OFFICE OF ENVIRONMENTAL SERVICES

Water Discharge Permit

AI 97422 / PER20170002
GENERAL PERMIT NUMBER LAG670000

HYDROSTATIC TEST AND VESSEL TESTING WASTEWATER

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 hydrostatic test and vessel testing wastewater and related wastewater in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

This permit shall become effective on March 23, 2018

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

Issued on March 23, 2018

Elliott B. Vega
Assistant Secretary

PART I

SECTION A: APPLICABILITY

Coverage under this general permit is available for discharges of hydrostatic test and vessel testing wastewater from:

1) new pipelines, flowlines, piping, vessels, or tanks; and

2) pipelines, flowlines, piping, vessels, or tanks which have been used for the transport, transfer, or storage of natural gas, crude oil, liquid or gaseous petroleum hydrocarbons, or other substances which would adequately be regulated by the effluent limitations in this permit, and which discharge wastewater as a result of these hydrostatic tests. **For the purpose of this permit, "petroleum" shall mean** crude oil, gasoline, diesel fuel, aviation fuel, fuel oils, petroleum lubricants, petroleum solvents, petroleum derived asphalts, and gasoline additives stored and used in conjunction with gasoline storage; and

3) vessel testing wastewater from the above sources provided the vessel testing wastewater is generated from the conduits or vessels that will be hydrostatically tested.

This general permit may provide either site-specific or statewide authorization to discharge. Site owners or operators who conduct hydrostatic tests at more than one location in the state may obtain statewide coverage under this permit for discharges related to those testing activities. Statewide authorization numbers shall be designated LAG679XXX while the site-specific authorization numbers are LAG67YXXX where X equals a numeral from 0 to 9 and Y equals a numeral from 0 to 8.

All persons operating a source or conducting an activity that results in a discharge as described above and who meet all eligibility conditions may be covered under this general permit and will become permittees authorized to discharge upon the receipt of a hand-delivered, correctly completed Notice of Intent (NOI) by the Office of Environmental Services, Water Permits Division, 48 hours after the postmark date on the envelope that contains the correctly completed NOI, or 48 hours after receipt of an electronic NOI. Should electronic NOIs (e-NOIs) become available during the term of this permit, the Department may suspend use of paper NOIs.

Each NOI received to request authorization under this LPDES general permit will be evaluated by the DEQ to assess the reasonable potential for the discharge of pollutants from the facility to cause or contribute to a violation of water quality standards for any known impairments. Coverage under the general permit may be denied and regulation under an individual permit required

if more stringent limitations than the limitations contained in the general permit are required for protection of a receiving stream.

Submission of an NOI is an acknowledgement that the conditions of this general permit are applicable to the proposed discharge, and that the applicant agrees to comply with the conditions of this general permit. **The applicant's signature on the NOI certifies that the applicant qualifies for coverage under the permit and agrees to comply with all terms and conditions of the authorization to discharge to waters of the State of Louisiana.** Unless notified otherwise by the Secretary or appropriate designee, eligible owners/operators are authorized to discharge wastewaters under the terms and conditions of this permit.

Notice of Intent (NOI) to be covered under this general permit shall be made using form HST-G or an approved equivalent. The HST-G form and other approved NOI forms to apply for LPDES permit coverage may be obtained from the LDEQ web site at http://www.deq.louisiana.gov/. Go through the following links to find the NOI form: WATER – Permits – LPDES Forms – LPDES Permit Application Forms – HST-G form. The appropriate box should be checked on the NOI to request either site-specific coverage or statewide coverage. If this activity is currently being conducted on a site-specific basis or a statewide basis 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.

If determined appropriate by the agency, operators may be authorized under this permit after submittal of an alternate NOI/application form. Applicants who submit an alternate NOI/application form are not eligible for automatic permit coverage. These eligible applicants will be covered upon issuance of a permit authorization number and authorization letter by the Water Permits Division.

Dischargers who are currently permitted under the LPDES version of this permit that expires on January 31, 2018, are not required to submit a new NOI. Provided the applicability requirements of the reissued permit are met, these permitted dischargers will be automatically covered 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.

