaporation of water from these types of recirculating cooling water systems.
9. Discharge: when used without qualification means the “discharge of a pollutant”.
10. Discharge Monitoring Report (DMR): The form used (including any subsequent additions, revisions, or modifications) to report self-monitoring results of effluent discharges by NPDES permittees and permittees in delegated states. EPA Form 3320-1 is the DMR form that must be used by permittees in the state of Louisiana (LPDES permittees) to report self-monitoring results.
11. Effluent: means wastewater discharged to the water of the state.
12. Effluent Limitations: means any applicable state or federal quality or quantity limitation which imposes any restriction or prohibition on quantities, discharge rates, and concentrations of pollutants which are discharged into the waters of the state.
13. Facility: means a pollution source, or any public or private property or site and all contiguous land and structures, other appurtenances and improvements, where any activity is conducted which discharges or may result in the discharge of pollutants into waters of the State.
14. Facility-specific: means any fixed location at which the activities covered by this permit occur. A fixed location may have several discharge points at that location.
15. Fecal Coliform: means a gram negative, non-spore forming, rod-shaped bacteria found in the intestinal tract of warm-blooded animals.
16. General Permit: means an LPDES permit authorizing a category of similar discharges within a geographical area.
17. Hydrostatic Test: the use of water to test pipelines, flowlines, piping, tanks, vessels, etc. for leakage and/or structural integrity.
18. Hydrostatic Test Wastewater: water that has been used to conduct a hydrostatic test.
19. Internal Outfalls: means sampling points already in existence in a combined effluent outfall that are positioned such as to allow the different wastewater streams to be sampled before they combine.
20. Light Commercial Facilities: means commercial facilities that have not been designated as major facilities in the LPDES permitting system including facilities such as small manufacturing and distribution facilities, machine shops, fabrication shops, foundries, equipment rental facilities, engine repair operations, military vehicle outfitting and storage facilities, general merchandise stores, aircraft service facilities, oil field service

operations, ports and transportation terminals, docks, and boat and barge repair operations.

21. LPDES: means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.
22. Minor Facility: means any facility not classified as a major facility by the administrative authority.
23. Non-contact Cooling Water: means that water used for the purpose of heat removal and which does not come in contact with any raw materials, intermediate or finished products, or any spilled materials in conveyances.
24. Office: means the Office of Environmental Services within the Department of Environmental Quality.
25. Operator: means the person or legal entity responsible for the operation and/or maintenance of a facility with a discharge covered by the Title 33 regulations.
26. Outfall: means the point at which wastewater or storm water from a facility is monitored prior to mixing with other waters. An outfall can be identified either at the point that effluent or storm water discharges by pipe from a treatment plant or treatment system **or** the point at which effluent or storm water discharges into a drainage ditch on the property, into a roadside ditch, into a storm drain, or directly into a receiving water body such as a creek, coulee, stream, bayou, canal, or river.
27. Owner: means the person or legal entity holding legal title to a facility with a discharge covered by the Title 33 regulations.
28. Person: means an individual, municipality, public or private corporation, partnership, firms, the United States Government and any agent or subdivision thereof, or any other juridical person.
29. Petroleum: means crude oil, gasoline, diesel fuel, aviation fuel, fuel oils, gasoline additives stored and used in conjunction with gasoline storage, petroleum lubricants, petroleum solvents or petroleum derived asphalts.
30. Process Wastewater: means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater may include interior or exterior washing of plant trucks or product receptacles.

31. Reportable Quantity (RQ) Release: means for oil, as defined at 40 CFR Part 110, the amount of oil that violates applicable water quality standards or causes a film or sheen upon or a discoloration of the surface of the water or adjoining shorelines or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.@
32. Sanitary Wastewater: means treated or untreated wastewater which contains human metabolic and domestic wastes.
33. Secretary: means the Secretary of the Louisiana Department of Environmental Quality.
34. Standard Methods: means Standard Methods for the Examination of Water and Wastewater, American Public Health Association, Washington, DC.
35. State Administrative Authority: means the Secretary of the Department of Environmental Quality or his designee or the appropriate assistant secretary or his designee.
36. Discharge of Storm Water Associated with Industrial Activity: means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the LPDES program under LAC 33:IX.Chapters 23-29. For the categories of industries identified in LAC 33:IX.2511.B.14.a-j, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process wastewaters (as defined at 60 CFR part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in LAC 33:IX.2511.B.14.k, the term includes only storm water discharges from all the areas (except access roads and rail lines) that are listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this Paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the

drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are federally, state, or municipally owned or operated that meet the description of the facilities listed in LAC 33:IX.2511.B.14.a-k) include those facilities designated under the provisions of LAC 33:IX.2511.A.1.e and A.9.a. The following categories of facilities are considered to be engaging in industrial activity for purposes of this Subsection:

a. facilities subject to storm water effluent limitations guideline, new source performance standards, or toxic pollutant effluent standards under 40 CFR subpart N (See LAC 33:IX.4903) (except facilities with toxic pollutant effluent standards which are exempted under the category in LAC 33:IX.2511.B.14.k);

b. facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283), 29, 31, 32 (except 323), 33, 344, 373;

c. facilities classified as Standard Industrial Classifications 10-14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations which have been released from applicable state or federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, by-products or waste products located on the site of such operations; (inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator; inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim);

d. hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under subtitle C of RCRA;

e. landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under subtitle D of RCRA;

f. facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;

