

# Georgia Department of Natural Resources

2 Martin Luther King Jr., Drive, S.E., Suite 1152 East Tower, Atlanta, Georgia 30334-9000

Chris Clark, Commissioner

F. Allen Barnes, Director

Environmental Protection Division

404/656-4713

April 8, 2010

Mr. George L. Weaver, Chairman  
Power4Georgians, LLC  
258 North Harris Street  
Sandersville, Georgia 31082

RE: Plant Washington  
NPDES Permit No. GA0039055  
Sandersville, Washington County

Dear Mr. Weaver:

Pursuant to the Georgia Water Quality Control Act, as amended, the Federal Clean Water Act, as amended, and the Rules and Regulations promulgated thereunder, we have issued the attached National Pollutant Discharge Elimination System (NPDES) permit for the specified wastewater treatment facility.

Please be advised that on and after the effective date indicated in the attached NPDES permit, the permittee must comply with all the terms, conditions and limitations of this permit.

Sincerely,



F. Allen Barnes  
Director

FAB:jkj

Attachment

cc: Mr. Chris Thomas (w/attachment)  
U. S. Environmental Protection Agency

PERMIT NO. GA0039055

STATE OF GEORGIA  
DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION DIVISION

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the "State Act;" the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq.), hereinafter called the "Federal Act;" and the Rules and Regulations promulgated pursuant to each of these Acts,

Power4Georgians, LLC (SIC 4911)  
258 N. Harris Street  
Sandersville, Georgia 31082

is authorized to discharge from a facility located at

Plant Washington  
Mayview Road  
Sandersville, Washington County, Georgia

to receiving waters

Oconee River (Oconee River Basin)

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II and III hereof.

This permit shall become effective on April 8, 2010.

This permit and the authorization to discharge shall expire at midnight, March 31, 2015.



Signed this 8th day of April 2010.

*F. Allen Barnes*

Director  
Environmental Protection Division

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date and lasting through March 31, 2015, the permittee is authorized to discharge from outfall(s) serial number(s) 01 – Final Plant Discharge (Oconee River). (Lat. 32 deg, 55 min, 37 sec / Long. 83 deg, 03 min, 22 sec)

Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristics (Specify Units)	Discharge Limitations				Monitoring Requirements		
	Mass Based (lbs/day)		Concentration Based		Measurement Frequency	Sample Type	Sample Location
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	-	-	-	-	Continuous	Recorder	Final Effluent
Temperature (°F)(1)	-	-	-	-	Continuous	Recorder	Final Effluent

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored daily by a grab sample of the final discharge to the Oconee River.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

- (1). The minimum and maximum daily temperature shall be reported.

2. During the period beginning on the effective date and lasting through March 31, 2015, the permittee is authorized to discharge from outfall(s) serial number(s) 01A - Cooling Tower Blowdown.

Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristics (Specify Units)	Discharge Limitations			Monitoring Requirements		
	Daily Max.	Concentration Based (mg/l)		Measurement Frequency	Sample Type	Sample Location*
		Avg.	Instantaneous Max			
Flow (MGD)	-	-	-	*1	*1	*3
Free Available Chlorine (FAC)	-	0.2 <sup>*2</sup>	0.5 <sup>*2</sup>	1/Week	*2	*3
Total Residual Chlorine (TRC)	-	-	-	1/Week	*2	*3
TRC Time (Minutes/day/unit)	120	-	-	1/Week	*2	*3

Monitoring at any outfall is required only when a discharge is occurring.

\*1. See Part III.B, Special Requirements for annual flow characterization study, including compliance certification and discharge limitations for total chromium and total zinc.

\*2. Multiple grab samples are to be collected on 15 minute intervals during periods of FAC and TRC discharges attributable to cooling tower chlorination or a continuous monitor may be substituted for multiple grab samples. Sampling is required over the entire period of FAC and TRC discharges. See Part III.B., Special Requirements for additional chlorine controls.