The permittee must keep a copy of the NOI that it submitted to the Water Permits Division and a copy of the general permit at the permitted facility. A copy of the NOI that was submitted for statewide permit coverage and a copy of the general permit must be kept at each site where hydrostatic test activities are occurring under a statewide permit number.

If circumstances at the permitted facility are expected to change in the future and the change will result in the addition or elimination of permitted outfalls, or a change in the composition of effluent from a permitted outfall, the permittee is required to notify the Water Permits Division of the proposed changes and to receive the appropriate permit coverage prior to adding a new outfall or changing the composition of effluent from a permitted outfall.

The permittee is required to submit a permit transfer request to the Permit Support Services Division either prior to or no later than 45 days after a 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: http://www.deq.louisiana.gov/ - WATER – Permits – LPDES Forms – LPDES Permit Application Forms – NOC-1 form.. Any questions related to making a permit transfer should be directed to the Permits 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 Internet website at www.deq.louisiana.gov/. Go through the following links to find the permit: WATER – Permits – LPDES Permit Information – LAG670000.

Construction activities that occur at a facility that is authorized under this general permit may require LPDES permit coverage under a different LPDES general permit for those construction activities. Construction activities include clearing, grubbing, grading, excavation, adding fill material, road construction, and similar activities. Construction activities that disturb one to five acres of land are regulated under LAC 33:IX.2511.B.15 and are covered under the LPDES Storm Water General Permit for Small Construction Activities (LAR200000). Construction activities that disturb five acres of land or more are regulated under LAC 33:IX.2511.B.14.j and are required to obtain permit coverage under the LPDES Storm Water General Permit for Large Construction Activities (LAR100000). Both of the construction storm water general permits can be accessed on the LDEQ web site. The LPDES Storm Water General Permit for Small Construction Activities (LAR200000) can be downloaded from the LDEQ website at http://deq.louisiana.gov/assets/docs/Permits/LAR200000.pdf. The LPDES Storm Water General Permit for Large Construction Activities can be downloaded from the LDEQ website at http://deq.louisiana.gov/assets/docs/Permits/LAR100000.pdf.

All wastewaters covered by this permit must be treated, if necessary, to meet the effluent limitations in Outfall 001, 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.

If a proposed hydrostatic test is to be performed on a pipe, pipeline, flowline, piping, vessel or

tank that is connected to an existing treatment facility, then, when practicable, the wastewater from that hydrostatic test may be routed to the treatment facility, as long as:

1. The treatment facility discharges through an outfall which is already covered by an LPDES permit and routing the hydrostatic test and vessel testing wastewater to the treatment facility will not adversely affect the operation of that treatment facility; and

2. the pollutant being discharged from the hydrostatic test has been previously described as present in the permit application and has limitations and monitoring requirements in the LPDES permit.

Hydrostatic test wastewater and vessel testing wastewater which is routed to treatment facilities such as those described above do not need coverage under this general permit.

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

1. producing and/or receiving wastewater from sources other than hydrostatic testing;

2. discharges, or the potential for discharge, of substances that are not addressed by or would not be adequately regulated by this permit, including any of the Organic Toxic Pollutants, Other Toxic Pollutants (Metals and Cyanide) and Total Phenols, and Toxic Pollutants and Hazardous Substances listed in Tables II, III, and V of LAC 33:IX.7107 Appendix D, except as specifically limited herein for discharges of hydrostatic test wastewaters and vessel testing wastewater;

3. discharges of wastewaters which have limits assigned to them in the Louisiana Water Quality Management Plan or an approved Waste Load Allocation which are different from the limits contained in this permit;

4. discharges that are mixed with other, non-covered discharge types unless those other discharges are in compliance with another LPDES permit;

5. discharges of wastewater determined by this Office to present an environmental risk or potential risk of discharging pollutants other than those intended to be regulated by this permit;

6. discharges at operations classed as new sources or new dischargers, if the discharge will cause or contribute to the violation of water quality standards (LAC 33:IX.2317.A.9);

7. discharges which cause or contribute to the violation of a state water quality standard;

8. 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);

9. 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*); or

10. discharges from onshore facilities associated with production, field exploration, drilling, well completion, or well treatment, where the discharge is potentially contaminated with raw material, intermediate products, finished products, byproducts, or waste products (see 40 CFR Part 435.30).

