



OFFICE OF ENVIRONMENTAL SERVICES

WATER DISCHARGE PERMIT

FINAL

MASTER PERMIT NUMBER LAG380000

GENERAL PERMIT FOR DISCHARGES FROM
POTABLE WATER TREATMENT PLANTS

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 herein and who have been approved by this Office, to discharge to waters of the State wastewater from filter backwash, clarifier sludge and/or clarifier blowdown, water softening, iron and manganese removal, and discharges related to the disinfection of source water at potable water treatment plants; and treated sanitary wastewater from plant offices and warehouses located at these facilities in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This permit shall become effective on *January 1, 2015*

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

Issued on *December 22, 2014*

Tegan B. Treadaway
Assistant Secretary

PART I

SECTION A. APPLICABILITY

Facilities covered by this general permit are those discharging wastewater from the production of potable water, where potable is defined as “suitable for drinking”. Wastewater is a result of filter backwash, clarifier sludge and/or clarifier blowdown, water softening, iron and manganese removal, and discharges related to the disinfection of source water at potable water treatment plants that produce potable water for household and industrial consumption. Typically, the wastewaters from the treatment operations are generated prior to addition of chlorine, fluoride, or other compounds added to potable water prior to distribution. This permit also includes the discharge of treated sanitary wastewater from plant offices and warehouses located at these sites.

Persons operating a source or conducting an activity described in the permit that results in a discharge from a potable water-producing facility are eligible for coverage under this general permit and will become permittees authorized to discharge upon written notification by this Office of coverage under this general permit. This permit covers only the potable water treatment plant facility and does not cover other activities associated with the distribution system such as line flushing from construction of additional distribution lines. Notice of Intent (NOI) to be covered under this general permit shall be made using Form H2O-G. One NOI shall be submitted for each individual site that discharges wastewater from the production of potable water. The NOI shall be submitted to the Office of Environmental Services, Water Permits Division. Proposed facilities desiring coverage under this permit must submit an NOI at least ninety (90) days prior to commencement of discharge. After review of the submitted information, this Office will issue written notification to those applicants who are accepted for coverage under this general permit. If activity is currently being conducted and has not been permitted, an NOI shall be submitted immediately. Should electronic NOIs (e-NOIs) become available during the term of this permit, the Department may suspend use of paper NOIs.

Form H2O-G can be downloaded from the LDEQ web site at <http://www.deq.louisiana.gov/portal/>. Go through the following links to find the NOI form: DIVISIONS – Water Permits – LPDES Permits – LPDES Permit Application Forms – General Permit Notices of Intent – H2O-G.

Dischargers who are currently permitted under the LPDES version of this permit that expires on December 31, 2014, are not required to submit a new NOI. Provided the applicability requirements of the reissued permit are met, these permitted dischargers will be automatically reauthorized under the reissued LPDES permit. Per 40 CFR 122.28(b)(2)(vi), LDEQ will notify each permittee in writing after permit finalization. This written notification of coverage along with a link to the reissued permit will be sent to each permittee after permit finalization. Permit conditions in the reissued permit are effective for these automatically-authorized permittees on the postmark date of the notification of the facility’s coverage under the reissued general permit.

Any permittee covered by an individual permit or other general permit(s) may submit form H2O-G and request that the individual permit or other permit(s) be canceled if the permitted source or activity is also accepted for coverage by this general permit. Upon approval by this Office, the permittee will be notified of coverage by this general permit and of cancellation of the previous permit(s).

If circumstances change in the future at a permitted facility that result in the addition or elimination of permitted outfalls, or a change in composition of effluent from a permitted outfall, the permittee is required to notify the Water Permits Division of the elimination/change of any outfalls that were identified in the NOI or the addition of outfalls that were not identified in the NOI that was submitted for general permit coverage. Notification of the addition or elimination/change of permitted outfalls, or a change in the composition of effluent from a permitted outfall, must be made in writing and must be accompanied by a site diagram that clearly illustrates and identifies current outfall locations at the site.

The permittee is required to submit a permit transfer request to the LDEQ Permit Support Services either prior to or no later than 45 days after the 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/ - PROGRAMS – Small Business/Small Community Assistance SB/SCAP/ – Forms and Publications – Forms – Name/Operator/Owner Change Form. Any questions related to making a permit transfer should be directed to the LDEQ Permit Application Administrative Review (PAAR) Group at (225) 219-3292.

A printed hard copy of this permit may be obtained by contacting LDEQ's Water Permits Division at (225) 219-9371, or a copy can be downloaded from the LDEQ website at www.deq.louisiana.gov/portal/. Go through the following links to find the permit: DIVISIONS – Water Permits – LPDES Permits – LPDES General Permits – LAG380000.