\*3. Cooling tower system prior to discharge into the equalization basin.

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:
  - a. The permittee shall submit quarterly reports of construction progress and update estimates of when the discharge will begin. These reports shall be submitted to the Division, posted marked no later than the 21<sup>st</sup> day of the month following the end of each calendar quarter.
  - b. No later than two years after the permittee begins discharging from the proposed facility's final plant discharge Outfall 01, items V and VI of NPDES application Form 2C (EPA Form 3510-2C) must be completed and submitted to the Division. This includes analytical results for all applicable conventional pollutants, other pollutants, metals, cyanide, total phenols, and GC/MS organic pollutants as specified in the Form 2C instructions for steam electric power plants
2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

**Note:** EPD as used herein means the Environmental Protection Division of the Department of Natural Resources.

C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous three months shall be summarized for each month and reported on an Operation Monitoring Report (Form WQ 1.45). Forms other than Form WQ 1.45 may be used upon approval by EPD. These forms and any other required reports and information shall be completed, signed and certified by a principal executive officer or ranking elected official, or by a duly authorized representative of that person, and submitted to the Division, postmarked no later than the 21st day of the month following the reporting period. Signed copies of these and all other reports required herein shall be submitted to the following address:

Georgia Environmental Protection Division  
Industrial Wastewater Program  
4220 International Parkway  
Suite 101  
Atlanta, Georgia 30354

All instances of noncompliance not reported under Part I. B. and C. and Part II. A. shall be reported at the time the operation monitoring report is submitted.

3. Definitions

- a. The "daily average" discharge means the total discharge by mass during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days sampled during the calendar month when the measurements were made.
- b. The "daily maximum" discharge means the total discharge by mass during any calendar day.

- c. The "daily average" concentration means the arithmetic average of all the daily determinations of concentrations made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample.
- d. The "daily maximum" concentration means the highest value recorded concentration for any calendar day.
- e. For the purpose of this permit, a calendar day is defined as the 24-hour period between midnight of one day to midnight of the next day.
- f. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- g. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which 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.

4. Test Procedures

Monitoring must be conducted according to test procedures approved pursuant to 40 CFR Part 136 unless other test procedures have been specified in this permit.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling or measurements, and the person(s) performing the sampling or the measurements;
- b. The dates the analyses were performed, and the person(s) who performed the analyses;
- c. The analytical techniques or methods used; and
- d. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Operation Monitoring Report Form (WQ 1.45). Such increased monitoring frequency shall also be indicated. The Division may require by written notification more frequent monitoring of other pollutants not required in this permit.

7. Records Retention

The permittee shall retain records of all monitoring information, including all records of analyses performed, calibration and maintenance of 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 three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Division at any time.

8. Penalties

The Federal Clean Water Act and the Georgia Water Quality Control Act provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, 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 noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The Federal Clean Water Act and the Georgia Water Quality Control Act also provide procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of the Division.

A. MANAGEMENT REQUIREMENTS

1. Change in Discharge

- a. Advance notice to the Division shall be given of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Any anticipated facility expansions, production increases, or process modifications must be reported by submission of a new NPDES permit application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Division of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.
- b. All existing manufacturing, commercial, mining, and silviculture dischargers shall notify the Division as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 100 µg/l, (ii) five times the maximum concentration reported for that pollutant in the permit application, or (iii) 200 µg/l for acrolein and acrylonitrile, 500 µg/l for 2,4 dinitrophenol and for 2-methyl-4-6-dinitrophenol, or 1 mg/l antimony.
- c. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify the Division as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in any discharge on a nonroutine or infrequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 500 µg/l, (ii) ten times the maximum concentration reported for that pollutant in the permit application, or (iii) 1 mg/l antimony.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with, or will be unable to comply with any effluent limitation specified in this permit, the permittee shall provide the Division with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