This general permit **may not** apply 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 including streams designated as Outstanding Natural Resource Waters; and

4. 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.

SECTION B. EFFLUENT LIMITATIONS

During the period beginning with written notification of coverage under this permit and lasting through the expiration date of this general permit, all permittees authorized to discharge under this general permit are authorized to discharge hydrostatic test wastewater and vessel testing wastewater in accordance with the following limitations and monitoring requirements.

OUTFALL 001: DISCHARGES OF HYDROSTATIC TEST AND VESSEL TESTING WASTEWATER

Outfall numbers used in the NOI must correspond to the appropriate outfall numbers in the permit. The permittee shall designate discharges of hydrostatic test and vessel testing wastewater as Outfall 001. Each outfall location for discharges of hydrostatic test and vessel testing wastewater that meets the criteria described above shall be identified in the NOI and shall be monitored in accordance with the following table.

EFFLUENT CHARACTERISTICS*	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	DAILY MAX		MEASUREMENT FREQUENCY [1]	SAMPLE TYPE
Flow (MGD) [2, 3]	Report		1/discharge event	Estimate
TSS [2, 3]	90 mg/L		once prior to proposed discharge	Grab
TSS – NET [2, 3, 4]	90 mg/L		once prior to proposed discharge	Grab
Oil and Grease [2, 3]	15 mg/L		once prior to proposed discharge	Grab
TOC [3, 5, 7]	50 mg/L		once prior to proposed discharge	Grab
Benzene [3, 5, 7]	50 µg/L		once prior to proposed discharge	Grab
Total BTEX [3, 5, 6, 7]	250 µg/L		once prior to proposed discharge	Grab
Lead, Total [3, 5, 7]	50 µg/L		once prior to proposed discharge	Grab
pH - Allowable Range (Standard Units) [2, 3]	6.0 (Min)	9.0 (Max)	once prior to proposed discharge	Grab

* All "heels" or free liquids must be removed from a container **before** washing, rinsing or conducting a hydrostatic test on the storage tank, vessel, or similar container.

[1] If any discharge extends beyond one calendar week in duration, then sampling of the above parameters shall continue on a weekly basis until the discharge ends.

[2] Any permittee who plans to discharge wastewater from the hydrostatic testing of **new** pipes, vessels, and/or tanks**, may request approval from the appropriate LDEQ Regional Office** to sample and run analysis **for Flow, TSS, Oil & Grease, and pH** at the time of discharge (i.e., not prior to discharge). Current regional office address and telephone numbers are available on the LDEQ website at http://deq.louisiana.gov/directory/office/regional-offices. If approval is granted by the appropriate LDEQ Regional Office the permittee may sample and run analysis at the time of discharge. **Permittees hydrostatic testing used pipe, vessels and/or tanks and/or permittees with statewide permit coverage must comply with all other reporting requirements stated in Part II, Other Requirements, Section F.** Other Requirements, Section F is applicable only to permittees with statewide permit coverage and/or permittees hydrostatic testing used pipe, vessels and/or tanks.

[3] The highest result from any individual hydrostatic test must be reported.

[4] The background concentration of Total Suspended Solids (TSS) will be allowed in the discharge if the effluent is being returned to the same water source from which the intake water was obtained. In these cases, the permit limitations will be 90 mg/L plus the concentration of TSS in the intake water. The TSS concentration of the intake water shall be reported in the comment section of the Discharge Monitoring Report (DMR) along with the concentration of TSS in the effluent.

[5] Total Organic Carbon (TOC) shall be measured on discharges from pipes, vessels, and/or tanks which have previously been in service - i.e., those which are not new. Benzene, Total BTEX, and Lead shall be measured on discharges from pipes, vessels, and/or tanks which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons**. Accordingly, Flow, TSS, Oil and Grease, and pH are the only limitations and testing requirements for NEW pipes, vessels, and tanks.**

[6] BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, ortho-xylene, meta-xylene, and para-xylene, as quantified using the methods prescribed by the latest approved 40 CFR Part 136.