Types of facilities covered by this general permit include, but are not limited to:

1. potable water treatment plants that treat raw water from surface waterbodies;
2. potable water treatment plants that treat raw water from groundwater sources;
3. bottling plants that generate and package potable water; and
4. potable water treatment plants that discharge treated sanitary wastewater (less than 5,000 GPD) from plant offices and warehouses located on site of the treatment plant.

All wastewaters covered by this permit must be treated, if necessary, to meet the effluent limitations in the applicable RLP # Outfall # before being discharged from the site of origin. Wastewater types other than those described herein are not authorized under this general permit and discharge of such wastewaters at a site covered under this general permit will constitute a violation of the permit unless authorization to discharge has been granted under a separate LPDES permit.

Discharges of the following wastewaters are covered by this general permit:

1. potable water treatment plant filter backwash, clarifier sludge and/or clarifier blowdown, water softening, iron and manganese removal, and discharges related to the disinfection of source water (raw water from surface waterbodies);
2. potable water treatment plant filter backwash, clarifier blowdown, water softening, iron and manganese removal, and discharges related to the disinfection of source water (raw water from groundwater sources);
3. treated sanitary wastewater (less than 5,000 GPD); and
4. potable water treatment plant filter backwash, clarifier sludge and/or clarifier blowdown, water softening, iron and manganese removal, and discharges related to the disinfection of source water (from treatment systems that use a brine solution to regenerate filters and discharge to a receiving stream where a water quality screen has determined that effluent limitations for chlorides are not required).

This general permit **shall not** apply to:

1. 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);
2. discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless they are in compliance with requirements of the National Historic Preservation Act and any necessary activities to avoid or minimize impacts have been coordinated with the Louisiana State Historic Preservation Officer (*for questions, the operator should contact the Section 106 Review Coordinator, Office of Cultural Development, P. O. Box 44247, Baton Rouge, LA 70804 or telephone (225) 342-8170*);
3. discharges of wastewater determined by this Office to present an environmental risk or potential risk of discharging pollutants other than is intended to be regulated by this permit;
4. discharges which cause or contribute to the violation of a state water quality standard;
5. discharges that are mixed with other, non-covered discharge types unless those other discharges are authorized by another LPDES permit;
6. facilities which discharge substances that are not addressed by pollution prevention plan requirements or would not be adequately regulated by the effluent limitations in this permit;
7. discharges which have limits assigned to them in the Louisiana Water Quality Management Plan or by an approved Waste Load Allocation which are different from the limits contained in this permit;

8. proposed discharges directly into a waterbody designated as an outstanding natural resource water, as defined in LAC 33:IX.1123.Table 3, except in accordance with LAC 33:IX.1119.C.4; and
9. discharges from operations classed as new sources or new discharges if the discharge will cause or contribute to the violation of water quality standards not addressed by the terms, conditions and schedules of this general permit (LAC 33:IX.2317.A.9).

At the discretion of this Office, coverage under this general permit **may not** be available to:

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

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

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

- i. the discharger or treatment works treating domestic sewage is not in compliance with the conditions of the general LPDES permit;
- ii. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source or treatment works treating domestic sewage;
- iii. effluent limitation guidelines are promulgated for point sources covered by the general LPDES permit;

- iv. a water quality management plan containing requirements applicable to such point sources is approved;
- v. circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;
- vi. the discharge(s) is a significant contributor of pollutants. In making this determination, the LDEQ may consider the following factors:
 - (a) the location of the discharge with respect to waters of the state;
 - (b) the size of the discharge;
 - (c) the quantity and nature of the pollutants discharged to waters of the state; and
 - (d) other relevant factors (such as, but not limited to, critical flow and harmonic mean flow determinations, environmental considerations, site operational data, designated uses, water quality characteristics and other applicable water quality and regulatory requirements).

SECTION B. EFFLUENT LIMITATIONS

During the period beginning with coverage under this permit and lasting through the expiration date of this general permit, all permittees covered under this general permit are authorized to discharge wastewater as specified in Appendix A, which will be attached to the cover letter granting authorization to discharge under this permit.