- a. A description of the discharge and cause of noncompliance; and

- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

4. Adverse Impact

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, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

- a. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Division at least 10 days (if possible) before the date of the bypass. The permittee shall submit notice of any unanticipated bypass with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:
  1. A description of the discharge and cause of noncompliance; and
  2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

- b. Any diversion or bypass of facilities covered by this permit is prohibited, except (i) where unavoidable to prevent loss of life, personal injury, or severe property damage; (ii) 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 the permittee could have installed adequate back-up equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and (iii) the permittee submitted a notice as required above. The permittee shall operate the treatment works, including the treatment plant and total sewer system, to minimize discharge of the pollutants listed in Part I of this permit from combined sewer overflows or bypasses. Upon written notification by the Division, the permittee may be required to submit a plan and schedule for reducing bypasses, overflows, and infiltration in the system.

6. Sludge Disposal Requirements

Hazardous sludge shall be disposed of in accordance with the regulations and guidelines established by the Division pursuant to the Federal Clean Water Act (CWA) and the Resource Conservation and Recovery Act (RCRA). For land application of nonhazardous sludge, the permittee shall comply with any applicable criteria outlined in the Division's "Guidelines for Land Application of Municipal Sludges." Prior to disposal of sludge by land application, the permittee shall submit a proposal to the Division for approval in accordance with applicable criteria in the Division's "Guidelines for Land Application of Municipal Sludges." Upon evaluation of the permittee's proposal, the Division may require that more stringent control of this activity is required. Upon written notification, the permittee shall submit to the Division for approval, a detailed plan of operation for land application of sludge. Upon approval, the plan will become a part of the NPDES permit. Disposal of nonhazardous sludge by other means, such as landfilling, must be approved by the Division.

7. Sludge Monitoring Requirements

The permittee shall develop and implement procedures to insure adequate year-round sludge disposal. The permittee shall monitor the volume and concentration of solids removed from the plant. Records shall be maintained which document the quantity of solids removed from the plant. The ultimate disposal of solids shall be reported monthly (in the unit of lbs/day) to the Division with the Operation Monitoring Report Forms required under Part I (C)(2) of this permit.

8. Power Failures

Upon the reduction, loss, or failure of the primary source of power to said water pollution control facilities, the permittee shall use an alternative source of power if available to reduce or otherwise control production and/or all discharges in order to maintain compliance with the effluent limitations and prohibitions of this permit.

If such alternative power source is not in existence, and no date for its implementation appears in Part I, the permittee shall halt, reduce or otherwise control production and/or all discharges from wastewater control facilities upon the reduction, loss, or failure of the primary source of power to said wastewater control facilities.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the Director of the Division, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials:

- a. To enter upon the permittee's premises where a regulated activity or facility is located or conducted or where any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters in any location.

2. Transfer of Ownership or Control

A permit may be transferred to another person by a permittee if:

- a. The permittee notifies the Director in writing of the proposed transfer at least thirty (30) days in advance of the proposed transfer;
- b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director at least thirty (30) days in advance of the proposed transfer; and

- c. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of the Division's intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

3. Availability of Reports

Except for data deemed to be confidential under O.C.G.A. § 12-5-26 or by the Regional Administrator of the EPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at an office of the Division. Effluent data, permit applications, permittee's names and addresses, and permits shall not be considered confidential.

4. Permit Modification

After written notice and opportunity for a hearing, this permit may be modified, suspended, revoked or reissued in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or
- d. To comply with any applicable effluent limitation issued pursuant to the order the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et.al. v. Russell E. Train, 8 ERC 2120(D.D.C. 1976), if the effluent limitation so issued:
  - (1) is different in conditions or more stringent than any effluent limitation in the permit; or
  - (2) controls any pollutant not limited in the permit.

5. Toxic Pollutants

The permittee shall comply with effluent standards or prohibitions established pursuant to Section 307(a) of the Federal Clean Water Act for toxic pollutants, which are present in the discharge within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. 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 Federal Clean Water Act.