- g. steam electric power generating facilities, including coal handling sites;
  - h. transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under LAC 33:IX.2511.B.14.a-g or I-k are associated with industrial activity;
  - i. treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including lands dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under LAC 33:IX.Chapter 61. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with section 405 of the CWA;
  - j. construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale. Construction activity also includes the disturbance of less than five acres of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more, and
  - k. facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221-25, (and which are not otherwise included within categories in LAC 33:IX.2511.B.14.b-j);
37. Storm Water Pollution Prevention Plan (SWPPP): means a plan that describes a process whereby a facility thoroughly evaluates potential pollutant sources at a site and selects and implements appropriate measures designed to prevent or control the discharge of pollutants in storm water runoff.
38. Total Suspended Solids (TSS): means the amount of solid material suspended in water commonly expressed as a concentration in terms of mg/L.
39. Utility Wash Water: means wash water, excluding internal and external vehicle wash

water, at light commercial facilities. This wastewater may include wash water from the washing of uncontaminated tanks or vessels, items at a rental store, warehouse floors, etc. with or without soaps and/or detergents.

40. Unauthorized Discharge: means a continuous, intermittent or one-time discharge, whether intentional, anticipated, or unanticipated, from any source, permitted or unpermitted, which is in contravention of any provision of the Act or of any permit terms and conditions, or of any applicable regulation, compliance schedule, variance or exception of the administrative authority.
41. Vessel Testing Wastewater: means, **after removing all “heels” or free liquids from a storage tank, vessel or similar container**, wastewater generated by cleaning or rinsing either the interior or the exterior surface of a new storage tank, vessel or similar container; wastewater generated by cleaning or rinsing either the interior or the exterior of a storage tank, vessel, or similar container that has been used to contain, transfer, transport, or store natural gas, crude oil, liquid or gaseous petroleum hydrocarbons, or materials of similar nature; or wastewater generated during the hydrostatic test of either a new or a petroleum contaminated storage tank, vessel, or a similar container.
42. Visible sheen: means a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.
43. Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination System, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending therefrom three miles into the Gulf of Mexico. For purposes of the LPDES, this includes all surface waters that are subject to the ebb and flow of the tide, lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as *Waters of the United States* in 40 CFR 122.2, and tributaries of all such waters. Waters of the State does not include wastewater treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

## **SECTION B. COMPLIANCE SCHEDULE**

The permittee shall be in compliance with the effluent limitations and monitoring requirements specified herein on the date of authorization of coverage under this general permit. If a discharge is found to be in violation of specified limits, the permittee will be subject to enforcement action, including civil penalties, and may be required to obtain an individual permit.

### **SECTION C. OTHER DISCHARGES**

This permit does not in any way authorize the permittee to discharge a pollutant not limited or monitored for in the permit, not normally associated with the activity represented in the notice of intent, or from a source not eligible for coverage under this general permit.

### **SECTION D. FACILITY CHANGES**

The authorization to discharge in accordance with this general permit may be terminated at the discretion of this Office if a change or alteration of the permitted facility, or process(es), occurs that affects or has the potential to affect the discharge rate or composition of the effluent. Prior to any such change in the discharge rate or composition of effluent from an outfall covered by this general permit, the permittee must submit written notification to this Office and receive from this Office authorization to discharge at that altered rate or composition.

### **SECTION E. COVERAGE UNDER SUBSEQUENT PERMITS**

This permit expires five years after the effective date. Should this permit expire before it is reissued, this Office will administratively extend the permit to discharge for permittees that were covered prior to the expiration, until such time that a new general permit is issued. Upon reissuance or replacement of this permit, the permittee must comply with the requirements for obtaining coverage under the new permit to maintain authorization to discharge.

### **SECTION F. TERMINATION OF AUTHORIZATION TO DISCHARGE**

This Office reserves the right to revoke the authorization to discharge in accordance with this general permit as it applies to any person and/or require such person to apply for and obtain an individual permit if:

1. the covered source or activity is a significant contributor to pollution or creates other environmental problems;
2. the permittee is not in compliance with the terms and conditions of this general permit;
3. conditions or standards have changed so that the source or activity no longer qualifies for this general permit, or
4. the discharge limitations contained in this permit are not in accordance with the Water Quality Management Plan.