RLP 1 OUTFALL 001: POTABLE WATER TREATMENT PLANT FILTER BACKWASH, CLARIFIER SLUDGE AND/OR CLARIFIER BLOWDOWN, WATER SOFTENING, IRON AND MANGANESE REMOVAL, AND DISCHARGES RELATED TO THE DISINFECTION OF SOURCE WATER (RAW WATER FROM SURFACE WATERBODIES)

The permittee should refer to **Appendix A** (attached to the individual authorization letter) to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitations page that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY ²	SAMPLE TYPE
Flow (GPD)	Report	Report	1/month	Estimate
Total Suspended Solids ^{1, 3}	30 mg/L	45 mg/L	1/month	Grab
Clarifying Agents Used ⁴	Report	Report	1/month	Inventory Calculations
Chlorides ^{1, 5}	---	250 mg/L	1/3 months	Grab
Total Recoverable Iron ^{1, 6}	---	Report mg/L	1/3 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab

¹ Limitations and monitoring requirements for TSS, Chlorides, and Total Recoverable Iron are not applicable to discharges comprised exclusively of water treatment clarifier sludge and/or clarifier blowdown (not combined with any other untreated waste source, including demineralizer and softener wastes), so long as the discharge is to the source stream.

² When discharging.

³ Unless notified by this Office, TSS monitoring from filter backwash, clarifier sludge, or clarifier blowdown (higher water content than sludge) is only required when it is discharged to a receiving water body that is different from the intake water body (so long as it is not combined with demineralizer and softener wastes). The permittee shall specify “N/R” (not required) on the DMR under the Remarks section if the conditions of this footnote are met.

⁴ Keep inventory records of each type of Clarifying Agent used along with the total amount used and the monthly average during the monitoring period. Additionally, a Material Safety Data Sheet (MSDS) for each Clarifying Agent used shall be kept on file at the plant. Retain the inventory records and the MSDSs at the facility for three years. No DMR reporting is required for Clarifying Agents [LAC 33:IX.2701.J.2]; therefore, do not report Clarifying Agents on the DMR forms that are used to report lab analysis for other parameters (flow, Total Suspended Solids, Chlorides, Total Recoverable Iron, and pH).

- ⁵ The chlorides limitation shall only be applicable at facilities that use a sodium chloride solution to regenerate filters and discharge wastewater from the sodium chloride treatment process treated by a system designed to meet the 250 mg/l daily maximum end-of-pipe chlorides limitation, and where a water quality screen does not require a more stringent limit. Facilities that do not utilize a sodium chloride solution during the source water treatment process shall specify “N/R” (not required) on the DMR under the Remarks section. Facilities that do utilize a sodium chloride solution during the source water treatment process but do not discharge wastewater from the sodium chloride treatment process shall specify “N/R” (not required) on the DMR under the Remarks section.
- ⁶ Wastewater discharged as a result of iron and manganese removal from source water shall be monitored for Total Recoverable Iron if an iron removal treatment unit is used.

There shall be no discharge of floating 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 have the potential to negatively impact aquatic life or hinder natural drainage. For all parameters except Chlorides, the use of dilution (see Part III, *Standard Conditions*, Section A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

RLP 2 OUTFALL 002: POTABLE WATER TREATMENT PLANT FILTER BACKWASH, CLARIFIER BLOWDOWN, WATER SOFTENING, IRON AND MANGANESE REMOVAL, AND DISCHARGES RELATED TO THE DISINFECTION OF SOURCE WATER (RAW WATER FROM GROUNDWATER SOURCES)

The permittee should refer to **Appendix A** (attached to the individual authorization letter) to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitations page that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY ¹	SAMPLE TYPE
Flow (GPD)	-----	Report	1/month	Estimate
Total Suspended Solids ²	30 mg/L	45 mg/L	1/month	Grab
Clarifying Agents Used ³	Report	Report	1/month	Inventory Calculations
Chlorides ⁴	----	250 mg/L	1/3 months	Grab
Total Recoverable Iron ⁵	----	Report mg/L	1/3 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab

¹ When discharging.

² For the discharge of wastewater to the Mississippi, Atchafalaya, and Red rivers or any other receiving stream with a flow equal to or greater than the 7Q10 critical flow for the Red River at Shreveport (1,275 cfs), the monthly average shall be 90 mg/L and the daily maximum shall be 135 mg/L.

³ Keep inventory records of each type of Clarifying Agent used along with the total amount used and the monthly average during the monitoring period. Additionally, a Material Safety Data Sheet (MSDS) for each Clarifying Agent used shall be kept on file at the plant. Retain the inventory records and the MSDSs at the facility for three years. No DMR reporting is required for Clarifying Agents [LAC 33:IX.2701.J.2]; therefore, do not report Clarifying Agents on the DMR forms that are used to report lab analysis for other parameters (flow, Total Suspended Solids, Chlorides, Total Recoverable Iron, and pH).