8. Water Quality Standards

Nothing in this permit shall be construed to preclude the modification of any condition of this permit when it is determined that the effluent limitations specified herein fail to achieve the applicable State water quality standards.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Expiration of Permit

Permittee shall not discharge after the expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by the agency authorized to issue permits no later than 180 days prior to the expiration date.

11. Contested Hearings

Any person who is aggrieved or adversely affected by an action of the Director of the Division shall petition the Director for a hearing within thirty (30) days of notice of such action.

12. Severability

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

13. Best Management Practices

The permittee will implement best management practices to control the discharge of hazardous and/or toxic materials from ancillary manufacturing activities. Such activities include, but are not limited to, materials storage areas, in-plant transfer, process and material handling areas; loading and unloading operations; plant site runoff; and sludge and waste disposal areas.

14. Need to Halt or Reduce Activity 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.

15. Duty to Provide Information

- a. The permittee shall furnish to the Director of the Division, within a reasonable time, any information which the Director 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 upon request copies of records required to be kept by this permit.
- b. When 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 any report to the Director, it shall promptly submit such facts and information.

26. Upset Provisions

Provisions of 40 CFR 122.41(n)(1)-(4), regarding "Upset" shall be applicable to any civil, criminal, or administrative proceeding brought to enforce this permit.

A. PREVIOUS PERMITS

1. All previous State water quality permits issued to this facility, whether for construction or operation, are hereby revoked by the issuance of this permit. This action is taken to assure compliance with the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act, as amended. Receipt of the permit constitutes notice of such action. The conditions, requirements, terms and provisions of this permit authorizing discharge under the National Pollutant Discharge Elimination System govern discharges from this facility.

B. SPECIAL REQUIREMENTS

1. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
2. The discharge of metal cleaning waste thru any permitted outfall is prohibited. Any chemical metal cleaning waste generated will be contained and disposed of off -site. This applies to any preoperational chemical cleaning of metal process equipment also. The treatment and disposal procedures shall be discussed in the flow monitoring and characterization submittal.
3. Neither free available chlorine (FAC) nor total residual chlorine (TRC) may be discharged from any unit for more than two hours in any one day and not more than unit may discharge free available or total residual chlorine at any one time.
4. Neither free available chlorine (FAC) nor total residual chlorine (TRC) may be discharged except as stated above unless the permittee can demonstrate to the Director that the units in a particular location cannot operate at or below this level of chlorination.
5. In accordance with 40 CFR 423.11(k), the free available chlorine (FAC) average means the average over any individual chlorine release period of 2 hours per day per unit. The FAC maximum is the instantaneous maximum which may occur at any time. Further, the permittee will develop a system for monitoring and recording total time of FAC and TRC discharges. The results shall be reported in a suitably concise form.

- 6. In accordance with 40 CFR 423.15(j)(3), the permittee shall certify annually that chemicals added for cooling tower maintenance, including such chemicals used for corrosion inhibition, do not result in the discharge, via cooling tower blowdown of any of the 126 priority pollutants, other than chromium or zinc, above detectable limits in outfall 01A (Cooling Tower Blowdown). In accordance with 40 CFR 423.15(j)(3), the permittee shall certify annually in the flow characterization study that chromium and zinc are in compliance with the discharge limitations for outfall 01A (Cooling Tower Blowdown). These certifications may be based on manufacturer’s certifications or engineering calculations.

The quantity of chromium and zinc discharged (01A Cooling Tower Blowdown ) in each cooling tower blowdown prior to mixing with any other waste stream shall not exceed the quantity determined by multiplying the flow of cooling tower blowdown times the concentrations listed below.

