

Permitting Implementation Plan for the Lower Amite River Phase I DO TMDL

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.

1. New discharges of oxygen-demanding loads:

In general, LDEQ may not be able to permit additional discharges of oxygen-demanding loads due to the impaired status of the waterbody. However, in the event that one the following requirements can be attained, LDEQ may permit the new discharge. The typical permit limits will be 5 mg/L BOD₅ / 2 mg/L NH₃ / 5 mg/L DO. Such new facilities may be required to submit an environmental impact assessment to LDEQ's permitting staff, which will conduct a thorough evaluation of the proposed facility based on environmental impacts, economic benefits, an analysis of alternatives, and other pertinent factors.

- a. The facility demonstrates that it will provide a significant load reduction of man-made oxygen-demanding constituents to the impaired watershed(s) serviced by the facility. The facility must also contribute to a reduction in the number of facilities discharging to the watershed(s). Facilities that may be considered for permits under this provision include, but are not limited to:
 - i. A facility that will provide improved sewage treatment to multiple subdivisions previously serviced by wastewater treatment plants that are incapable of treating to tertiary limits.
 - ii. A facility that will provide sewage treatment to previously unsewered areas in which many of the sanitary discharges from permitted facilities and individual home treatment units were entering an impaired watershed. As a result, the facility would be expected to provide more efficient treatment to the wastewater and reduce the net loading of oxygen-demanding substances in the watershed.

- b. The facility demonstrates that its wastewater will not leave the facility or its property. Significant stormwater events do not apply to this provision. For the purpose of this provision, a significant stormwater event is defined the 25 year, 24 hour rainfall event or its numerical equivalent, as defined by the Southern Regional Climate Center.
 - i. Facilities that may be considered under this provision include, but are not limited to:
 - a. Effluent reduction systems that have been approved by the Louisiana Department of Health and Hospitals.
 - b. Wastewater treatment plants equipped with overland flow systems in which the effluent will not leave the facility.
 - c. Wastewater treatment plants equipped with holding ponds that will retain the effluent such that the effluent will not leave the facility.
 - ii. LDEQ recognizes that some local governments are in the process of building or expanding regional sewage collection and treatment systems. In such areas, LDEQ may, on a limited basis, grant permits of limited durations to facilities that agree to tie into a regional collection and treatment system when it becomes available. LDEQ must have absolute assurance that the regional collection system will be available to the facility and the facility will connect to the regional collection system on or before the expiration date of the permit. Such assurance may include a formal agreement between the facility, the owner and operator of the regional wastewater treatment system, and LDEQ. The regional system must have the capacity to treat the additional wastewater. Such a permit may have a duration of less than five years or it may have a five year duration with interim permit limits. The permit will be written based on projected completion dates for the construction of the collection and treatment system. The facility will be required to cease

all wastewater discharges to the Lower Amite River or connecting waterbodies and transfer the discharge to the regional collection system once the permit or interim limits expire or the collection system is available to the facility, whichever comes first. If the permit or interim limits expire, but, due to unforeseen circumstances, the availability of the collection system has been temporarily delayed, the duration of the permit or interim limits may be extended. If the availability of the collection system has been indefinitely delayed, the facility may be required to cease all discharges to Subsegment 040303. Such facilities may resort to options covered in item 1.b.i. above.

- c. LDEQ reassesses Subsegment 040303 (Lower Amite River). LDEQ determines that Subsegment 040303 is meeting the appropriate DO criteria and designated uses.

2. Existing Discharges of oxygen demanding loads:

The facilities discharging within subsegment 040303 were determined to have no significant impact on the Lower Amite River. Therefore, the facilities listed in Table 3 will keep their existing limits. Existing facilities discovered to be discharging oxygen-demanding loads without LPDES permits as of the TMDL approval date are to be permitted in accordance with the limits established for existing facilities with permits. Unpermitted facilities that are newly activated or reactivated and discharging after the TMDL approval date may be subjected to enforcement actions and may be required to tie into regional collection and treatment systems, once available, or modify their treatment system to some to meet more stringent permit limits.

3. Nutrient monitoring (i.e. reporting for Total Nitrogen and Total Phosphorus) will be required for individual permits. Nutrient monitoring will be added to each general permit series (LAG530000, LAG540000, LAG560000, and LAG570000) upon the next scheduled renewal of each series.