⁴ The chlorides limitation shall only be applicable at facilities that use a sodium chloride solution to regenerate filters and discharge wastewater from the sodium chloride treatment process treated by a system designed to meet the 250 mg/l daily maximum end-of-pipe chlorides limitation, and where a water quality screen does not require a more stringent limit. Facilities that do not utilize a sodium chloride solution during the source water treatment process shall specify "N/R" (not required) on the DMR under the Remarks section. Facilities that do utilize a sodium chloride solution during the source water treatment process but do not discharge wastewater from the sodium chloride treatment process shall specify "N/R" (not required) on the DMR under the Remarks section.

- ⁵ Wastewater discharged as a result of iron and manganese removal from source water shall be monitored for Total Recoverable Iron if an iron removal treatment unit is used.

There shall be no discharge of floating 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 have the potential to negatively impact aquatic life or hinder natural drainage. For all parameters except Chlorides, the use of dilution (see Part III, *Standard Conditions*, Section A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

RLP 3 OUTFALL 003: TREATED SANITARY WASTEWATER DISCHARGES UNDER 5,000 GPD

The permittee should refer to **Appendix A** (attached to the individual authorization letter) to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitations page that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	Report	Report	1/6 months	Estimate
BOD ₅	30 mg/L	45 mg/L	1/6 months	Grab
TSS ¹	30 mg/L	45 mg/L	1/6 months	Grab
Fecal Coliform ^{2&3} Colonies/ 100 ml	200	400	1/6 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/6 months	Grab

¹ For an oxidation pond the monthly average shall be 90 mg/L and the daily maximum shall be 135 mg/L.

² If chlorination is chosen as adisinfection method see *Other Conditions*, Section C.

³ If this discharge is directly to a water body which is named in the LAC 33:IX.1123 Table 3, and which has a designated use of Oyster Propagation, the Fecal Coliform limitation will be 14 colonies/100mL Monthly Average and 43 colonies/100 ml Daily Maximum. Instructions will be given in the cover letter of this permit if these more stringent fecal coliform limitations are required.

There shall be no discharge of floating 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 have the potential to negatively impact aquatic life or hinder natural drainage. For all parameters except Chlorides, the use of dilution (see Part III, *Standard Conditions*, Section A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

RLP 4 OUTFALL 004: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR POTABLE WATER TREATMENT PLANT FILTER BACKWASH, CLARIFIER SLUDGE AND/OR CLARIFIER BLOWDOWN, WATER SOFTENING, IRON AND MANGANESE REMOVAL, AND DISCHARGES RELATED TO THE DISINFECTION OF SOURCE WATER (FROM TREATMENT SYSTEMS THAT USE A BRINE SOLUTION TO REGENERATE FILTERS AND DISCHARGE TO A RECEIVING STREAM WHERE A WATER QUALITY SCREEN* HAS DETERMINED THAT EFFLUENT LIMITATIONS FOR CHLORIDES ARE NOT REQUIRED)

The permittee should refer to **Appendix A** (attached to the individual authorization letter) to determine the outfall number assigned to each discharge. Appendix A also indicates the effluent limitations page that applies to each outfall.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY ²	SAMPLE TYPE
Flow (GPD)	Report	Report	1/month	Estimate
Total Suspended Solids ^{1,3,4}	30 mg/L	45 mg/L	1/month	Grab
Clarifying Agents Used ⁵	Report	Report	1/month	Inventory Calculations
Chlorides ^{1,6}	---	Report mg/L	1/3 months	Grab
Total Recoverable Iron ^{1, 7}	---	Report mg/L	1/3 months	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab

* A water quality screen shall be conducted to determine that a water quality based Chloride limit is not required to ensure that the in stream chloride standard of the receiving stream is not exceeded and to protect for the designated uses of the receiving stream. A copy of the water quality screen shall be attached to the statement of basis that is prepared for the facility-specific permit authorization number that is issued.

¹ Limitations and monitoring requirements for TSS, Chlorides, and Total Recoverable Iron are not applicable to discharges comprised exclusively of water treatment clarifier sludge and/or clarifier blowdown (not combined with any other untreated waste source, including demineralizer and softener wastes), so long as the discharge is to the source stream.

² When discharging.

³ Unless notified by this Office, TSS monitoring from filter backwash, clarifier sludge, or clarifier blowdown (higher water content than sludge) is only required when it is discharged to a receiving water body that is different from the intake water body (so long as it is not combined with demineralizer and softener wastes). The permittee shall specify "N/R" (not required) on the DMR under the Remarks section if the conditions of this footnote are met.

