

# **Permitting Implementation Plan for the Draft Bayou Manchac Watershed Phase I TMDLs for Chlorides, Sulfates, and Total Dissolved Solids, 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.

### 1. New discharges of chlorides, sulfates, or total dissolved solids loads:

Due to 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 chloride, sulfate, and total dissolved solids monitoring data from designated outfalls may be conducted to determine if permit limits are required 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 will 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 will 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 250 mg/L (chlorides), 75 mg/L (sulfates), and 500 mg/L (total dissolved solids). Permit limits will be considered for a facility if the monitoring data exceeds the referenced values.
  - i. Sanitary
  - ii. Vehicle or equipment wash water
  - iii. Wash rack wastewater
- b. Technology-based permit limits will 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 produce wastewater that will contain concentrations of chlorides, sulfates, or total dissolved solids.
  - ii. Stormwater for facilities identified according to item 1.b.i above.
  - iii. Any outfalls that have demonstrated a reasonable potential to produce wastewater that will contain concentrations of chlorides, sulfates, or total dissolved solids.

### 2. Existing discharges of chlorides, sulfates, or total dissolved solids 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 chloride, sulfate, and/or total dissolved solids loads without LPDES permit limits as of the TMDL approval date and unpermitted facility outfalls that are newly activated or reactivated and discharging chloride, sulfate, and/or TDS 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. They will retain their current permit limits or monitoring requirements.
    - i. Harcros Chemicals, Inc. (AI No. 2055, LPDES Permit No. LA0110825).
    - ii. Reagent Chemical & Research, Inc – St. Gabriel Facility (AI No. 2407, LPDES Permit No. LA0059579).
    - iii. Kinder Morgan Liquids Terminals St. Gabriel, LLC (AI No. 39978, LPDES Permit No. LA0052353).
    - iv. St. Gabriel Dehydration & NGL Production Facility (AI No. 138856, LPDES Permit No. LAG33A602).
  - 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 required, 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 chloride, sulfate, and TDS criteria and designated uses and/or impairments for these parameters do not exist, the use of permit limits for chlorides, sulfates, and TDS may be reevaluated.

Phase II will be developed based on the outcome of a planned use attainability analysis (UAA). This UAA is expected to propose new chloride, sulfate, and TDS criteria. Chloride, sulfate, and TDS TMDLs for Subsegment 040201 have a court-ordered due date of March 31, 2012. These new criteria are expected to be developed and promulgated within the next five (5) years.

In the event the new criteria is not developed and promulgated within five (5) years from the TMDL approval date, LDEQ intends to proceed in the following manner:

Case 1: The UAA study indicates that the existing chloride, sulfate, and total dissolved solids criteria are appropriate - the TMDLs will be implemented based on the existing criteria LDEQ's Permitting Guidance Document For Implementing Louisiana Surface Water Quality Standards, Water Quality Management Plan Volume 3.

Case 2: The UAA is not likely to be completed and/or approved - the TMDL will be implemented based on the existing criteria and in accordance with LDEQ's Permitting Guidance Document For Implementing Louisiana Surface Water Quality Standards, Water Quality Management Plan Volume 3.

Case 3: The UAA is in process and is expected to be approved – Phase II of the TMDL will be postponed for a maximum period of two (2) years. If the UAA has not been completed at the end of this two-year period, the UAA status will be reviewed again according to Cases 1 - 3.