## **SECTION G. STATE WATER QUALITY STANDARDS**

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 “minor” industrial 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) listed impaired water bodies. Discharges from “minor” industrial facilities which are 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 Part II.F, II.H, and II.M measures can be taken by the permitting authority to prohibit any discharge that is not protective of state water quality standards.

## **SECTION H. REQUIRING AN INDIVIDUAL PERMIT OR AN ALTERNATIVE GENERAL PERMIT**

1. The State Administrative Authority may require any person authorized by this permit to apply for and/or obtain either an individual LPDES permit or an alternative LPDES general permit. Any interested person may petition the State Administrative Authority to take action under this paragraph. Where the State Administrative Authority requires a discharger authorized to discharge under this permit to apply for an individual LPDES permit, the State Administrative Authority shall notify the discharger in writing that a permit application or alternative general permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of issuance or denial of the individual LPDES permit or the alternative general permit as it

applies to the individual permittee, coverage under this general permit shall automatically terminate. The State Administrative Authority may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an application as required by the State Administrative Authority under this paragraph, then the applicability of this permit to the permittee is automatically terminated at the end of the day specified by the State Administrative Authority for application submittal.

2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of LAC 33:IX.2515.B.3.c., with reasons supporting the request, to the State Administrative Authority at the Louisiana Department of Environmental Quality, Office of Environmental Services, P. O. Box 4313, Baton Rouge, LA 70821-4313, ATTN: Water Permits Division. The request may be granted by issuance of an individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.

3. In order to appropriately cover all discharges that might occur at a facility, a permittee authorized to discharge under this LPDES permit might also need coverage under an individual LPDES permit or other LPDES general permits for discharges that occur at the facility/site that are not authorized by this general permit. The permittee shall maintain appropriate permit coverage for the permitted facility/site and shall maintain compliance with all effective LPDES permits issued to the facility/site.

4. When an individual LPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an alternative LPDES general permit, the applicability of this permit to that LPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. **When an individual LPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied coverage under an alternative LPDES general permit, that owner or operator then becomes ineligible for authorization to discharge under this general permit, unless the State Administrative Authority determines that specific discharges from the owner or operator's facility may be authorized by this permit.**

## **SECTION I. COMBINED OUTFALLS**

If two or more different wastewater types are to be discharged from a single outfall point, then that outfall shall be subject to all the effluent limitations and monitoring requirements that apply to each separate wastewater type (effluent schedule). If an effluent characteristic (monitoring parameter) is listed in more than one outfall schedule that applies to the combined outfall, then the more stringent numerical effluent limitation and/or monitoring requirement for that parameter must be met.

Laboratory analysis shall be conducted for all of the limited parameters (effluent characteristics) contained in each of the applicable outfall schedules. If different outfall schedules contain different daily maximum values or different monitoring frequencies then the most stringent value or frequency is applicable to the discharges from the outfall.

#### **SECTION J. PROPERTY RIGHTS**

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

#### **SECTION K. REMOVED SUBSTANCES**

Solids, sludges, biosolids, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be properly disposed of in compliance with applicable state laws, regulations, and permit requirements, and in a manner such as to prevent any pollutant from such materials from entering the waters of the state. The permittee shall contact the Waste Permits Division of the Office of Environmental Services for information on regulations and permits to dispose of this material.

#### **SECTION L. SEVERABILITY**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

#### **SECTION M. SANITARY DISCHARGE**

Future water quality studies may indicate potential toxicity from the presence of

residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the permittee would be required to provide for dechlorination of the effluent prior to discharge. Please be aware, concentrations of Total Residual Chlorine above 0.01 mg/L can cause or contribute to significant toxicity in receiving streams and biomonitoring testing. It is the permittee's responsibility to assure that no Total Residual Chlorine remains in the effluent after dechlorination in order to prevent toxicity in the receiving stream.

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain water quality integrity and the designated uses of the receiving water bodies based upon water quality studies. These studies may indicate the need for more advanced wastewater treatment. Studies of similar discharges and receiving water bodies have resulted in monthly average effluent limitations of 5 mg/L CBOD<sub>5</sub> and 2 mg/L NH<sub>3</sub>-N. Therefore, prior to upgrading or expanding any permitted sewage treatment method at the facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

#### **SECTION N. PERMIT REOPENER CLAUSE**

This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2907, and 6509. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. This Office reserves the right to reopen and modify this permit to conform to those standards necessary to maintain the water quality in order to support uses of the receiving water bodies.

