



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**Permit No. VA0001961**

Effective Date: February 1, 2020  
Expiration Date: January 31, 2025

AUTHORIZATION TO DISCHARGE UNDER THE  
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
AND  
THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II – Conditions Applicable To All VPDES Permits, as set forth herein.

Owner: **JP Salyards Transportation, LLC**  
Facility Name: **Alma Plant**  
County: **Page**  
Facility Location: **3426 US Highway 340 Business West, Stanley**

The owner is authorized to discharge to the following receiving stream:

Stream: **South Fork Shenandoah River**  
River Basin: **Potomac**  
River Subbasin: **Shenandoah**  
Section: **2**  
Class: **IV**  
Special Standards: **pH**

B. Keith Fowler, Deputy Regional Director  
Valley Regional Office

Date:

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from Outfall 001.

This discharge shall be limited and monitored as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>		
	<u>Monthly Average</u>		<u>Minimum</u>	<u>Maximum</u>		<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD) <sup>a</sup>	NL		NA	NL		Continuous	TIRE
pH (standard units)	NA		6.5	9.0		1/Day	Grab
BOD <sub>5</sub> <sup>c</sup>	16 mg/L	60 kg/d	NA	26 mg/L	98 kg/d	1/Week	24 HC
Total Suspended Solids <sup>c</sup>	20 mg/L	76 kg/d	NA	30 mg/L	110 kg/d	1/Month	24 HC
Fecal Coliform (N/100 mL)	NL		NA	400		1/Year	Grab
E. coli (N/100 mL) <sup>b</sup>	126 Geometric Mean		NA	NA		4/Month in any month of each calendar quarter 10 a.m. to 4 p.m.	Grab
Total Residual Chlorine (TRC)(mg/L) <sup>b,c</sup>	0.030		NA	0.061		4/Day at 4-hr intervals	Grab
Ammonia-N (mg/L) <sup>c</sup>	4.0		NA	8.0		1/Week	24 HC
Oil and Grease (as HEM) <sup>c,d</sup>	8.0 mg/L	30 kg/d	NA	14 mg/L	53 kg/d	1/Month	Grab
Total Nitrogen	103 mg/L	390 kg/d	NA	147 mg/L	560 kg/d	1/Month	Calculated

*NL = No Limitation, monitoring required      NA = Not Applicable      TIRE = Totalizing, Indicating, and Recording Equipment      24 HC = 24-Hour Composite*

*2/Month = 2 samples taken during the calendar month, no less than 7 days apart*

*4/Month in any month of each calendar quarter = 4 samples taken, with at least 1 sample taken each calendar week, in any calendar month of each quarter and reported no later than January 10<sup>th</sup>, April 10<sup>th</sup>, July 10<sup>th</sup> and October 10<sup>th</sup> of each year*

*1/Year = Annual sampling with the results submitted no later than January 10<sup>th</sup> of each year*

- The design flow of this treatment facility is 1.0 MGD. See Part I.E.1 for additional requirements related to facility flows.
- See Part I.B for disinfection requirements.
- See Part I.C for additional monitoring and reporting instructions.
- Oil and Grease shall be measured as n-hexane extractable material.
- This facility has Total Nitrogen and Total Phosphorus calendar year load limits associated with this outfall included in the current Registration List under registration number VAN010092, enforceable under the General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Watershed in Virginia.
- There shall be no discharge of floating solids or visible foam in other than trace amounts.

**B. ADDITIONAL TRC AND E. COLI LIMITATIONS AND MONITORING REQUIREMENTS**

1. The permittee shall monitor the TRC at the outlet of each operating chlorine contact tank, prior to dechlorination, 4/Day at 4 hour intervals by grab sample.
2. No more than 12 samples taken at the outlet of each operating chlorine contact tank, prior to dechlorination, shall be less than 1.0 mg/L for any one calendar month.
3. No TRC sample collected at the outlet of any operating chlorine contact tank, prior to dechlorination, shall be less than 0.6 mg/L.
4. If chlorine disinfection is not used, E. coli shall be limited and monitored by the permittee as specified below:

	<u>Discharge Limit</u>	<u>Monitoring Requirements</u>	
	<u>Monthly Average</u>	<u>Frequency</u>	<u>Sample Type</u>
E. coli (N/100 mL)	126 (Geometric Mean)	5/Week*	Grab
		Between 10 a.m. and 4 p.m.	

\* 5/Week = 5 samples taken, one per day, during the calendar week

This E. coli requirement, if applicable, shall substitute for the TRC and E. coli requirements specified above and elsewhere in this permit.

**C. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - ADDITIONAL INSTRUCTIONS**

1. The quantification levels (QLs) shall be less than or equal to the following concentrations:

<u>Effluent Characteristic</u>	<u>QL</u>
BOD <sub>5</sub>	2 mg/L
Total Suspended Solids	1.0 mg/L
Chlorine	0.10 mg/L
Ammonia-N	0.20 mg/L
Oil & Grease	5.0 mg/L

The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method. It is the responsibility of the permittee to ensure that proper quality assurance/quality control (QA/QC) protocols are followed during the sampling and analytical procedures. QA/QC information shall be documented to confirm that appropriate analytical procedures have been used and the required QLs have been attained. The permittee shall use any method in accordance with Part II.A of this permit.

2. Compliance Reporting
  - a. Monthly Average – Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in Part I.C.1 shall be determined as follows: All concentration data below the QL used for the analysis shall be treated as zero. All concentration data equal to or above the QL used for the analysis shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL used for the analysis, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported monthly average concentration is <QL, then report "<QL" for the quantity. Otherwise use the reported concentration data (including the defined zeros) and flow data for each sample day to determine the daily quantity and report the monthly average of the calculated daily quantities.