[7] In accordance with 40 CFR 122.44(i)(1)(iv), the permittee is required to use the most sufficiently sensitive method necessary to prove compliance with the effluent limitations. Further, be advised that all effluent testing shall be conducted utilizing EPA-approved methods from laboratories accredited to conduct the required analyses.

For a given parameter, if the MQL prescribed by the permit is less than the permit limitation, any EPA-approved method with a method detection level (MDL) which is equal to or less than this MQL may be utilized. In this scenario, if an individual analytical result is below the

MQL, the permittee may report "0" on a discharge monitoring report (DMR).

Where the MQL prescribed by the permit is greater than the permit limitation, the permittee shall use a sufficiently sensitive EPA-approved method capable of yielding a quantifiable result which proves compliance with the limitation. If a sufficiently sensitive method is available with an MDL equal to or less than the permit limit, and the individual analytical result is less than the MDL, the permittee may report "0" on a DMR. However, some instances may occur where there is no sufficiently sensitive EPA-approved method which will yield a quantifiable result equal to or less than the permit limitation. In these cases, the permittee must submit supporting documentation indicating that they used the most sensitive method available. In this scenario, if an individual analytical result is not detectable at the MDL of the method used, the permittee must report "non-detect" on the DMR. Please note that ANY quantifiable result above the permit limitation shall be reported as an excursion.

There shall be no discharge of floating or settleable 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 [LAC 33:IX.1113.B]. 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 has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Part III, Standard Conditions, Section A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

No discharge shall generate a flow condition within any drainage conveyance or water body which, either alone or in concert with storm water runoff, represents a threat to public safety by virtue of discharge velocity.

In addition to all other conditions and requirements contained within this permit, the permittee shall follow all reporting requirements in Part II, Other Requirements, Section F.

Additives such as corrosion inhibitors, bactericides, and dyes may not be added to the test water to be discharged without prior written approval from this Office. Written requests for approval must include toxicity data for each additive proposed for use, as well as a clear description of the proposed discharge including projected volumes of wastewaters and additive levels in the wastewaters. See Part II, Other Requirements, Section K for specific requirements.

There shall be no discharge of PCBs. **Proof that PCBs are not present in the pipe is required for all pipelines which have been in use for transmission of *natural gas*.** Such proof shall consist of a statement, signed by a responsible company official, certifying that *either* the pipeline has been tested for, and found to be free of PCBs, *or* that compressors or other equipment that contained PCBs were never used on the pipeline. If the permittee cannot furnish such

certification, then the discharge water must be tested for PCBs prior to any discharge, in accordance with the methods prescribed by the latest approved 40 CFR Part 136, and the results submitted to the Water Permits Division.

SECTION C. MONITORING AND REPORTING REQUIREMENTS

Monitoring results for all hydrostatic tests performed during each quarter shall be summarized and reported on an electronic DMR form. The highest result from any individual hydrostatic test must be reported.

1. All sampling and testing shall be conducted in accordance with the methods prescribed by the latest approved 40 CFR Part 136.

2. Samples shall be taken prior to mixing with the receiving water (immediately after exiting the treatment mechanism, if treatment is required.)

3. If treatment is required, provisions must be made during the installation of the treatment unit for obtaining a proper sample.

4. Proper sampling techniques shall be used to ensure that analytical results are representative of pollutants in the discharge. Monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C. [LAC 33:IX.4901]

5. The flow measurement sample type for the effluent schedules contained in this general permit are specified as "estimate". Therefore, the permittee shall not be subject to the accuracy provisions for flow measurement established in the Standard Conditions of this permit. When collecting samples for permit compliance purposes, the flow value may be estimated using best engineering judgment. [LAC 33:IX.2701]

6. 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.

7. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measuring;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) and time(s) analyses were begun;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used;
   f. The results of such analyses; and
   g. The results of all Quality Control procedures.