- 4 For the discharge of wastewater to the Mississippi, Atchafalaya, and Red Rivers or any other receiving stream with a flow equal to or greater than the 7Q10 critical flow for the Red River at Shreveport (1,275 cfs), the monthly average shall be 90 mg/L and the daily maximum shall be 135 mg/L.
- 5 Keep inventory records of each type of Clarifying Agent used along with the total amount used and the monthly average during the monitoring period. Additionally, a Material Safety Data Sheet (MSDS) for each Clarifying Agent used shall be kept on file at the plant. Retain the inventory records and the MSDSs at the facility for three years. No DMR reporting is required for Clarifying Agents [LAC 33:IX.2701.J.2]; therefore, do not report Clarifying Agents on the DMR forms that are used to report lab analysis for other parameters (flow, Total Suspended Solids, Chlorides, Total Recoverable Iron, and pH).
- 6 A water quality screen was performed to calculate a water quality based limit for chlorides and the results of the screen indicate that a water quality based permit limit is not required for chlorides. However, a chlorides "Report" requirement is included due to the presence and use of chlorides at the facility.
- 7 Wastewater discharged as a result of iron and manganese removal from source water shall be monitored for Total Recoverable Iron if an iron removal treatment unit is used.

There shall be no discharge of floating 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 have the potential to negatively impact aquatic life or hinder natural drainage. For all parameters except Chlorides, the use of dilution (see Part III, *Standard Conditions*, Section A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

SECTION C. MONITORING AND REPORTING REQUIREMENTS

1. Samples shall be taken at the monitoring points specified in Appendix A of the cover letter from LDEQ that authorizes coverage under the general permit. Unless specified otherwise in Appendix A, samples shall be taken before the effluent joins or is diluted by any other wastestream, body of water, or substance (immediately after exiting the treatment mechanism, if treatment is applied).
2. Provisions must be made during the installation of the treatment unit for obtaining a proper sample.
3. Proper sampling techniques shall be used to ensure that analytical results are representative of pollutants in the discharge.
4. 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.
5. All monitoring records must be retained for a period of at least three 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 (see Part III, *Standard Conditions*, Section C.4).
6. Monitoring results for each discharge point (outfall number) listed in Appendix A of the permittee's cover letter must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). 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 identified in Appendix A of the permittee's cover letter for every monitoring period even if there were no discharges during a monitoring period.

When the permittee determines that additional monitoring is necessary 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. DMR General Instruction Number 5 defines "Average" as the arithmetic average (geometric average for bacterial parameters) of all sample measurements for each parameter obtained during the "Monitoring Period". **Note that Daily Maximum values can not be averaged. If more than one sample is collected during a monitoring period, the Daily Maximum value that is reported on the DMR is the highest value recorded for a particular parameter during the monitoring events that occurred for that reporting period.** When the Outfall schedule 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 DMRs to LDEQ on a

quarterly basis. For monthly average discharge limitations, 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 DMR form. DMR General Instruction Number 5 defines "Average" as the arithmetic average (geometric average for bacterial parameters) of all sample measurements for each parameter obtained during the "Monitoring Period". **Note that Daily Maximum values can not be averaged. If more than one sample is collected during a monitoring period, the Daily Maximum value that is reported on the DMR is the highest value recorded for a particular parameter during the monitoring events that occurred for that reporting period.** When the Outfall schedule in the permit 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 that outfall during a quarter. Submit your DMR forms for these outfalls to LDEQ on a quarterly basis.

When the permit stipulates that monitoring at an outfall shall occur 1/6 months the permittee 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 DMR form. For monthly average discharge limitations, if samples are taken at a frequency of greater than 1/6 months, laboratory results for each regulated parameter in your discharge shall be averaged for each sample analyzed during the 6 month period and summarized on a DMR form. DMR General Instruction Number 5 defines "Average" as the arithmetic average (geometric average for bacterial parameters) of all sample measurements for each parameter obtained during the "Monitoring Period". **Note that Daily Maximum values can not be averaged. If more than one sample is collected during a monitoring period, the Daily Maximum value that is reported on the DMR is the highest value recorded for a particular parameter during the monitoring events that occurred for that reporting period.** When the Outfall schedule in the permit stipulates that monitoring at an outfall shall occur 1/6 months, the permittee must complete one DMR form for that outfall for each six month monitoring period even if there were no discharges from that outfall during the six month monitoring period. Submit your DMR forms for these outfalls to LDEQ on a semiannual basis.