#### **SECTION O. WASHING PROHIBITIONS**

Discharges of exterior vehicle or equipment wash water from the following sources are prohibited under this permit: 1) vehicles and/or equipment involved in the disposal of hazardous (RCRA non-exempt) oil field waste; and 2) trucks with tanks or cargo compartments used for hauling or dispensing pesticides, chemicals of any type, waste materials such as garbage from commercial/industrial facilities, or hazardous waste. The discharge of internal tank truck wash wastewater is prohibited.

#### **SECTION P. BEST MANAGEMENT PRACTICES (BMP) - WASHDOWN WASTEWATERS**

For facilities discharging wastewaters from equipment repair area washdown, shop floor washdown, and/or dock washdown (all with or without soaps and/or detergents), the following BMPs shall be implemented and shall be documented in a written plan which is maintained onsite at the facility (and provided to this Office upon request).

1. All washing shall be conducted either without soaps and detergents or with biodegradable soaps used in minimal amounts. The use of non-biodegradable or emulsifying soaps and detergents, cleaners containing potentially hazardous chemicals, and solvents is prohibited.
2. If the washing activity takes place on an impermeable surface (such as concrete or asphalt paving), the area where the washing operation is to be conducted and the subsequent drainage path shall be swept clean of dirt and other dry substances immediately prior to commencing the washing operation.
3. Any spills, drips of fluids, or other contamination to the washing area and the subsequent drainage area shall be picked up by dry means prior to the beginning of the washing operation. The use of detergents, emulsifiers, or dispersants to clean up spilled contaminants is prohibited except where necessary to comply with State and Federal safety regulations (e.g., requirement for non-slippery work surface). In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.

#### **SECTION Q. POLLUTION PREVENTION ACTIVITIES**

The following pollution prevention activities shall be implemented at all facilities authorized to discharge under this general permit. The permittee is not required to have a written storm water pollution prevention plan (SWPPP) however the operator of the facility is required to implement all of the following pollution prevention activities that are applicable to operations that occur at the permitted facility.

1. Clean up and dispose of all spilled product and other spilled wastes immediately according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Perform initial cleanup of spilled product by physical removal and minimize the use of chemicals. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with state or federal safety regulations.
2. Recycle or contain for proper disposal all waste fuel, lubricants, solvents, or other

- fluids used in the repair or maintenance of vehicles or equipment. Clean up spills of these materials by dry means whenever possible.
3. Maintain all diked areas surrounding storage tanks or storm water collection basins free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked areas. Diked areas should be sufficiently impervious to contain spills.
  4. Equip all drains from diked areas with valves kept in the closed condition except during periods of supervised discharge.
  5. Inspect and maintain all check valves, tanks, drains, or other potential sources of pollutant releases on a regular basis to assure their proper operation and to prevent the discharge of pollutants.
  6. Maintain all equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other material exposed to storm water in a manner which prevents contamination of storm water by pollutants.
  7. Utilize all reasonable methods to minimize any adverse impact on the drainage system including but not limited to: a) maintaining adequate roads and driveway surfaces; b) removing debris and accumulated solids from the drainage system; and c) cleaning up immediately by sweeping, absorbent pads, or other appropriate methods.
  8. Assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law (La.R.S. 30.2151, etc.). Reference management practices required under above regulations in the in the facility's SWPPP (if applicable).

In addition to these pollution prevention requirements, a facility that is authorized to discharge industrial storm water in accordance with the requirements of the Multi-Sector General Permit (MSGP) must also have a written site-specific SWPPP that satisfies the appropriate industrial sector-specific requirements for that particular facility.

#### **SECTION R. INTERNAL OUTFALLS**

When an effluent page in this general permit is assigned as an internal outfall, this designation shall be stated in Appendix A of this permit along with the location of the internal and final outfall points, and which effluent parameters or conditions are to be monitored at each outfall point.

#### **SECTION S. REPORTING TO THE REGIONAL OFFICE (Hydrostatic Testing and Vessel Testing Wastewater)**

The permittee must telephone the regional office specified in the cover letter which

accompanies this general permit prior to the initial discharge from a hydrostatic test event. Current regional office address and telephone numbers are available on the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/62/Default.aspx>. At the time of the telephone call the permittee must provide the regional office with:

1. the location of the proposed discharge;
2. the approximate date of the proposed discharge;
3. the effluent pathway into the receiving waters;
4. the amount and source of fill water to be utilized during the hydrostatic test;
5. the approximate volume of water to be discharged;
6. whether the discharge will be from new or used equipment (pipe, tank, flowline, or other container);
7. whether additives approved by the Office of Environmental Services will be used in the test water; and
8. any additional information which the regional office representative deems necessary.

Facilities that conduct hydrostatic testing of tanks or vessels at their site on a regular basis may request approval from the regional office to discharge from scheduled hydrostatic test events. The facility should submit a written request to the regional office that includes the above information along with a schedule of when testing will occur. If approved by the regional office, the facility may discharge in accordance with the schedule of testing without notifying the regional office by telephone prior to each testing event.