8. Monitoring results must be submitted through a department-approved electronic document receiving system (NetDMR) in accordance with LAC 33:I.Chapter 21 unless the state administrative authority gives written authorization to the permittee to submit monitoring results in an alternative format such as paper DMRs. When reporting electronically and monitoring is not required during a certain quarter(s), use a no data indicator (NODI) code of 9 for conditional or not required. For additional information regarding NetDMR, see the LDEQ's NetDMR website: http://deq.louisiana.gov/page/netdmr. Permittees shall submit a DMR for each outfall identified in Appendix A attached to the permittee's cover letter for every monitoring period even if there were no discharges during a monitoring period. All monitoring reports must be retained for a period of at least three (3) years from the date of sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. Be aware that LDEQ will accept laboratory results only from "LDEQ accredited" laboratories (see Part III, Standard Conditions, Section C.10).

All permittees shall submit a DMR quarterly even if there were no discharges during a particular monitoring period. If more than one sample is collected during a monitoring period, the highest result from any individual test taken during the Monitoring Period must be reported as the Daily Maximum. Laboratory results for each regulated parameter in your discharge shall be averaged and reported as the Monthly Average on a Discharge Monitoring Report (DMR). Note that Daily Maximum values cannot be averaged.

Monitoring results for all hydrostatic tests performed during each quarter shall be summarized and reported on a Discharge Monitoring Report (DMR)and electronically submitted to the Office of Environmental Compliance on a quarterly basis as described below.

The schedule for quarterly DMR electronic submission is as follows:

Quarterly Submission

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

All DMR submittals must contain the operator-specific **permit authorization number** and **Agency Interest (AI) Number**. The operator-specific permit authorization number and AI number will be found on the cover letter that the permittee will receive from LDEQ

authorizing the site-specific or statewide discharge of hydrostatic test and vessel wastewater. *Please note that your operator-specific AI Number is not AI 97422. AI 97422 is the Agency Interest Number for the master general permit.*

An electronic DMR reporting system (NetDMR) is available at www.deq.louisiana.gov/ using the following path: Enforcement – NetDMR. Permittees must use this online system, unless a waiver is granted by the Office of Environmental Compliance – Enforcement Division, Permit Compliance Unit (PCU). If granted, 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 must be 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.**

PART II: OTHER REQUIREMENTS

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. *Bypass*: means the intentional diversion of waste streams from any portion of a treatment facility.

4. *Commingled Discharges*: means waste streams that are mixed prior to final discharge and can not be sampled separately as internal outfalls.

5. *Daily Maximum discharge limitation*: means the highest allowable permitted pollutant concentration that is allowed to be discharged during a particular discharge event.

6. *Discharge*: when used without qualification means the "discharge of a pollutant".

7. *Discharge Monitoring Report (DMR)*: The form used when a waiver from the electronic DMR reporting system has been granted (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 if a waiver from the electronic DMR reporting system has been granted.

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. *Facility-specific*: means any fixed location at which the activities covered by this permit occur. A fixed location may have several discharge points at that location.

12. *General Permit*: means an LPDES permit authorizing a category of similar discharges within a geographical area.

13. *Hydrostatic Test*: is a leakage determination test that is conducted on a hollow object or piece of equipment by filling the tested item with water and subjecting it to pressure.

14. *Hydrostatic Test Wastewater*: water that has been used to conduct a hydrostatic test.

15. *Internal Outfalls*: means sampling points already in existence in a combined effluent outfall that are positioned such as to allow the different wastewater streams to be sampled before they combine.

16. *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. *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. *Owner*: means the person or legal entity holding legal title to a facility with a discharge covered by the Title 33 regulations.

21. *Person*: means an individual, municipality, public or private corporation, partnership, firms, the United States Government and any agent or subdivision thereof, or any other juridical person.

22. *Petroleum*: means crude oil, gasoline, diesel fuel, aviation fuel, fuel oils, gasoline additives stored and used in conjunction with gasoline storage, petroleum lubricants, petroleum solvents and petroleum derived asphalts.

23. *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.

24. *Secretary*: means the Secretary of the Louisiana Department of Environmental Quality.

