Permitting Implementation Plan for the Draft Bayou Manchac Watershed Phase I TMDL Report for Chlorides and Sulfates, Subsegment 040201

Phase I Permit Implementation

All TMDL, permitting, and enforcement activities will be conducted in accordance with the Clean Water Act, the Louisiana Environmental Regulatory Code, and applicable state laws. If at any time, LDEQ determines that the implementation strategy presented in this TMDL is not appropriate due to socioeconomic reasons or otherwise, LDEQ may revise the implementation strategy through an update of the State's Water Quality Management Plan. LDEQ will be responsible for ensuring that any updates to the Water Quality Management Plan will meet the goals of the TMDL.

1. New discharges of chlorides or sulfates loads:

   Due to LDEQ's minerals criteria revisions, the lack of knowledge regarding the loading contributions from various types of facilities, natural sources, and the contributions from the local potable water source, permits for new facility outfalls will typically require only annual monitoring during the first full permitting cycle that occurs during Phase I. However, before the subsequent renewal of each permit, an assessment of chlorides and sulfates monitoring data from designated outfalls may be conducted to determine if permit limits are appropriate during Phase I. Permit limits will be established based on regulatory guidelines and in accordance with LDEQ's Permitting Guidance Document For Implementing Louisiana Surface Water Quality Standards, Water Quality Management Plan Volume 3. Facilities with new discharges may be required to submit an environmental impact assessment to LDEQ's Water Permits Division. Once the TMDL is approved by EPA and LDEQ has determined that permit limits are needed, new facilities may have up to 3 years from their next permit renewal date to meet the Phase I permit limits. Applicable General Permit schedules may be updated to meet the requirements of the TMDL upon the first renewal of each series following the TMDL approval date. Examples of facility outfalls that may be considered are provided below.

   a. Annual monitoring will be required for outfall types included in, but not limited to, the list provided below. Upon renewal of each permit, existing facility data will be compared to the values of 338 mg/L (chlorides) and 500 mg/L (sulfates). Permit limits will be considered for a facility if the monitoring data exceeds the referenced values. If the monitoring data is below the referenced values, the monitoring requirement may be eliminated or the frequency may be reduced.

      i. Sanitary

      ii. Vehicle or equipment wash water

      iii. Wash rack wastewater

   b. Technology-based permit limits may be established for outfall types included in, but not limited to, the list provided below. Permit limits will be based on current regulatory guidelines and departmental procedures.

      i. Industrial process outfalls that have demonstrated a reasonable potential to discharge wastewater that will contain concentrations of chlorides or sulfates.

      ii. Contact stormwater for facilities identified according to item 1.b.i above.

iii. Any other type of wastewater that has demonstrated a reasonable potential to contain concentrations of chlorides or sulfates.

2. Existing discharges of chlorides or sulfates loads:

Below are the limits and monitoring implementation activities for existing facility outfalls in the Bayou Manchac watershed. Existing unpermitted facility outfalls discovered to be discharging chlorides and/or sulfates loads without LPDES permit limits as of the TMDL approval date and unpermitted facility outfalls that are newly activated or reactivated and discharging chlorides and/or sulfates loads after the TMDL approval date are to be permitted according to the guidelines established herein for existing outfalls with permits. Permit limits will be established based on regulatory guidelines and accordance with LDEQ's Permitting Guidance Document For Implementing Louisiana Surface Water Quality Standards, Water Quality Management Plan Volume 3.

a. The following 4 facilities had one or more outfalls with permit limits or monitoring for chlorides and/or sulfates. Based on the TMDL, their permit limits or monitoring requirements during Phase I will be as shown below for the designated outfalls. Upon permit renewal, LDEQ will review and revise these requirements as needed to ensure that all regulatory requirements and water quality criteria are being met in Bayou Mancahc (040201).

i. Harcros Chemicals, Inc. (AI No. 2055, LPDES Permit No. LA0110825) – Outfall 001 – Chlorides and Sulfates - report only.

ii. Reagent Chemical & Research, Inc – St. Gabriel Facility (AI No. 2407, LPDES Permit No. LA0059579) – Outfall 001, 002, 006, and 007 – Chlorides 338 mg/L (monthly average), 500 mg/L (daily maximum).

iii. Kinder Morgan Liquids Terminals St. Gabriel, LLC (AI No. 39978, LPDES Permit No. LA0052353) - Outfall 001 and 005 – Chlorides - report chlorides concentration when commodities containing chlorides are stored on site.

iv. St. Gabriel Dehydration & NGL Production Facility (AI No. 138856, LPDES Permit No. LAG33A602)) - Outfall 001 – Chlorides 500 mg/L (daily max.).

b. All other facilities will conduct annual monitoring as described in item 1 above. Once the TMDL is approved by EPA and LDEQ has determined that permit limits are necessary, existing facilities may have up to 3 years from their next permit renewal date to meet the Phase I permit limits.

3. LDEQ reassesses Subsegment 040201 (Bayou Manchac). If, at a future date, LDEQ determines that Subsegment 040201 is meeting the appropriate chlorides and/or sulfates criteria and designated uses and/or impairments for these parameters do not exist, permit limit requirements for chlorides and/or sulfates may be reevaluated and/or ommitted.

Phase II will be developed based on the revised criteria for Subsegment 040201. Chlorides and sulfates TMDLs for Subsegment 040201 have a court-ordered due date of March 31, 2012. These new criteria will be developed and promulgated no later than three (3) years after the approval of the TMDL and criteria variance.