In addition, written results of laboratory analyses conducted in accordance with the effluent limitations in **Part I. B, Schedule D** of this permit, must be submitted to the regional office **prior** to commencing the discharge from the hydrostatic test. The sample analysis must have been performed within thirty (30) working days of the proposed commencement of discharge. **If approved by the appropriate regional office**, this prior submission of laboratory analyses will not be required for discharges from **new** vessels or tanks. In such instances, sampling shall be conducted for the purposes of DMR submittal at the time of the discharge in accordance with the effluent limitations in **Part I.B, Schedule D** of this permit.

#### **SECTION T. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS**

Under the provisions of Part III.D.6.b. of this permit, violations of daily maximum

limitations for the following pollutants shall be reported to the Office of Emergency Response. Notification of all violations of daily maximum limitations must be reported to the Office of Environmental Compliance Single Point of Contact (SPOC) within 24 hours upon discovering the unauthorized discharge or release. Notification can be made by email or orally utilizing any **one** of the following procedures: (1) use the Online Incident Reporting report and procedures found at [www.deq.louisiana.gov/apps/forms/irf/forms/](http://www.deq.louisiana.gov/apps/forms/irf/forms/); (2) use a direct email addressed to [spoc@la.gov](mailto:spoc@la.gov); or (3) verbally notify LDEQ by calling the LDEQ Hotline at (225) 342-1234, which is manned 24 hours a day, 7 days a week, or by calling the LDEQ-SPOC at (225) 219-3640 which is manned during normal office hours (M-F, 8:00 am – 4:30 pm). The online notification procedure removes the need to make a verbal call to the LDEQ Hotline or the SPOC phone number and allows the notification to be submitted directly to the SPOC electronically. The Excursion Form found at [www.deq.louisiana.gov/apps/forms/irf/forms/](http://www.deq.louisiana.gov/apps/forms/irf/forms/) may be completed and emailed to [spoc@la.gov](mailto:spoc@la.gov) to satisfy the 24-hour reporting requirement. Under the provisions of Part III.D.6.d of this permit, the facility must also submit a Written Notification Report within seven (7) days after submitting the 24-hour electronic or verbal notification of any LPDES permit limit excursion. Written notification Reports may be either faxed or mailed to the LDEQ, Office of Environmental Compliance, Surveillance Division. Written Notification Reports should be **either** faxed to (225) 219-4044 or (225) 219-3695, or mailed to the Louisiana Department of Environmental Quality, ATTN: Surveillance Division SPOC, Unauthorized Discharge Notification Report, P. O. Box 4312, Baton Rouge, LA 70821-4312.

Pollutants: Benzene, Total BTEX, Lead

**SECTION U. MINIMUM QUANTIFICATION LEVEL (MQL)**

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

<u>METALS</u>	<u>MQL (µg/L)</u>
Lead (Total)	5
<u>VOLATILE COMPOUNDS</u>	<u>MQL (µg/L)</u>
Benzene	10
Ethylbenzene	10
Toluene	10
Xylene	10

**SECTION V. SECTORS COVERED BY THE MULTI-SECTOR GENERAL PERMIT**

<b>Table 1. Sectors of Industrial Activity Covered By the MSGP</b>	
<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR A: TIMBER PRODUCTS</b>	
2421	General Sawmills and Planing Mills
2491	Wood Preserving
2411	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs)
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431-2439, 2441 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood, and Nailed and Lock Corner Wood Boxes and Shook (see Sector W)
2448,2449	Wood Containers
2451,2452	Wood Buildings and Mobile Homes
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified
<b>SECTOR B: PAPER AND ALLIED PRODUCTS MANUFACTURING</b>	
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652-2657	Paperboard Containers and Boxes
2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
<b>SECTOR C: CHEMICAL AND ALLIED PRODUCTS MANUFACTURING</b>	
2812-2819	Industrial Inorganic Chemicals
2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
2833 B2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, Except Diagnostic Substances
2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861-2869	Industrial Organic Chemicals