The schedules for quarterly and semiannual DMR submission are as follows:

QUARTERLY SUBMISSION

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

SEMIANNUAL SUBMISSION

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

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. Section F.17 of Part III, *Standard Conditions* 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, *Standard Conditions*, 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 may be either hand delivered, postmarked, or electronically submitted in accordance with LAC 33:I.2101.A and B no later than the 28th day of the month following the reporting period. If you mail your DMRs to LDEQ, one set of original DMRs plus one set of copies should be mailed to the Enforcement Division.** 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>. An electronic DMR reporting system (NetDMR) is available at www.deq.louisiana.gov/portal/ using the following path: Online Services – NetDMR. Permittees are encouraged to use this online system. At this time, LDEQ does not have plans to require facilities to use NetDMR; however, LDEQ may require DMRs to be electronically submitted in the future.

PART II

OTHER CONDITIONS

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, *Standard Conditions*, 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. Clarifier Blowdown: means water discharged from a clarifier for the purpose of reducing the suspended solids concentration.
5. Clarifier Sludge: sludge from the clarifier that has less water content than clarifier blowdown that is discharged for the purpose of removing solids from the bottom of the clarifier. Same as clarifier blowdown with less water content.
6. Discharge: when used without qualification means the “discharge of a pollutant.”
7. 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.
8. Effluent: means wastewater discharged to the waters of the state.
9. 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.

10. 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.
11. Fecal coliform: means a gram negative, non-spore forming, rod-shaped bacteria found in the intestinal tract of warm-blooded animals.
12. Filter Backwash: means water from the reverse flow through a filter used to unclog or clean the filter media.
13. General Permit: means an LPDES permit authorizing a category of similar discharges within a geographical area.
14. Iron and Manganese Removal Wastewater: means wastewater from the backwashing of filters after oxidizing chemicals have been added to the source water to precipitate iron and manganese. Also the water discharge from the dewatering of lime or lime and soda ash sludge used to remove iron and manganese.
15. Material Safety Data Sheet: means a compilation of information required under the OSHA Communication Standard on the identity of hazardous chemicals, health, and physical hazards, exposure limits, and precautions.
16. MSDS: see Material Safety Data Sheet.
17. NetDMR: means a web-based tool that allows facilities to electronically sign and submit LPDES discharge monitoring reports (DMRs) to the LDEQ.
18. Office: means the Office of Environmental Services within the Department of Environmental Quality.
19. 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.
20. 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, bayou, canal, or river.
21. Owner: means the person or legal entity holding legal title to a facility with a discharge covered by the Title 33 regulations.
22. Person: means an individual, municipality, public or private corporation, partnership, firm, the United States Government and any agent or subdivision thereof, or any other juridical person.
23. Pollutant: means any substance introduced into the waters of the state by any means that

would tend to degrade the chemical, physical, biological, or radiological integrity of such environment.

24. 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.
25. Sanitary Wastewater: means treated or untreated wastewaters, which contain human metabolic and domestic wastes.
26. Secretary: means the Secretary of the Louisiana Department of Environmental Quality.
27. Source Water: means the water body (waters of the state) from which the process water is withdrawn.
28. Standard Methods: means Standard Methods for the Examination of Water and Wastewater, American Public Health Association, Washington, DC.
29. State Administrative Authority: means the Secretary of the Department of Environmental Quality or his designee or the appropriate assistant secretary or his designee.
30. Total Suspended Solids (TSS): means the amount of solid material suspended in water commonly expressed as a concentration in terms of mg/L.
31. Unauthorized Discharge: means a continuous, intermittent or one-time discharge, whether intentional or unintentional, anticipated or unanticipated, from any permitted or unpermitted source, which is in contravention of any provision of the Louisiana Environmental Quality Act (R.S. 30:2001 et seq.) or of any permit terms and conditions, or of any applicable regulation, compliance schedule, variance or exception of the administrative authority.
32. Water Softening Wastewater: means water discharged from the recharging of the zeolite media with a brine solution in an ion exchange column used to soften water. Also the water discharged from the dewatering of lime or lime and soda ash sludge used to soften water.

SECTION B. COMPLIANCE SCHEDULE

The permittee shall be in compliance with the effluent limitations and monitoring requirements specified herein on the date 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. 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 dischargers and receiving water bodies have resulted in monthly average effluent limitations of 5 mg/l CBOD₅ and 2 mg/l NH₃-N. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

SECTION D. PERMIT REOPENER CLAUSE

If there is evidence indicating that the discharges authorized by this permit cause, have the reasonable potential to cause, or contribute to a violation of a water quality standard, the discharger may be required to obtain an individual permit or an alternative general permit in accordance with *Other Conditions*, Section I of this permit, or the permit may be modified to include different requirements and/or limitations.