<u>Effluent Characteristic</u>	<u>Discharge Limitation (mg/l)</u>	
	<u>Daily Average</u>	<u>Daily Maximum</u>
Total Chromium	-	0.2
Total Zinc	-	1.0

- 7. In the event that waste streams for various sources are combined for treatment or discharge, the quantity of each pollutant or pollutant property controlled by this permit shall not exceed the specified limitations for that source.
- 8. The Director may modify any effluent limitation upon request of the permittee if such limitation is covered by an approved variance or by an amendment to the Federal Clean Water Act.
- 9. Any sewage treatment plants that are constructed on this site must be properly operated and maintained.
- 10. Annually, the permittee shall submit to the Director flow monitoring and characterization information regarding the various waste streams.

Summary of annual flow monitoring and characterization information:

- a. Chemical metal cleaning waste treatment and disposal procedures.
- b. Cooling tower blowdown priority pollutant certification per 40 CFR 423.15(j)(3).

11. The provisions of 40 CFR 122.41(6)(iii) regarding waiver of the 5 day written report required by Part II.A.2. and Part II.A.5 of this permit shall be applicable and may be implemented on a case-by-case basis by EPD for noncompliances which are orally reported by the permittee within 24 hours of discovery of the noncompliance condition.
12. The Division recognizes the inherent analytical variability in approved test methods and procedures and further agrees that such issues can be raised by the permittee as a defense in an enforcement action.
13. Upon approval of the Director, the permittee shall, on a case-by-case basis, be able to utilize alternative analytical methods, conversion factors, methodology, procedures, or new technologies, to ensure that the biomonitoring and toxicity reduction requirements of Part III.C. and the testing/reporting requirements of the permit are adequately addressed.
14. If the results for a given sample are such that a parameter is not detected at or above the method detection limit or reporting limit, a value of zero will be reported for that sample and the method detection limit or reporting limit will also be reported. Such sample shall be deemed to be in compliance with the permit limit.
15. The permittee will perform additional source water body baseline biological monitoring in the vicinity of the proposed river intake structure. Monitoring will be conducted for one year following commencement of construction. The monitoring will be conducted on a seasonal basis with two sampling events to be conducted during the Spring spawning season (robust redhorse). A final biological monitoring plan and quality assurance plan will be submitted and approved by the Georgia EPD.
16. The permittee shall submit to the Director, by July 1 of each year, an annual report that documents the volume of all stormwater storage basins to insure adequate storage capacity and maintenance of "no discharge" conditions

C. BIOMONITORING AND TOXICITY REDUCTION REQUIREMENTS

In order to determine whether the permittee is discharging wastes in concentrations or combinations which may have an adverse impact on the State's water quality, the Division can require the permittee to conduct a biomonitoring program.

If toxicity is believed to be present in the permittee's effluent, the Division may require the permittee to develop a biomonitoring screening program according to the following schedule:

1. Within 90 days of Division notification a screening program study plan detailing the test methodology and test organisms shall be submitted for conducting a forty-eight hour static acute test of the final effluent.

Note: If residual chlorine is present in the final effluent from a treatment and/or disinfection process, a prechlorinated or dechlorinated sample will be tested.

2. Within 90 days of Division approval of the study plan, the permittee shall conduct and submit the results of the forty-eight hour static acute test.

The Division will then review the results of the forty-eight hour static acute test. If the test criteria specified in the study plan are exceeded, then the permittee shall within 90 days of written notification by the Division repeat steps 1. and 2. above replacing the forty-eight hour static acute test with the ninety-six hour test.

The Division will then review the results of the ninety-six hour test. If the criteria\* detailed in the ninety-six hour test indicates toxicity, then the permittee shall within 90 days of written notification by the Division submit to the Division a plan to reduce the toxicity of the effluent. Within 270 days of Division approval of this plan, the permittee shall implement the plan and initiate follow-up biomonitoring of the effluent in accordance with the approved toxicity reduction plan. The toxicity reduction plan shall not be complete until the permittee meets the criteria detailed in the ninety-six hour test plan.