<b>Table 1. Sectors of Industrial Activity Covered By the MSGP</b>	
<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
2873-2879	Agricultural Chemicals, Facilities that Make Fertilizer Solely from Leather Scraps and Leather Dust
2891-2899	Miscellaneous Chemical Products
3952 (limited to list)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist-s Paints and Artist-s Watercolors
<b>SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANT MANUFACTURERS</b>	
2951,2952	Asphalt Paving and Roofing Materials
2992,2999	Miscellaneous Products of Petroleum and Coal
<b>SECTOR E: GLASS CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS</b>	
3211, 3281	Flat Glass, and Cut Stone and Stone Products, Benches, Blackboards, Table Tops, Pedestals, etc.
3221,3229	Glass and Glassware, Pressed or Blown
3231	Glass Products Made of Purchased Glass
3241	Hydraulic Cement
3251-3259	Structural Clay Products
3261-3269	Pottery and Related Products
3271-3275	Concrete, Gypsum and Plaster Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
<b>SECTOR F: PRIMARY METALS</b>	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
3321-3325	Iron and Steel Foundries
3331-3339	Primary Smelting and Refining of Nonferrous Metals
3341	Secondary Smelting and Refining of Nonferrous Metals
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363-3369	Nonferrous Foundries (Castings)
3398,3399	Miscellaneous Primary Metal Products

<b>Table 1. Sectors of Industrial Activity Covered By the MSGP</b>	
<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR G: METAL MINING (ORE MINING AND DRESSING)</b>	
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041,1044	Gold and Silver Ores
1061	Ferroalloy Ores, Except Vanadium
1081	Metal Mining Services
1094,1099	Miscellaneous Metal Ores
<b>SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES</b>	
1221-1241	Coal Mines and Coal Mining-Related Facilities
<b>SECTOR I: OIL AND GAS EXTRACTION AND REFINING</b>	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381-1389	Oil and Gas Field Services
2911	Petroleum Refineries
<b>SECTOR J: MINERAL MINING AND DRESSING</b>	
1411	Dimension Stone
1422-1429	Crushed and Broken Stone, Including Rip Rap
1442,1446	Sand and Gravel
1455,1459	Clay, Ceramic, and Refractory Materials
1474-1479	Chemical and Fertilizer Mineral Mining
1481	Nonmetallic Minerals, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels
<b>SECTOR K: NON-COMMERCIAL HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES</b>	
HZ	Hazardous Waste Treatment, Storage or Disposal
<b>SECTOR L: LANDFILLS AND LAND APPLICATION SITES</b>	
LF	Landfills, Land Application Sites, and Open Dumps
<b>SECTOR M: AUTOMOBILE SALVAGE YARDS</b>	
5015	Automobile Salvage Yards

<b>Table 1. Sectors of Industrial Activity Covered By the MSGP</b>	
<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR N: SCRAP RECYCLING AND WASTE RECYCLING FACILITIES</b>	
5093	Scrap Recycling Facilities
<b>SECTOR O: STEAM ELECTRIC GENERATING FACILITIES</b>	
SE	Steam Electric Generating Facilities
<b>SECTOR P: LAND TRANSPORTATION AND WAREHOUSING</b>	
4011,4013	Railroad Transportation
4111-4173	Local and Highway Passenger Transportation
4212-4231	Motor Freight Transportation and Warehousing
4311	United States Postal Service
5171	Petroleum Bulk Stations and Terminals
<b>SECTOR Q: WATER TRANSPORTATION</b>	
4412-4499	Water Transportation
<b>SECTOR R: SHIP AND BOAT BUILDING OR REPAIR YARDS</b>	
3731,3732	Ship and Boat Building or Repairing Yards
<b>SECTOR S: AIR TRANSPORTATION</b>	
4512-4581	Air Transportation Facilities
<b>SECTOR T: TREATMENT WORKS</b>	
TW	Treatment Works with a Design Flow of 1.0 MGD or More
<b>SECTOR U: FOOD AND KINDRED PRODUCTS</b>	
2011-2015	Meat Products
2021-2026	Dairy Products
2032-2038	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
2041-2048	Grain Mill Products
2051-2053	Bakery Products
2061-2068	Sugar and Confectionery Products
2074-2079	Fats and Oils
2082-2087	Beverages

<b>Table 1. Sectors of Industrial Activity Covered By the MSGP</b>	
<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
2091-2099	Miscellaneous Food Preparations and Kindred Products
2111-2141	Tobacco Products
<b>SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING, LEATHER AND LEATHER PRODUCTS</b>	
2211-2299	Textile Mill Products
2311-2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials
3131-3199 (except 3111)	Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z)
<b>SECTOR W: FURNITURE AND FIXTURES</b>	
2511-2599	Furniture and Fixtures
2434	Wood Kitchen Cabinets
<b>SECTOR X: PRINTING AND PUBLISHING</b>	
2711-2796	Printing, Publishing, and Allied Industries
<b>SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES</b>	
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052,3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting
3061,3069	Fabricated Rubber Products, Not Elsewhere Classified
3081-3089	Miscellaneous Plastics Products
3931	Musical Instruments
3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods
3951-3955 (except 3952 facilities as specified in Sector C)	Pens, Pencils, and Other Artists' Materials
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991-3999	Miscellaneous Manufacturing Industries