SECTION E. OTHER DISCHARGES

This permit does not in any way authorize the permittee to discharge a pollutant not listed 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. Any runoff leaving the site, other than the permitted outfalls, exceeding 50 mg/l Total Organic Carbon (TOC), 15 mg/l Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually in accordance with the conditions listed below to determine if any discharges other than those covered under this permit exist. If other discharges are discovered, a permit modification request shall be submitted immediately upon discovery.

1. The permittee shall conduct an annual inspection of the facility site to identify any process(es) wastewater and storm water discharges from the facility that are not covered under this permit. Storm water discharges shall be evaluated to determine if pollution prevention practices are adequate or need to be initiated in order to reduce pollutant loading.
2. The permittee shall maintain a record summarizing the results of the inspection and a certification that the facility is in compliance with this permit and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the

date and time of inspection, name of inspector(s), conditions found, and changes to be made to the operation methods at the site in order to obtain or maintain compliance. Each summary report shall be retained at the site for a period of three years from the date recorded on the inspection report.

3. The summary report and the following certification shall be signed in accordance with LAC 33:IX.2503. The summary report is to be retained by the facility and provided to this Office upon request.

"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."

SECTION F. 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 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 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 *Other Conditions*, Sections D and I, measures can be taken by the permitting authority to prohibit any discharge that is not protective of state water quality standards.

LDEQ will review and evaluate each NOI submitted in accordance with the State Antidegradation Policy to assess eligibility for coverage under the general permit. Through the

analysis of each discharge, its effects upon the receiving water body, the characteristics of the receiving water body in combination with other water quality factors (including point source discharges in near proximity), LDEQ will determine if the discharge is eligible for coverage. If LDEQ determines the discharge will have reasonable potential to adversely impact water quality, coverage under the general permit will not be granted.

SECTION G. PROHIBITIONS

There shall be no discharge of lime, limy waste, or other solids to the receiving stream in accordance with LAC 33:IX.1113.B.1 (aesthetics; floating, suspended solids, and settleable solids; turbidity; foaming and frothing materials). However, the discharge of clarifier sludge waste, clarifier blowdown (higher water content than sludge), or reverse osmosis membrane backwash that is returned to the waterbody from which it came will be allowed provided it has not been combined with any other untreated waste source, including demineralizer and softener wastes, does not impact the water quality of the receiving stream, and is approved by this Office.

SECTION H. ZEBRA MUSSEL TREATMENT

This permit does not cover the discharge of wastewater from zebra mussel treatment processes. Please contact the Water Permits Division to obtain the necessary application or NOI for coverage to discharge this wastewater.

SECTION I. REQUIRING AN INDIVIDUAL PERMIT OR AN ALTERNATIVE GENERAL PERMIT

1. Applicants who fail to meet all permit eligibility conditions are not authorized and will be provided written notice of ineligibility. These operators may pursue coverage under an individual permit or alternative general permit by submitting the appropriate application form.
2. The LDEQ 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 LDEQ to take action under this paragraph. Where the LDEQ requires a discharger authorized to discharge under this permit to apply for an individual LPDES permit, the LDEQ 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. At the discretion of the LDEQ, and upon written notification to the permittee, general permit coverage may be terminated prior to the issuance of an individual LPDES permit or alternative general permit. The LDEQ 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 LDEQ under this paragraph, then the applicability of this permit to the permittee is automatically terminated at the end of the day specified by the

LDEQ for application submittal.

3. 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 LDEQ 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.
4. 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.
5. 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 for coverage under an alternative LPDES general permit, that owner or operator then becomes ineligible for authorization to discharge under this general permit; unless the LDEQ determines that specific discharges from the owner or operator's facility may be authorized by this permit.**

SECTION J. STATE ENVIRONMENTAL LAWS

1. 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.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

SECTION K. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III, *Standard Conditions* 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/portal/: ONLINE SERVICES – Online Incident Reporting; (2) use a direct email addressed to 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 ExcursionForm.doc found at www.deq.louisiana.gov/app/irf/forms/ may be completed and emailed to spoc@la.gov to satisfy the 24-hour reporting requirement. Under the provisions of Part III, *Standard Conditions* 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: None

SECTION L. SECONDARY CONTAINMENT

For chemical storage, all storage tank installations (including double-walled tanks) with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area shall be constructed so that a secondary means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills. This provision is subject to all applicable conditions of LAC 33:IX.901-907.

SECTION M. FLOW MEASUREMENT

The flow monitoring sample type for the effluent schedules contained in this general permit is specified as “estimate”. Therefore, the permittee shall not be subject to the accuracy provisions for flow measurement established in Part III, *Standard Conditions*, Section C.6 of this permit. When collecting samples for permit compliance purposes, the flow may be estimated using best engineering judgment. [LAC 33:IX.2701].