25. *Standard Methods*: means Standard Methods for the Examination of Water and Wastewater, American Public Health Association, Washington, DC, the American Water Works Association, and the Water Environment Federation.

26. *State Administrative Authority*: means the Secretary of the Department of Environmental Quality or his designee or the appropriate assistant secretary or his designee.

27. *Total Suspended Solids (TSS)*: means the amount of solid material suspended in water commonly expressed as a concentration in terms of mg/L.

28. *Unauthorized Discharge*: means a continuous, intermittent or one-time discharge, whether intentional, anticipated, or unanticipated, from any source, permitted or unpermitted, which is in contravention of any provision of the Act or of any permit terms and conditions, or of any applicable regulation, compliance schedule, variance or exception of the administrative authority.

29. *Vessel Testing Wastewater*: means, **after removing all "heels" or free liquids from a pipe, pipeline, flowline, storage tank, vessel or similar conduit or container**, wastewater generated by cleaning or rinsing either the interior or the exterior surface of a new conduit or container; wastewater generated by cleaning or rinsing either the interior or the exterior of a conduit or container that has been used to contain, transfer, transport, or store natural gas, crude oil, liquid or gaseous petroleum hydrocarbons, or materials of similar nature; or wastewater generated during the hydrostatic test of either a new or a petroleum contaminated conduit or container.

30. *Visible sheen*: means a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.

31. *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 therefrom three miles into the Gulf of Mexico. For purposes of the LPDES, this includes all surface waters that 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 wastewater treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

SECTION B. COMPLIANCE SCHEDULE

The permittee shall be in compliance with the effluent limitations and monitoring requirements specified herein on the date of authorization 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. OTHER DISCHARGES

This permit does not in any way authorize the permittee to discharge a pollutant not limited 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.

SECTION D. 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 industrial 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 Part II, Other Requirements, Sections E and G, 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 E. REQUIRING AN INDIVIDUAL PERMIT OR AN ALTERNATIVE GENERAL PERMIT

1. 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. 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.

2. 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 State Administrative Authority 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.

3. 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.

4. 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 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 F. REPORTING TO REGIONAL OFFICE (Hydrostatic Testing used pipe, vessels and/or tanks and/or Statewide Basis – Additional Sites)

In addition to the sampling analysis provisions specified above in Outfall 001, any permittee hydrostatic testing used pipe, vessels and/or tanks and/or any permittee with coverage on a statewide basis must telephone the local regional office in whose region the discharge will occur **prior** to the initial discharge from a hydrostatic test. Current regional office address and telephone numbers are available on the LDEQ website at http://deq.louisiana.gov/directory/office/regional-offices. At the time of the telephone call the permittee must provide the regional office with:

1. the location of the proposed discharge;
2. the approximate date of the proposed discharge;
3. the effluent pathway into the receiving waters;
4. the source of the fill water to be utilized during the hydrostatic test;
5. the approximate volume of water to be discharged;
6. whether the discharge is to be from new or used equipment (pipe, tank, flowline, or other container);
7. whether additives approved by the Office of Environmental Services are to be used in

the test water (See Part II, Other Requirements, Section K); and

8. any additional information which the Regional Office representative deems necessary.

Facilities that conduct hydrostatic testing of tanks or vessels at their site on a regular basis may request approval from the regional office to discharge from scheduled hydrostatic test events. The facility should submit a written request to the regional office that includes the above information along with a schedule of when testing will occur. If approved by the regional office, the facility may discharge in accordance with the schedule of testing without notifying the regional office by telephone **prior** to each testing event.

In addition, written results of laboratory analyses conducted in accordance with the effluent limitations in Outfall 001 of this permit must be submitted to the regional office **prior** to commencing the discharge from the hydrostatic test. The sample analysis must have been performed less than thirty (30) working days before the proposed commencement of discharge. **If approved by the appropriate regional office**, this prior submission of laboratory analyses will not be required for discharges from **new** vessels or tanks. In such instances, sampling shall be conducted for the purposes of DMR submittal at the time of the discharge in accordance with the effluent limitations in Outfall 001 of this permit.