<b>Table 1. Sectors of Industrial Activity Covered By the MSGP</b>	
<b>SIC Code or Activity Code<sup>1</sup></b>	<b>Activity Represented</b>
<b>SECTOR Z: LEATHER TANNING AND FINISHING</b>	
3111	Leather Tanning and Finishing
<b>SECTOR AA: FABRICATED METAL PRODUCTS</b>	
3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911-3915	Jewelry, Silverware, and Plated Ware
<b>SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY</b>	
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC)
3711-3799 (except 3731,3732)	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R)
<b>SECTOR AC: ELECTRONIC, ELECTRICAL EQUIPMENT AND COMPONENTS, PHOTOGRAPHIC, AND OPTICAL GOODS</b>	
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812-3873	Measuring, Analyzing and Controlling Instruments; Photographic, Medical, and Optical Goods, Watches and Clocks
3571-3579	Computer and Office Equipment

<sup>1</sup> A complete list of SIC codes can be obtained from the Internet at [www.osha.gov/pls/imis/sic\\_manual.html](http://www.osha.gov/pls/imis/sic_manual.html) or in paper form from various locations in the document entitled *A Handbook of Standard Industrial Classifications*, Office of Management and Budget, 1987.

PART III  
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Introduction

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

2. Duty to Comply

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

3. Penalties for Violation of Permit Conditions

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

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

4. Toxic Pollutants

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

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

5. Duty to Reapply

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

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

6. Permit Action

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

- a. Noncompliance by the permittee with any condition of the permit;
- b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;
- c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;
- d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge; or
- e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13;
- f. Change of ownership or operational control;

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights

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

8. Duty to Provide Information

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

9. Criminal and Civil Liability

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

10. Oil and Hazardous Substance Liability

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

11. State Laws

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

12. Severability

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

13. Dilution

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

SECTION B. PROPER OPERATION AND MAINTENANCE

1. Need to Halt or Reduce not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Duty to Mitigate

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

3. Proper Operation and Maintenance

- a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities

- a. **Bypass**. The intentional diversion of waste streams from any portion of a treatment facility.
- b. **Bypass not exceeding limitations**. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.
- c. **Notice**
  - (1) **Anticipated bypass**. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water and Waste Permits Division, if possible at least ten days before the date of the bypass.
  - (2) **Unanticipated bypass**. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6, (24-hour notice) and Section D.6.e. of these standard conditions.

d. Prohibition of bypass

- (1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:
  - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
  - (c) The permittee submitted notices as required by Section B.4.c of these standard conditions.
- (2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions

- a. Upset. An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
  - (2) The permitted facility was at the time being properly operated; and
  - (3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii. and Section D.6.e.(2) of these standard conditions; and
  - (4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.
- d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

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

## 7. Percent Removal

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

## SECTION C. MONITORING AND RECORDS

### 1. Inspection and Entry

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

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

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

- b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

- e. Sample Collection

- (1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.

- (2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

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

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

2. Representative Sampling

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

3. Retention of Records

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

4. Record Contents

Records of monitoring information shall include:

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

5. Monitoring Procedures

- a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use or disposal, approved under 40 CFR part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR part 503, unless other test procedures have been specified in this permit. This includes procedures contained in the latest EPA approved edition of the following publications:
  - (1) "Standard Methods for the Examination of Water and Waste Water". This publication is available from the American Public Health Association, Publication Sales, P. O. Box 753, Waldorf, MD 20604-0573, Phone number (301) 893-1894, Fax number (301) 843-0159.
  - (2) "Annual Book of Standards, Vols 1101-1103, Water I, Water II, and Atmospheric Analysis". This publication is available from the American Society for Testing Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, Phone number (610) 832-9500.
  - (3) "Methods for Chemical Analysis of Water and Wastes, Revised, March 1983," U.S. Environmental Protection Agency, Analytical Quality Control Laboratory, Cincinnati, Ohio. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-84-128677.
- b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.

- c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. General sampling protocol shall follow guidelines established in the "Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982" U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503. General laboratory procedures including glassware cleaning, etc. can be found in the "Handbook for Analytical Quality Control in Water and Wastewater Laboratories, 1979," U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory. This publication is available from the Environmental Protection Agency, Phone number (513) 569-7562. Order by EPA publication number EPA-600/4-79-019.

#### 6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

- a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.
- b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.
- c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

#### 7. Prohibition for Tampering: Penalties

- a. LA R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.
- b. LA R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non compliance.

#### 8. Additional Monitoring by the Permittee

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

#### 9. Averaging of Measurements

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

## 10. Laboratory Accreditation

- a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:
  - (1) Submitted on behalf of any facility, as defined in R.S.30:2004;
  - (2) Required as part of any permit application;
  - (3) Required by order of the department;
  - (4) Required to be included on any monitoring reports submitted to the department;
  - (5) Required to be submitted by contractor
  - (6) Otherwise required by department regulations.
- b. The department laboratory accreditation program is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not accredited under these regulations will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

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

- c. Regulations on the Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located at:

**<http://www.deq.state.la.us/laboratory/index.htm>**.

Questions concerning the program may be directed to (225) 765-0582.