If there are substantial composition changes in the permittee's effluent, the permittee may be required to repeat the forty-eight hour static acute test upon notification by the Division. Unless otherwise advised, the permittee shall perform biomonitoring of the effluent as provided in C. 1. and 2. above, at a minimum of once every three years upon notification by the Division. On a case specific basis, chronic toxicity testing procedures may be required. Upon approval by the Division, all of the plans will become part of the requirements of this permit.

\*The 96 hour criteria shall define toxicity as a greater than 10% mortality of the exposed test organisms in 96 hours or less when the test solution contains volumes of effluent and dilution water proportional to the plant daily average flow and the 7Q10 flow of the receiving stream, as determined using test procedures and methods, and statistical methods for evaluating test results, developed by the permittee and approved by the Division pursuant to this section or revised pursuant to Part III. B.15. above.

D. COOLING WATER INTAKE STRUCTURE-Section 316 (b)

1. The intake structure shall be designed and constructed as specified in the NPDES application. The design of this structure is Best Technology Available. The cooling water intake shall be commensurate with that which can be attained by a closed-cycle recirculating cooling water system. The maximum daily intake flow at this intake structure shall be no more than 16 MGD. The withdrawal flow rate shall not exceed 5% of the mean annual flow rate of the Oconee River
2. The approach velocity (in the channel approaching the screens) and the through screen velocity (through bar racks and slot screens) of water withdrawals at the cooling water intake structure shall be no more than 0.2 feet per second.
3. The permittee shall design, construct, and install low velocity traveling screens with a 3/8-inch mesh to minimize impingement of fish. During the spawning season of the robust redhorse (March through June), the permittee shall install removable screens with 1/8-inch mesh on the intake structure.
4. There shall be no discharge of debris from intake screen washing operations, which will settle to form objectionable deposits, which is in amounts sufficient to be unsightly or deleterious, or which will produce colors or odors constituting a nuisance.
5. Biological monitoring. The permittee must monitor both impingement and entrainment of the commercial, recreational, and forage base fish and shellfish identified in the Source Water Baseline Biological Characterization (Characterization) required by 40 CFR 122.21(r)(3). The monitoring methods used must be consistent with those used in developing the Characterization. Monitoring frequencies may be reduced beginning two years after startup of the cooling water intake structure, if supporting data shows less variations in the species and numbers of individuals that are impinged/entrained and a written request is approved by the Georgia EPD.
  - (a) Impingement sampling. The permittee must collect samples over a 24-hour period once per month to monitor impingement rates for each species identified in the Characterization while the cooling water intake structure is in operation.

- (b) Entrainment sampling. The permittee must collect samples over a 24-hour period at a frequency of biweekly (once every two weeks) to monitor entrainment rates for each species during the primary period of reproduction, larval recruitment, and peak abundance identified in the Characterization. Sampling must take place while the cooling water intake structure is in operation.
  - (c) During the peak of the robust redhorse spawning season (Month of May), the frequency of impingement and entrainment sampling shall be increased to once per week.
- 6. Velocity monitoring. The permittee shall monitor head loss across the screens and correlate the measured value with the design intake velocity. The head loss across the intake screen must be measured at the minimum ambient surface water elevation (best professional judgment based upon available hydrological data) of the Oconee River. If the facility uses devices other than surface water intake screens, velocity must be measured at the point of entry through the device. Head loss or velocity must be measured at initial facility startup and once per quarter, thereafter.
- 7. Visual or remote inspections. The permittee shall conduct visual inspections or employ remote monitoring devices to ensure that any design and construction technologies employed to minimize impingement and/or entrainment are properly maintained and operated, and are functioning as designed. Inspections must take place at a frequency of no less than once per week.
- 8. The permittee shall submit to the Director, by July 1 of each year, an annual status report, which contains the results of biological monitoring, velocity and head loss monitoring, and visual or remote inspections for the cooling water intake structure.