- b. Daily Maximum – Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in Part I.C.1 shall be determined as follows: All concentration data below the QL used for the analysis shall be treated as zero. All concentration data equal to or above the QL used for the analysis shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL used for the analysis, then the maximum value of the daily averages shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported daily maximum concentration is <QL, then report "<QL" for the quantity. Otherwise use the reported daily average concentrations (including the defined zeros) and corresponding daily flows to determine daily average quantities and report the maximum of the daily average quantities during the reporting month.
- c. Single Datum – Any single datum required shall be reported as "<QL" if it is less than the QL used for the analysis. Otherwise the numerical value shall be reported.
- d. The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.
- e. For Total Nitrogen (TN), if none of the daily concentration data for the respective species (i.e., TKN, Nitrates/Nitrites) are equal to or above the QL for the respective analytical methods used, the daily TN concentration value reported shall equal one half of the largest QL used for the respective species. If one of the data is equal to or above the QL, the daily TN concentration value shall be treated as that data point is reported. If more than one of the data is above the QL, the daily TN concentration value shall equal the sum of the data points as reported.

#### D. WHOLE EFFLUENT TOXICITY (WET) REQUIREMENTS

1. In accordance with the schedule in Part I.D.5, the permittee shall conduct acute toxicity tests using 24-hour flow-proportioned composite samples of final effluent collected from Outfall 001.

The acute tests shall be a 48-Hour Static Acute test using *Ceriodaphnia dubia* and a 48-Hour Static Acute test using *Pimephales promelas*. Each test shall be performed with a minimum of 5 dilutions, derived geometrically, for calculation of a valid LC<sub>50</sub> and corresponding acute Toxic Units (TU<sub>a</sub>). For DMR reporting, the TU<sub>a</sub> shall be calculated by dividing 100/LC<sub>50</sub>. Tests in which control survival is less than 90% are not acceptable. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3. Any retest of an unacceptable test must be performed within the same testing period as the unacceptable test.

The chronic tests shall be a Chronic 3-Brood Static Renewal Survival and Reproduction Test using *Ceriodaphnia dubia* and a Chronic 7-Day Static Renewal Survival and Growth Test using *Pimephales promelas*. Each test shall be performed with a minimum of 5 dilutions, derived geometrically, in order to determine the No Observed Effect Concentration (NOEC) for survival and reproduction or growth. Results which cannot be determined (i.e. a "less than" or "zero" NOEC value) are not acceptable, and a retest requiring further dilution must be performed. Any retest of an unacceptable test must be performed within the same testing period as the unacceptable test. Such "less than" or "zero" results must be submitted and will be regarded as evidence of effluent toxicity. Express the results as chronic Toxicity Units (TU<sub>c</sub>) by dividing 100/NOEC. Report the LC<sub>50</sub> for each chronic test at the 48-hour point, and the IC<sub>25</sub>, if calculable, with the NOECs in the required test report. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3.

2. During the term of the permit, the permittee may provide additional samples to address data variability. These data shall be reported and may be included in the evaluation of effluent toxicity.
3. The test dilutions shall be able to determine compliance with the following endpoint: Acute LC<sub>50</sub> of 100%, equivalent to 1.0 TU<sub>a</sub>
4. The test data will be evaluated for reasonable potential at the conclusion of the permit term. The data may be evaluated sooner if requested by the permittee, or if toxicity has been noted. Should evaluation of the data indicate that a limit is needed, a WET limit and compliance schedule may be required and the toxicity tests of Part I.D.1 may be discontinued. If the data indicate that no limit is needed, the permittee shall continue acute toxicity testing of the outfall, as specified in Part I.D.5.
5. The permittee shall submit a written report for the toxicity tests specified in Part I.D.1 in accordance with the following schedule:

<u>Monitoring Period</u>	<u>Testing Period</u>	<u>Report Submittal Dates</u>
1 <sup>st</sup> Quarter	In the first full calendar quarter that is at least 6 months following the resumption of discharge from the facility.	By the 10 <sup>th</sup> day of the month following the testing period
Quarterly thereafter	Every calendar quarter following the previous quarter until there are a minimum of 4 quarters tested	By the 10 <sup>th</sup> day of the month following the testing period
1 <sup>st</sup> Annual	The first full calendar year following the 4 completed quarterly tests	By the 10 <sup>th</sup> day of January following the testing period
Annually thereafter	Every calendar year following the 1 <sup>st</sup> annual testing period	By the 10 <sup>th</sup> day of January following the testing period

**E. OTHER REQUIREMENTS AND SPECIAL CONDITIONS**

1. 95% Capacity Reopener – A written notice and a plan of action for ensuring continued compliance with the terms of this permit shall be submitted to the DEQ-Valley Regional Office when the monthly average influent flow to the wastewater treatment facility reaches 95 percent of the design capacity authorized in this permit for each month of any three consecutive month period. The written notice shall be submitted within 30 days and the plan of action shall be received at the DEQ-Valley Regional Office no later than 90 days from the third consecutive month for which the flow reached 95 percent of the design capacity. The plan shall include the necessary steps and a prompt schedule of implementation for controlling any current or reasonably anticipated problem resulting from high influent flows. Failure to submit an adequate plan in a timely manner shall be deemed a violation of this permit.
2. Materials Handling/Storage – Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, and/or stored in such a manner and consistent with Best Management Practices, so as not to permit a discharge of such product, materials, industrial wastes, and/or other wastes to State waters, except as expressly authorized.

3. Operation and Maintenance (O&M) Manual Requirement – The permittee shall maintain a current O&M Manual for the treatment works that is in accordance with Virginia Pollutant Discharge Elimination System Regulations, 9VAC25-31 and (for sewage treatment plants) Sewage Collection and Treatment Regulations, 9VAC25-790.