SECTION G. 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 water quality standard, the discharge may be required to obtain an individual permit or an alternative general permit in accordance with Definitions and Other Requirements, Sections F and G of this permit, or the permit may be modified to include different requirements and/or limitations.

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

Under the provisions of Part III, Standard Conditions, Section 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 for these parameters 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 http://deq.louisiana.gov/form/online-incident-reporting-spill-incident-release; (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 Excursion Form found at http://deq.louisiana.gov/form/online-incident-reporting-spill-incident-release may be completed and emailed to spoc@la.gov to satisfy the 24-hour reporting requirement. Under the provisions of Part III, Standard Conditions, Section D.6.e of this permit, the facility must also submit a Written Notification Report within five (5) calendar 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 mailed to the Louisiana Department of Environmental Quality, ATTN: Office of Environmental Compliance – SPOC, Unauthorized Discharge Notification Report, P. O. Box 4312, Baton Rouge, LA 70821-4312.

Pollutants: Benzene, Total BTEX, Lead

SECTION I. MINIMUM QUANTIFICATION LEVEL (MQL)

METALS	MQL (µg/L)
Lead (Total)	2

VOLATILE COMPOUNDS	MQL (µg/L)
Benzene	10
Ethylbenzene	10
Toluene	10
Xylene	10

PESTICIDES	MQL (µg/L)
Total PCBs	0.2

The permittee may develop an effluent specific method detection limit (MDL) in accordance with Appendix B to 40 CFR Part 136 (See LAC 33:IX.4901). For any pollutant for which the permittee determines an effluent specific MDL, the permittee shall send to this Office a report containing QA/QC documentation, analytical results, and calculations necessary to demonstrate that the effluent specific MDL was correctly calculated. An effluent specific minimum quantification level (MQL) shall be determined in accordance with the following calculation:

$$MQL = 3.3 \times MDL$$

Upon written approval by this Office, the effluent specific MQL may be utilized by the permittee for all future Discharge Monitoring Report (DMR) calculations and reporting requirements.

In accordance with 40 CFR 122.44(i)(1)(iv), the permittee is required to use the most sufficiently sensitive method necessary to prove compliance with the effluent limitations. Further, be advised that all effluent testing shall be conducted utilizing EPA-approved methods from laboratories accredited to conduct the required analyses.

For a given parameter, if the MQL prescribed by the permit is less than the permit limitation, any EPA-approved method with a method detection level (MDL) which is equal to or less than this MQL may be utilized. In this scenario, if an individual analytical result is below the MQL, the permittee may report "0" on a discharge monitoring report (DMR).

Where the MQL prescribed by the permit is greater than the permit limitation, the permittee shall use a sufficiently sensitive EPA-approved method capable of yielding a quantifiable result which proves compliance with the limitation. If a sufficiently sensitive method is available with an MDL equal to or less than the permit limit, and the individual analytical result is less than the MDL, the permittee may report "0" on a DMR. However, some instances may occur where there is no sufficiently sensitive EPA-approved method which will yield a quantifiable result equal to or less than the permit limitation. In these cases, the permittee must submit supporting documentation indicating that they used the most sensitive method available. In this scenario, if an individual analytical result is not detectable at the MDL of the method used, the permittee must report "non-detect" on the DMR. Please note that ANY quantifiable result above the permit limitation shall be reported as an excursion.

SECTION J. FLOW MEASUREMENT

The flow measurement sample type for the effluent schedule 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 the Standard Conditions of this permit. When collecting samples for permit compliance purposes, the flow may be estimated using best engineering judgment. [LAC 33:IX.2701]

SECTION K. PROPOSED ADDITIVES

Additives such as corrosion inhibitors, bactericides, and dyes may not be added to the test water to be discharged without prior written approval from this Office. Written requests for approval must include the following information:

1. Facility name and physical address
2. GPS coordinates of the outfall that will discharge wastewater containing the proposed additive
3. First named receiving waters that the effluent from this facility will enter
4. Effluent flow from the applicable outfall (in MGD)

5. Duration of flow
6. End of pipe concentration (mg/L or ppm) of the proposed additive(s)
7. Holding time of the wastewater containing the additive
8. SDS sheets for each additive
9. Aquatic toxicity data. If ecological toxicity is not provided in the SDS sheets, Whole Effluent Toxicity (WET) testing data may be provided by the facility

A letter which fully addresses items 1-9 above must be submitted to LDEQ at least sixty (60) days prior to the proposed discharge. If any of the above information is not submitted in the written request, the approval of the additive may be delayed or the use of the additive may be denied.