## SECTION D. REPORTING REQUIREMENTS

### 1. Facility Changes

The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.
- c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

### 2. Anticipated Noncompliance

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

### 3. Transfers

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

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

### 4. Monitoring Reports

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

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

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

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

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

### 5. Compliance Schedules

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

### 6. Requirements for Notification

#### a. Emergency Notification

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

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

b. Prompt Notification

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

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

- (1) by the Online Incident Reporting screens found at <http://www3.deq.louisiana.gov/surveillance/irf/forms/> ;or
- (2) by e-mail utilizing the Incident Report Form and instructions found at <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=279>;or
- (3) by telephone at (225) 219-3640 during office hours, or (225) 342-1234 after hours and on weekends and holidays.

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

- (1) the name of the person making the notification and the telephone number where any return calls from response agencies can be placed;
- (2) the name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;
- (3) the date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;
- (4) the extent of any injuries and identification of any known personnel hazards that response agencies may face;
- (5) the common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all discharged pollutants;
- (6) a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity.

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

- (1) the name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of the person, company, or other party who is filing the written report, and specific identification that the report is the written follow-up report required by this section;
- (2) the time and date of prompt notification, the state official contacted when reporting, the name of person making that notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;

- (3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;
- (4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:
  - (a) the current permitted limit for the pollutant(s) released;and
  - (b) the permitted release point/outfall ID.
- (5) the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds, including calculations);
- (6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted;
- (7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.
- (8) Written notification reports shall be submitted to the Office of Environmental Compliance, Surveillance Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked "**UNAUTHORIZED DISCHARGE NOTIFICATION REPORT.**"

Please see LAC 33:1.3925.B for additional written notification procedures.

- e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and; steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);
- (2) Any upset which exceeds any effluent limitation in the permit;
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance

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

8. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

#### 9. Discharges of Toxic Substances

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

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:
  - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC33:IX.2501.G.7; or
    - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or
  - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:
  - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (1) Five hundred micrograms per liter (500 µg/L);
    - (2) One milligram per liter (1 mg/L) for antimony;
    - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
    - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or
  - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

#### 10. Signatory Requirements

All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

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

accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

- (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or
  - (3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
    - (a) The chief executive officer of the agency, or
    - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in Section D.10.a. of these standard conditions;
  - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,
  - (3) The written authorization is submitted to the state administrative authority.
- c. Changes to authorization. If an authorization under Section D.10.b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under Section D.10. a. or b. above, shall make the following certification:

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

#### 11. Availability of Reports

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

Claims of confidentiality for the following will be denied:

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

## SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

### 1. Criminal

#### a. Negligent Violations

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

#### b. Knowing Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$100,000 per day of violation, or imprisonment of not more than six years, or both.

#### c. Knowing Endangerment

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

#### d. False Statements

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

## 2. Civil Penalties

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

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

## SECTION F. DEFINITIONS

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

1. Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).
2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.
3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.
4. Applicable Standards and Limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including, effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308 and 403.
5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.
6. Commercial Laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with R.S.49:1001 et seq.
7. Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample.
8. Daily Maximum discharge limitation means the highest allowable "daily discharge".
9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.

10. Domestic septage means either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant.
11. Domestic sewage means waste and wastewater from humans, or household operations that is discharged to or otherwise enters a treatment works.
12. Environmental Protection Agency or (EPA) means the U.S. Environmental Protection Agency.
13. Grab sample means an individual sample collected over a period of time not exceeding 15 minutes, unless more time is needed to collect an adequate sample, and is representative of the discharge.
14. Industrial user means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
15. LEQA means the Louisiana Environmental Quality Act.
16. Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.
17. Monthly Average (also known as Daily Average), other than for fecal coliform bacteria, discharge limitations are calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

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

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

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

18. National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.
19. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

20. Sewage sludge means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; portable toilet pumpings, type III marine sanitation device pumpings (33 CFR part 159); and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.
21. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act)
22. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
23. The term MGD shall mean million gallons per day.
24. The term mg/L shall mean milligrams per liter or parts per million (ppm).
25. The term µg/L shall mean micrograms per liter or parts per billion (ppb).
26. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).
27. Weekly average, (also known as 7-day average), other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge =

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

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

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

28. Sanitary Wastewater Term(s):
- a. 3-hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.
  - b. 6-hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.

- c. 12-hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 12-hour period. The daily sampling intervals shall include the highest flow periods.
- d. 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24-hour period.