The O&M Manual and subsequent revisions shall include the manual effective date and meet Part II.K.2 and Part II.K.4 Signatory Requirements of the permit. Any changes in the practices and procedures followed by the permittee shall be documented in the O&M Manual within 90 days of the effective date of the changes. The permittee shall operate the treatment works in accordance with the O&M Manual and shall make the O&M Manual available to DEQ personnel for review during facility inspections. Within 30 days of a request by DEQ, the current O&M Manual shall be submitted to the DEQ-Valley Regional Office for review and approval.

The O&M Manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of this permit. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Permitted outfall locations and techniques to be employed in the collection, preservation, and analysis of effluent, storm water, and sludge samples;
  - b. Procedures for measuring and recording the duration and volume of treated wastewater discharged;
  - c. Discussion of Best Management Practices, if applicable;
  - d. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.E.2 that will prevent these materials from reaching state waters. List type and quantity of wastes, fluids, and pollutants (e.g. chemicals) stored at this facility;
  - e. Discussion of treatment works design, treatment works operation, routine preventative maintenance of units within the treatment works, critical spare parts inventory and record keeping;
  - f. Plan for the management and/or disposal of waste solids and residues;
  - g. Hours of operation and staffing requirements for the plant to ensure effective operation of the treatment works and maintain permit compliance;
  - h. List of facility, local, and state emergency contacts; procedures for reporting and responding to any spills/overflows/treatment works upsets;
  - i. Procedures for documenting compliance with the permit requirement that there shall be no discharge of floating solids or visible foam in other than trace amounts; and
  - j. Discussion of Stormwater Management Practices.
4. Concept Engineering Report (CER) Requirement – Prior to constructing any wastewater treatment works, the permittee shall submit a CER to the DEQ-Valley Regional Office. DEQ approval shall be secured prior to constructing any wastewater treatment works. The permittee shall construct the wastewater treatment works in accordance with the approved CER. No later than 14 days following completion of construction of any project for which a CER has been approved, written notification shall be submitted to the DEQ-Valley Regional Office certifying that, based on an inspection of the project, construction was completed in accordance with the approved CER. The written notification shall be certified by a professional engineer licensed in the Commonwealth of Virginia or signed in accordance with Part II.K of this permit. The installed wastewater treatment works shall be operated to achieve design treatment and effluent concentrations. Approval by DEQ does not relieve the owner of the responsibility for the correction of design and/or operational deficiencies. Noncompliance with the CER shall be deemed a violation of this permit.

Upon approval of a CER for the installation of nutrient removal technology, DEQ staff shall initiate modification or, alternatively, revocation and reissuance, of this permit, to include annual concentration limits based on the technology proposed in the CER.

5. Sludge Management Plan (SMP) Requirement – The permittee shall conduct all sludge use or disposal activities in accordance with an approved SMP. Prior to the removal of sludge from the on-site lagoons, the permittee shall submit for approval a SMP to the DEQ-Valley Regional Office. Upon approval, the SMP becomes an enforceable part of the permit. This permit may be modified or, alternatively, revoked and reissued to incorporate limitations/conditions necessitated by substantive changes in sludge use or disposal practices.
6. Licensed Operator Requirement – The permittee shall employ or contract at least one Class II licensed wastewater works operator for this facility if poultry processing operations resume. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Regulations. The permittee shall notify the DEQ-Valley Regional Office in writing whenever he is not complying, or has grounds for anticipating he will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.
7. Water Quality Criteria Monitoring – The permittee shall monitor the effluent at Outfall 001 for the substances noted in Attachment A of this permit according to the indicated analysis number, quantification level, sample type and frequency. Monitoring shall be performed within 1 year of the poultry processing operations resuming. Using Attachment A as the reporting form, the data shall be submitted by the 10th of the following month. Quality control and quality assurance information (i.e. laboratory certificates of analysis) shall be submitted to document that the required quantification level has been attained. Monitoring and analyses shall be conducted in accordance with 40 CFR Part 136 or alternative EPA approved methods. Methods other than those specified in Attachment A may be used with prior notification to and approval from DEQ. It is the responsibility of the permittee to ensure that proper QA/QC protocols are followed during the sample gathering and analytical procedures. DEQ will use these data for making specific permit decisions in the future. This permit may be modified or, alternatively, revoked and reissued to incorporate limits for any of the substances listed in Attachment A.
8. Treatment Works Closure Plan – If the permittee plans an expansion or upgrade to replace the existing treatment works, or if the facility is permanently closed, the permittee shall submit to the DEQ-Valley Regional Office a closure plan for the existing treatment works. The plan shall address the following information as a minimum: Verification of elimination of sources and/or alternate treatment scheme; treatment, removal and final disposition of residual wastewater and solids; removal/demolition/disposal of structures, equipment, piping and appurtenances; site grading, and erosion and sediment control; restoration of site vegetation; access control; fill materials; and proposed land use (post-closure) of the site. The plan should contain proposed dates for beginning and completion of the work. The plan must be approved by the DEQ prior to implementation. Once approved, the plan shall become an enforceable part of this permit and closure shall be implemented in accordance with the approved plan. The permittee shall sample once for each foot of drawdown, and, when the discharge no longer meets permit limits, the discharge shall cease and the rest of the lagoon contents shall be pumped and hauled to another, permitted facility for treatment and disposal. No later than 14 days following closure completion, the permittee shall submit to the DEQ-Valley Regional Office written notification of the closure completion date and a certification of closure in accordance with the approved plan.

9. Reopeners – This permit may be modified or, alternatively, revoked and reissued:
  - a. If any approved waste load allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes waste load allocations, limits or conditions on the facility that are not consistent with the permit requirements; or
  - b. To incorporate technology-based effluent concentration limitations for nutrients in conjunction with the installation of nutrient control technology, whether by new construction, expansion or upgrade; or
  - c. To include new or alternative nutrient limitations and/or monitoring requirements, should:
    - (1) The State Water Control Board adopt nutrient standards for the water body receiving the discharge, or
    - (2) A future water quality regulation or statute require new or alternative nutrient control.
  