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 the 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; or
- 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;
- 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, nor does it authorize any injury to private or public property, nor any infringement of federal, state, or local laws or regulations.

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.

14. Facilities Requiring Approval from Other State Agencies

In accordance with La. R.S.40.4(A)(6) the plans and specifications of all sanitary sewerage treatment systems, both public and private, must be approved by the Department of Health and Hospitals state health officer or his designee. It is unlawful for any person, firm, or corporation, both municipal and private to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with La. R.S.40.1149, it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Department of Health and Hospitals state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with La. R.S.48.385, it is unlawful for any industrial wastes, sewage, septic tanks effluent, or any noxious or harmful matter, solid, liquid or gaseous to be discharged into the side or cross ditches or placed upon the rights-of-ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Department of Health and Hospitals.

15. The standards provided in Chapter 11 – Surface Water Quality Standards are official regulations of the state, and any person who discharges pollutants to the waters of the state in such quantities as to cause these standards to be violated shall be subject to the enforcement procedures of the state as specified in R.S. 30:2025.

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 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 an 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. Publicly owned treatment works utilizing waste stabilization ponds/oxidation ponds are not subject to the 85 percent removal rate for Total Suspended Solids.

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;
- 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 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.
- 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. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures shall be assessed and evaluated on an on-going basis and quality control acceptance criteria shall be used to determine the validity of the data. All method specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) Standard Methods for the Examination of Water and Wastes, Sections 1020A and 1020B. 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.

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 is 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 La. 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, Louisiana Environmental Laboratory Accreditation Program (LELAP) 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 (LELAP) accredited 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 Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under DIVISIONS → PERMIT SUPPORT SERVICES → LABORATORY ACCREDITATION at the following link:

<http://www.deq.louisiana.gov>

Questions concerning the program may be directed to (225) 219-9800.

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: (1) the permit has been modified or revoked and reissued (under LAC 33:IX.2903.A.2.b) by the permittee and new owner submitting a Name/Ownership/Operator Change Form (NOC-1 Form) and approved by LDEQ (LAC 33:I.Chapter 19); or (2) 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.

The NOC-1 form can be found at the following link:

<http://www.deq.louisiana.gov/portal/Portals/0/assistance/NOC-1%20FORM%20Jan%202025,%202006.pdf>

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/92-500s 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, Assessment 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, Assessment Division (SPOC) as follows:

- (1) by the Online Incident Reporting screens found at <http://www.deq.louisiana.gov/portal/tabid/66/Default.aspx> ;or
- (2) by e-mail utilizing the Incident Report Form and instructions found at <http://www.deq.louisiana.gov/portal/tabid/66/Default.aspx>;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, Assessment Division SPOC in accordance with LAC 33:I.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, Assessment 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.**"

Written reports (LAC 33:I.3925) should be mailed to:

Louisiana Department of Environmental Quality
Post Office Box 4312
Baton Rouge, LA 70821-4312
ATTENTION: ASSESSMENT DIVISION – SPOC "UNAUTHORIZED DISCHARGE
NOTIFICATION REPORT"

The Written Notification Report may also be faxed to the Louisiana Department of Environmental Quality, Office of Environmental Compliance, Assessment Division at: (225)-219-4044.

Please see LAC 33:I.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 24 hours:
 - (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 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 La. 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, La. 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 La. 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, 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 any solid, semi-solid, or liquid residue removed during the treatment of municipal wastewater or domestic sewage. *Sewage sludge* includes, but is not limited to, solids removed during primary, secondary, or advanced wastewater treatment, scum, domestic septage, portable toilet pumpings, Type III marine sanitation device pumpings (33 CFR Part 159), and sewage sludge products. *Sewage sludge* does not include grit or screenings, or ash generated during the incineration of sewage sludge.
21. Stormwater Runoff—aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.
22. Surface Water: all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.
23. 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)
24. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
25. The term MGD shall mean million gallons per day.
26. The term GPD shall mean gallons per day.

- 27. The term mg/L shall mean milligrams per liter or parts per million (ppm).
- 28. The term SPC shall mean Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.Chapter 9).
- 29. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.
- 30. The term µg/L shall mean micrograms per liter or parts per billion (ppb).
- 31. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).
- 32. Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.
- 33. Wastewater—liquid waste resulting from commercial, municipal, private, or industrial processes. Wastewater includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and contaminated rainwater runoff.
- 34. 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 there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which 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 waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.
- 35. Weekly 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.

- 36. 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.