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 or sludge use or disposal 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 may 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 ensure 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 Service Center for Environmental Publications https://nepis.epa.gov/Exe/ZyNET.exe/30000QSA.TXT?ZyActionD=ZyDocument&Client=EPA&Index=1981+Thru+1985&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C81thru85%5CTxt%5C00000001%5C30000QSA.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL.

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 ensure 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 LDEQ → About LDEQ→ LA Lab Accreditation at the following link:

      http://deq.louisiana.gov/page/la-lab-accreditation

      Questions concerning the program may be directed to (225) 219-3247.

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 using the pathway LDEQ → Water→ LPDES Application Forms at the following link: **http://deq.louisiana.gov/page/lpdes-water-permits**

4. Monitoring Reports
Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be submitted through a department-approved electronic document receiving system (NetDMR) in accordance with LAC 33:I.Chapter 21 unless the state administrative authority gives written authorization to the permittee to submit monitoring results in an alternative format such as paper DMRs.

Information about NetDMR and gaining access can be viewed using the pathway LDEQ → Water→ NETDMR on the department's website at: **http://deq.louisiana.gov/page/netdmr**

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) using the format specified in the permit.

If authorized to report using an alternative format such as paper DMRs, then preprinted DMRs will be 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

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 (877) 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 DPS by telephone at (877) 925-6595 (collect calls accepted 24 hours a day) within 24 hours after learning of the discharge.

In the event of an unauthorized discharge that requires notification, the DPS 24-hour Louisiana Emergency Hazardous Materials Hotline will notify the Department of Environmental Quality.

In accordance with LAC 33:I.3923, notifications not required by LAC 33:I.3915 or 3917 shall be provided to the department within a time frame not to exceed 24 hours, or as specified by the specific regulation or permit provision requiring the notification, and shall be given to SPOC, as follows:

(1) by the Online Incident Reporting screens found at **http://deq.louisiana.gov/page/file-a-complaint-report-an-incident**;or
(2) by e-mail utilizing the Incident Report Form and instructions found at **http://deq.louisiana.gov/page/single-point-of-contact**;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: OFFICE OF ENVIRONMENTAL COMPLIANCE – 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)-219-4404.

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 24hours:

(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. Loading, is presented in the permit and reported in the DMR as the total amount of a pollutant entering the facility or discharged in the effluent. It is calculated by knowing the amount of flow, the concentration, and the density of water. Results should be rounded off and expressed with the same number of significant figures as the permit limit. If the permit does not explicitly state how many significant figures are associated with the permit limit, the permittee shall use two.

    For Industrial Facilities: Loading (lbs/day) = Flow (in MGD) x Concentration (mg/L) x 8.34*

    For POTWs: Loading (lbs/day) = Design Capacity Flow (in MGD) x Concentration (mg/L) x 8.34*

    *8.34 is the unit conversion for the weight of water

    Please note that the equations above may not be appropriate for production based effluent guideline limitations.

17. 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.

18. 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 =

$$\frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

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.

19. 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.

20. POTW means Publically Owned Treatment Works.

21. 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.

22. 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.

23. 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.

24. Stormwater Runoff—aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.

25. 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.

26. 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)

27. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.

28. The term MGD shall mean million gallons per day.

29. The term GPD shall mean gallons per day.

30. The term mg/L shall mean milligrams per liter or parts per million (ppm).

31. 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).

32. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.

33. The term µg/L shall mean micrograms per liter or parts per billion (ppb).

34. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).

35. Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.

36. 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.

37. 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.

38. 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

$$= \frac{C_1F_1 + C_2F_2 + ... + C_nF_n}{F_1 + F_2 + ... + F_n}$$

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.