10. Notification Levels – The permittee shall notify the DEQ-Valley Regional Office 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 which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) 100 µg/L;
    - (2) 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and 1 mg/L for antimony;
    - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.
  - 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 which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) 500 µg/L;
    - (2) 1 mg/L for antimony;
    - (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.

**F. STORMWATER MANAGEMENT CONDITIONS**

1. Benchmark monitoring and reporting requirements
  - a. The permittee shall monitor the effluent at Outfall 001 by grab sample for the parameters listed below at least once in each of the following semiannual periods each year of permit coverage: January through June and July through December.

Parameter	Benchmark Concentration
Total Recoverable Aluminum	750 µg/L
Total Recoverable Cadmium	2.1 µg/L
Total Recoverable Chromium	16 µg/L
Total Recoverable Copper	18 µg/L
Total Recoverable Iron	1.0 mg/L
Total Recoverable Lead	120 µg/L
Total Recoverable Zinc	120 µg/L

- b. The permittee shall submit the results of the benchmark monitoring with the DMRs due by January 10 and July 10 of each year.



- c. The results of benchmark monitoring are primarily for the permittee to use to determine the overall effectiveness of the facility's stormwater management practices in controlling the discharge of pollutants to receiving waters. Benchmark concentration values are not effluent limitations. Exceedance of a benchmark concentration does not constitute a violation of this permit and does not indicate that violation of a water quality standard has occurred; however, it does signal that modifications to the facility's stormwater management practices may be necessary.
- d. If the benchmark monitoring result exceeds the benchmark concentration value for that parameter, the permittee shall review the facility's stormwater management practices and modify them as necessary to address any deficiencies that caused the exceedance. Revisions to the facility's O&M Manual to address the facility's stormwater management practices shall be completed within 60 days after an exceedance is discovered. When control measures need to be modified or added (distinct from regular preventive maintenance of existing control measures), implementation shall be completed no later than 60 days after the exceedance is discovered, or as otherwise provided or approved by the department. In cases where construction is necessary to implement control measures, the permittee shall include a schedule in the O&M Manual that provides for the completion of the control measures as expeditiously as practicable, but no later than three years after the exceedance is discovered. Where a construction compliance schedule is included in the O&M Manual, the O&M Manual shall include appropriate nonstructural and temporary controls to be implemented in the affected portions of the facility prior to completion of the permanent control measure. Any control measure modifications shall be documented and dated, and retained with the O&M Manual, along with the amount of time taken to modify the applicable control measures or implement additional control measures.

## 2. Stormwater controls

- a. Inbound recyclable and waste material control program. The O&M Manual shall include a recyclable and waste material inspection program to minimize the likelihood of receiving materials that may be significant pollutant sources to stormwater discharges. Control measures shall include one or more of the following:
  - (1) Provide information and education flyers, brochures and pamphlets to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids prior to delivery to the facility (e.g., from vehicles and equipment engines, radiators, and transmissions, oil-filled transformers, and individual containers or drums), and on removal of mercury switches prior to delivery to the facility;
  - (2) Establish procedures to minimize the potential of any residual fluids from coming in contact with precipitation or runoff;
  - (3) Establish procedures for accepting scrap lead-acid batteries. Additional requirements for the handling, storage and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in subdivision 2 f of this subsection;
  - (4) Provide training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials; or
  - (5) Establish procedures to ensure that liquid wastes, including used oil, are stored in materially compatible and nonleaking containers and disposed or recycled in accordance with all requirements under the Resource Conservation and Recovery Act (RCRA), and other state or local requirements.
- b. Scrap and waste material stockpiles and storage (outdoor). The O&M Manual shall describe measures and controls to minimize contact of stormwater runoff with stockpiled materials, processed materials and nonrecyclable wastes. Control measures shall include one or more of the following:
  - (1) Permanent or semipermanent covers;
  - (2) The use of sediment traps, vegetated swales and strips, catch basin filters, and sand filters to facilitate settling or filtering of pollutants;
  - (3) Diversion of runoff away from storage areas via dikes, berms, containment trenches, culverts, and surface grading;
  - (4) Silt fencing;

- (5) Oil/water separators, sumps, and dry adsorbents for areas where potential sources of residual fluids are stockpiled (e.g., automotive engine storage areas); or
  - (6) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.
- c. Stockpiling of turnings exposed to cutting fluids (outdoor storage). The O&M Manual shall implement measures necessary to minimize contact of surface runoff with residual cutting fluids. Control measures shall include one or more of the following:
- (1) Storage of all turnings exposed to cutting fluids under some form of permanent or semipermanent cover. Stormwater discharges from these areas are permitted provided the runoff is first treated by an oil/water separator or its equivalent. Procedures to collect, handle, and dispose or recycle residual fluids that may be present shall be identified in the O&M Manual; or
  - (2) Establish dedicated containment areas for all turnings that have been exposed to cutting fluids. Stormwater runoff from these areas can be discharged provided:
    - (a) The containment areas are constructed of either concrete, asphalt or other equivalent type of impermeable material;
    - (b) There is a barrier around the perimeter of the containment areas to prevent contact with stormwater run-on (e.g., berms, curbing, elevated pads, etc.);
    - (c) There is a drainage collection system for runoff generated from containment areas;
    - (d) There is a schedule to maintain the oil/water separator (or its equivalent); and
    - (e) Procedures are identified for the proper disposal or recycling of collected residual fluids.
- d. Scrap and waste material stockpiles and storage (covered or indoor storage). The O&M Manual shall address measures and controls to minimize contact of residual liquids and particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. Control measures shall include one or more of the following:
- (1) Good housekeeping measures, including the use of dry absorbent or wet vacuum cleanup methods, to contain, dispose, or recycle residual liquids originating from recyclable containers, or mercury spill kits from storage of mercury switches;
  - (2) Prohibiting the practice of allowing washwater from tipping floors or other processing areas from discharging;
  - (3) Disconnecting or sealing off all floor drains if necessary to prevent a discharge; or
  - (4) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.
- e. Scrap and recyclable waste processing areas. The O&M Manual shall include measures and controls to minimize surface runoff from coming in contact with scrap processing equipment. In the case of processing equipment that generate visible amounts of particulate residue (e.g., shredding facilities), the O&M Manual shall describe measures to minimize the contact of residual fluids and accumulated particulate matter with runoff (i.e., through good housekeeping, preventive maintenance, etc.). Control measures shall include one or more of the following:
- (1) A schedule of regular inspections of equipment for leaks, spills, malfunctioning, worn or corroded parts or equipment;
  - (2) A preventive maintenance program for processing equipment;
  - (3) Removal of mercury switches from the hood and trunk lighting units, and removal of anti-lock brake system units containing mercury switches;
  - (4) Use of dry-absorbents or other cleanup practices to collect and to dispose of or recycle spilled or leaking fluids, or use of mercury spill kits for spills from storage of mercury switches;
  - (5) Installation of low-level alarms or other equivalent protection devices on unattended hydraulic reservoirs over 150 gallons in capacity. Alternatively, provide secondary containment with sufficient volume to contain the entire volume of the reservoir;
  - (6) Containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading to minimize contact of stormwater runoff with outdoor processing equipment or stored materials;
  - (7) Oil/water separators or sumps;
  - (8) Permanent or semipermanent covers in processing areas where there are residual fluids and grease;

- (9) Retention and detention basins or ponds, sediment traps, vegetated swales or strips, to facilitate pollutant settling and filtration;
  - (10) Catch basin filters or sand filters; or
  - (11) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.
- f. Scrap lead-acid battery program. The O&M Manual shall address measures and controls for the proper handling, storage and disposal of scrap lead-acid batteries. Control measures shall include one or more of the following:
- (1) Segregate scrap lead-acid batteries from other scrap materials and store under cover;
  - (2) A description of procedures and measures for the proper handling, storage and disposal of cracked or broken batteries;
  - (3) A description of measures to collect and dispose of leaking lead-acid battery fluid;
  - (4) A description of measures to minimize and, whenever possible, eliminate exposure of scrap lead-acid batteries to precipitation or runoff; or
  - (5) A description of employee training for the management of scrap batteries.
- g. Spill prevention and response procedures. The O&M Manual shall include measures to minimize stormwater contamination at loading and unloading areas, and from equipment or container failures. Control measures shall include one or more of the following:
- (1) Description of spill prevention and response measures to address areas that are potential sources of fluid leaks or spills;
  - (2) Immediate containment and cleanup of spills and leaks. If malfunctioning equipment is responsible for the spill or leak, repairs shall also be conducted as soon as possible;
  - (3) Cleanup procedures shall be identified in the O&M Manual including the use of dry absorbents. Where dry absorbent cleanup methods are used, an adequate supply of dry absorbent material shall be maintained on-site. Used absorbent material shall be disposed of properly;
  - (4) Drums containing liquids, especially oil and lubricants, shall be stored indoors, in a bermed area, in overpack containers or spill pallets, or in similar containment devices;
  - (5) Overfill prevention devices shall be installed on all fuel pumps or tanks;
  - (6) Drip pans or equivalent measures shall be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans shall be inspected for leaks and potential overflow and all liquids properly disposed of in accordance with RCRA requirements; or
  - (7) An alarm or pump shut off system shall be installed on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in order to prevent draining the tank contents in the event of a line break. Alternatively, the equipment may have a secondary containment system capable of containing the contents of the hydraulic reservoir plus adequate freeboard for precipitation. A mercury spill kit shall be used for any release of mercury from switches, anti-lock brake systems, and switch storage areas.
- h. Inspection program. All designated areas of the facility and equipment identified in the O&M Manual shall be inspected at least quarterly. The requirement for routine facility inspections is waived for facilities that have maintained an active VEEP E3/E4 status.
- i. Supplier notification program. The O&M Manual shall include a program to notify major suppliers which scrap materials will not be accepted at the facility or are only accepted under certain conditions.
- j. Spill and leak prevention procedures. All vehicles that are intended to be dismantled shall be properly drained of all fluids prior to being dismantled or crushed, or other equivalent means shall be taken to prevent leaks or spills of fluids upon arrival at the site, or as soon thereafter as feasible. All drained fluids shall be managed to minimize leaks or spills.
- k. Inspections. Upon arrival at the site, or as soon thereafter as feasible, vehicles shall be inspected for leaks. Any equipment containing oily parts, hydraulic fluids, any other types of fluids, or mercury switches shall be inspected at least quarterly (four times per year) for signs of leaks. All vessels, containers, or tanks and areas where hazardous materials and general automotive fluids are stored, including mercury switches, brake fluid, transmission fluid, radiator water, and antifreeze, shall be inspected at least quarterly for leaks. Quarterly inspection records shall be maintained with the O&M Manual.

- l. Employee training. Employee training shall, at a minimum, address the following areas when applicable to a facility: proper handling (collection, storage, and disposal) of oil, used mineral spirits, antifreeze, mercury switches, and solvents.
- m. Management of runoff. The permittee shall implement control measures to divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff to minimize pollutants in discharges from the facility. The following management practices shall be used to prevent or reduce the discharge of pollutants to surface waters:
  - (1) Berms or drainage ditches on the property line used to help prevent run-on from neighboring properties;
  - (2) Berms for uncovered outdoor storage of oily parts and engine blocks;
  - (3) Aboveground liquid storage;
  - (4) The installation of detention ponds, filtering devices, or oil/water separators; and
  - (5) Another control measure used to prevent or reduce the discharge of pollutants to surface waters.

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All analyses shall be in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

A listing of Virginia Environmental Laboratory Accreditation Program (VELAP) certified and/or accredited laboratories can be found at the following website:

<http://dgs.virginia.gov/DivisionofConsolidatedLaboratoryServices/Services/EnvironmentalLaboratoryCertification2/tabid/1503/Default.aspx>

Units for the quantification level are micrograms/liter unless otherwise specified.

Quality control and quality assurance information (i.e. laboratory certificates of analysis) shall be submitted to document that the required quantification level has been attained.

Please be advised that additional water quality analyses may be necessary and/or required for permitting purposes.

CASRN	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL <sup>(1)</sup>	REPORTING RESULTS <sup>(2)</sup>	RESULTS UNIT	SAMPLE TYPE <sup>(3)</sup>	SAMPLE FREQUENCY
<b>METALS</b>							
7440-36-0	Antimony, Dissolved	(4)	100 ug/L			G	1/5 YR
7440-38-2	Arsenic, Dissolved	(4)	100 ug/L			G	1/5 YR
7440-43-9	Cadmium, Dissolved	(4)	4 ug/L			G	1/5 YR
16065-83-1	Chromium III, Dissolved <sup>(6)</sup>	(4)	100 ug/L			G	1/5 YR
18540-29-9	Chromium VI, Dissolved <sup>(6)</sup>	(4)	10 ug/L			G	1/5 YR
7440-50-8	Copper, Dissolved	(4)	10 ug/L			G	1/5 YR
7439-92-1	Lead, Dissolved	(4)	100 ug/L			G	1/5 YR
7439-97-6	Mercury, Dissolved	(4)	1.0 ug/L			G	1/5 YR
7440-02-0	Nickel, Dissolved	(4)	100 ug/L			G	1/5 YR
7782-49-2	Selenium, Total Recoverable	(4)	10 ug/L			G or C	1/5 YR
7440-22-4	Silver, Dissolved	(4)	10 ug/L			G	1/5 YR
7440-28-0	Thallium, Dissolved	(4)	(5)			G	1/5 YR
7440-66-6	Zinc, Dissolved	(4)	100 ug/L			G	1/5 YR
<b>PESTICIDES/PCBs</b>							
309-00-2	Aldrin	(4)	0.05 ug/L			G or C	1/5 YR
63-25-2	Carbaryl <sup>(10)</sup>	(4)	(5)			G or C	1/5 YR
57-74-9	Chlordane	608/625	0.2 ug/L			G or C	1/5 YR
2921-88-2	Chlorpyrifos (synonym = Dursban)	622	(5)			G or C	1/5 YR
72-54-8	DDD	608/625	0.1 ug/L			G or C	1/5 YR
72-55-9	DDE	608/625	0.1 ug/L			G or C	1/5 YR
50-29-3	DDT	608/625	0.1 ug/L			G or C	1/5 YR

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8065-48-3	Demeton (synonym = Dementon-O,S)	622	(5)			G or C	1/5 YR
333-41-5	Diazinon	622	(5)			G or C	1/5 YR
60-57-1	Dieldrin	608/625	0.1 ug/L			G or C	1/5 YR
959-98-8	Alpha-Endosulfan (synonym = Endosulfan I)	608/625	0.1 ug/L			G or C	1/5 YR
33213-65-9	Beta-Endosulfan (synonym = Endosulfan II)	608625	0.1 ug/L			G or C	1/5 YR
1031-07-8	Endosulfan Sulfate	608/625	0.1 ug/L			G or C	1/5 YR
72-20-8	Endrin	608/625	0.1 ug/L			G or C	1/5 YR
7421-93-4	Endrin Aldehyde	608/625	(5)			G or C	1/5 YR
86-50-0	Guthion (synonym = Azinphos Methyl)	622	(5)			G or C	1/5 YR
76-44-8	Heptachlor	608/625	0.05 ug/L			G or C	1/5 YR
1024-57-3	Heptachlor Epoxide	608/625	(5)			G or C	1/5 YR
319-84-6	Hexachlorocyclohexane Alpha-BHC	608/625	(5)			G or C	1/5 YR
319-85-7	Hexachlorocyclohexane Beta-BHC	608/625	(5)			G or C	1/5 YR
58-89-9	Hexachlorocyclohexane Gamma-BHC (syn. = Lindane)	608/625	(5)			G or C	1/5 YR
143-50-0	Kepone	8081 Extended/ 8270C/8270D	(5)			G or C	1/5 YR
121-75-5	Malathion	614	(5)			G or C	1/5 YR
72-43-5	Methoxychlor	608.2	(5)			G or C	1/5 YR
2385-85-5	Mirex	8081 Extended/ 8270C/8270D	(5)			G or C	1/5 YR
56-38-2	Parathion (synonym = Parathion Ethyl)	614	(5)			G or C	1/5 YR
1336-36-3	PCB, total	608/625	7.0 ug/L			G or C	1/5 YR
8001-35-2	Toxaphene	608/625	5.0 ug/L			G or C	1/5 YR
<b>BASE NEUTRAL EXTRACTABLES</b>							
83-32-9	Acenaphthene	610/625	10.0 ug/L			G or C	1/5 YR
120-12-7	Anthracene	610/625	10.0 ug/L			G or C	1/5 YR
92-87-5	Benzidine	625	(5)			G or C	1/5 YR
56-55-3	Benzo(a)anthracene	610/625	10.0 ug/L			G or C	1/5 YR
205-99-2	Benzo (b) fluoranthene (synonym = 3,4-Benzofluoranthene)	610/625	10.0 ug/L			G or C	1/5 YR
207-08-9	Benzo(k)fluoranthene	610/625	10.0 ug/L			G or C	1/5 YR
50-32-8	Benzo(a)pyrene	610/625	10.0 ug/L			G or C	1/5 YR

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111-44-4	Bis 2-Chloroethyl Ether	625	(5)			G or C	1/5 YR
108-60-1	Bis 2-Chloroisopropyl Ether	625	(5)			G or C	1/5 YR
117-81-7	Bis 2-Ethylhexyl Phthalate (syn. = Di-2-Ethylhexyl Phthalate)	625	10.0 ug/L			G or C	1/5 YR
85-68-7	Butyl Benzyl Phthalate	625	10.0 ug/L			G or C	1/5 YR
91-58-7	2-Chloronaphthalene	625	(5)			G or C	1/5 YR
218-01-9	Chrysene	610/625	10.0 ug/L			G or C	1/5 YR
53-70-3	Dibenzo(a,h)anthracene	610/625	20.0 ug/L			G or C	1/5 YR
95-50-1	1,2-Dichlorobenzene	(4)	10.0 ug/L			G or C	1/5 YR
541-73-1	1,3-Dichlorobenzene	(4)	10.0 ug/L			G or C	1/5 YR
106-46-7	1,4-Dichlorobenzene	(4)	10.0 ug/L			G or C	1/5 YR
91-94-1	3,3-Dichlorobenzidine	625	(5)			G or C	1/5 YR
84-66-2	Diethyl Phthalate	625	10.0 ug/L			G or C	1/5 YR
131-11-3	Dimethyl Phthalate	625	(5)			G or C	1/5 YR
84-74-2	Di-n-butyl Phthalate (synonym = Dibutyl Phthalate)	625	10.0 ug/L			G or C	1/5 YR
121-14-2	2,4-Dinitrotoluene	625	10.0 ug/L			G or C	1/5 YR
122-66-7	1,2-Diphenylhydrazine	625/ 8270C/8270D	(5)			G or C	1/5 YR
206-44-0	Fluoranthene	610/625	10.0 ug/L			G or C	1/5 YR
86-73-7	Fluorene	610/625	10.0 ug/L			G or C	1/5 YR
118-74-1	Hexachlorobenzene	625	(5)			G or C	1/5 YR
87-68-3	Hexachlorobutadiene	625	(5)			G or C	1/5 YR
77-47-4	Hexachlorocyclopentadiene	625	(5)			G or C	1/5 YR
67-72-1	Hexachloroethane	625	(5)			G or C	1/5 YR
193-39-5	Indeno(1,2,3-cd)pyrene	610/625	20.0 ug/L			G or C	1/5 YR
78-59-1	Isophorone	625	10.0 ug/L			G or C	1/5 YR
98-95-3	Nitrobenzene	625	10.0 ug/L			G or C	1/5 YR
62-75-9	N-Nitrosodimethylamine	625	(5)			G or C	1/5 YR
86-30-6	N-Nitrosodiphenylamine	625	(5)			G or C	1/5 YR
621-64-7	N-Nitrosodi-n-propylamine	625	(5)			G or C	1/5 YR
129-00-0	Pyrene	610/625	10.0 ug/L			G or C	1/5 YR

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120-82-1	1,2,4-Trichlorobenzene	625	10.0 ug/L			G or C	1/5 YR
<b>VOLATILES</b>							
107-02-8	Acrolein	624	(5)			G	1/5 YR
107-13-1	Acrylonitrile	624	(5)			G	1/5 YR
71-43-2	Benzene	602/624	10.0 ug/L			G	1/5 YR
75-25-2	Bromoform	624	10.0 ug/L			G	1/5 YR
56-23-5	Carbon Tetrachloride	624	10.0 ug/L			G	1/5 YR
108-90-7	Chlorobenzene (synonym = Monochlorobenzene)	602/624	50.0 ug/L			G	1/5 YR
124-48-1	Chlorodibromomethane	624	10.0 ug/L			G	1/5 YR
67-66-3	Chloroform	624	10.0 ug/L			G	1/5 YR
75-27-4	Dichlorobromomethane	624	10.0 ug/L			G	1/5 YR
107-06-2	1,2-Dichloroethane	624	10.0 ug/L			G	1/5 YR
75-35-4	1,1-Dichloroethylene	624	10.0 ug/L			G	1/5 YR
156-60-5	1,2-trans-dichloroethylene	624	(5)			G	1/5 YR
78-87-5	1,2-Dichloropropane	624	(5)			G	1/5 YR
542-75-6	1,3-Dichloropropene	624	(5)			G	1/5 YR
100-41-4	Ethylbenzene	602/624	10.0 ug/L			G	1/5 YR
74-83-9	Methyl Bromide (synonym = Bromomethane)	624	(5)			G	1/5 YR
75-09-2	Methylene Chloride (synonym = Dichloromethane)	624	20.0 ug/L			G	1/5 YR
79-34-5	1,1,1,2-Tetrachloroethane	624	(5)			G	1/5 YR
127-18-4	Tetrachloroethylene (synonym = Tetrachloroethene)	624	10.0 ug/L			G	1/5 YR
10-88-3	Toluene	602/624	10.0 ug/L			G	1/5 YR
79-00-5	1,1,2-Trichloroethane	624	(5)			G	1/5 YR
79-01-6	Trichloroethylene (synonym = Trichloroethene)	624	10.0 ug/L			G	1/5 YR
75-01-4	Vinyl Chloride	624	10.0 ug/L			G	1/5 YR
<b>ACID EXTRACTABLES</b>							
95-57-8	2-Chlorophenol	625	10.0 ug/L			G or C	1/5 YR
120-83-2	2,4 Dichlorophenol	625	10.0 ug/L			G or C	1/5 YR



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105-67-9	2,4-Dimethylphenol	625	10.0 ug/L			G or C	1/5 YR
51-28-5	2,4-Dinitrophenol	625	(5)			G or C	1/5 YR
534-52-1	2-Methyl-4,6-Dinitrophenol (synonym = 4,6-Dinitro-o-cresol)	625	(5)			G or C	1/5 YR
84852-15-3	Nonylphenol	ASTM D 7065-06	(5)			G or C	1/5 YR
87-86-5	Pentachlorophenol	625	50.0 ug/L			G or C	1/5 YR
108-95-2	Phenol	625	10.0 ug/L			G or C	1/5 YR
88-06-2	2,4,6-Trichlorophenol	625	10.0 ug/L			G or C	1/5 YR
<b>MISCELLANEOUS</b>							
16887-00-6	Chloride (mg/L)	(4)	(5)			G or C	1/5 YR
57-12-5	Cyanide, Free <sup>(7)</sup>	ASTM 4282-02	10.0 ug/L			G	1/5 YR
18496-25-8	Sulfide, dissolved <sup>(8)</sup>	SM 4500 S <sup>2</sup> B	100 ug/L			G or C	1/5 YR
60-10-5	Tributyltin	(9)	(5)			G or C	1/5 YR
471-34-1	Hardness (mg/L as CaCO <sub>3</sub> )	(4)	(5)			G or C	1/5 YR

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 Name of Principal Executive Officer or Authorized Agent/Title

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 Signature of Principal Executive Officer or Authorized Agent/Date

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. See 18 U.S.C. Sec. 1001 and 33 U.S.C. Sec. 1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

**Footnotes to Water Quality Monitoring Attachment A**

- (1) Quantification level (QL) means the minimum levels, concentrations, or quantities of a target variable (e.g. target analyte) that can be reported with a specified degree of confidence in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

The quantification levels indicated for the metals are actually Specific Target Values developed for this permit. The Specific Target Value is the approximate value that may initiate a wasteload allocation analysis. Target values are not wasteload allocations or effluent limitations. The Specific Target Values are subject to change based on additional information such as hardness data, receiving stream flow, and design flows.

- (2) If the reporting result is greater than or equal to the QL, then include the reporting result. If the reporting result is less than the QL, then report "<[lab QL]". For example, if the reporting result is below the QL with a QL of 25 micrograms/liter, then report "<25".
- (3) Sample Type

G = Grab = An individual sample collected in less than 15 minutes. Substances specified with "grab" sample type shall only be collected as grabs. The permittee may analyze multiple grabs and report the average results provided that the individual grab results are also reported. For dissolved metals samples, the samples shall be filtered and preserved immediately upon collection.

C = Composite = A 24-hour composite unless otherwise specified. The composite shall be a combination of individual samples, taken proportional to flow, obtained at hourly or smaller time intervals. The individual samples may be of equal volume for flows that do not vary by +/- 10 percent over a 24-hour period.

- (4) A specific analytical method is not specified; however, an appropriate method to meet the QL shall be selected from (i) any approved method presented in 40 CFR Part 136 or (ii) any alternative EPA approved method, provided that all analyses are in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.
- (5) The QL is at the discretion of the permittee.
- (6) Both Chromium III and Chromium VI may be measured by the total chromium analysis. The total chromium analytical test QL shall be less than or equal to the lesser of the Chromium III or Chromium VI method QL listed above. If the result of the total chromium analysis is less than the analytical test QL, both Chromium III and Chromium VI can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].
- (7) Free cyanide may be measured by the total cyanide analysis. The total cyanide analytical test QL shall be less than or equal to the free cyanide method QL listed above. If the result of the total cyanide analysis is less than the analytical test QL, free cyanide can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].
- (8) Dissolved sulfide may be measured by the total sulfide analysis. The total sulfide analytical test QL shall be less than or equal to the dissolved sulfide method QL listed above. If the result of the total sulfide analysis is less than the analytical test QL, dissolved sulfide can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].
- (9) Analytical Methods: Analysis of Butyltins in Environmental Systems by the Virginia Institute of Marine Science, dated November 1996 (currently the only Virginia Environmental Laboratory Accreditation Program (VELAP) accredited method).
- (10) If a VELAP certified laboratory does not exist for a required parameter or method, then the responsible party should consider use of an alternative method under the regulatory requirements if applicable and they should request that a laboratory obtain VELAP accreditation for the required parameter or method, but can continue to use a non-VELAP certified laboratory until a laboratory is certified for the required parameter or method. The responsible party should ensure prior to each sampling event that a VELAP-certified laboratory is not available prior to using a non-VELAP certified laboratory.

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be taken at the permit designated or approved location and be representative of the monitored activity.
  - a. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
  - b. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
  - c. Samples taken shall be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.
2. Any pollutant specifically addressed by this permit that is sampled or measured at the permit designated or approved location more frequently than required by this permit shall meet the requirements in Part II.A.1.a through c above and the results of this monitoring shall be included in the calculations and reporting required by this permit.
3. Operational or process control samples or measurements shall not be taken at the designated permit sampling or measurement locations. Operational or process control samples or measurements do not need to follow procedures approved under Title 40 Code of Federal Regulations Part 136 or be analyzed in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records

1. 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) and time(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. 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, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all 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 of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after the required monitoring period, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Department of Environmental Quality  
Valley Regional Office  
P.O. Box 3000  
Harrisonburg, Virginia 22801

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports

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.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II.F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II.F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II.I.2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

**I. Reports of Noncompliance**

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
  - a. Any unanticipated bypass; and
  - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
  - a. A description of the noncompliance and its cause;
  - b. 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
  - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II.I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II.I.1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II.I.2.

**NOTE: The immediate (within 24 hours) reports required in Parts II.G, H and I shall be made to the Department's Valley Regional Office at [VRO.SSO-UD@deq.virginia.gov](mailto:VRO.SSO-UD@deq.virginia.gov) or (540) 574-7892. For telephone reports outside normal working hours (before 8:30 am and after 5:00 pm Monday through Friday and anytime Saturday through Sunday), leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.**

**J. Notice of Planned Changes**

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
  - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
    - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
    - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
  - 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 nor to notification requirements specified elsewhere in this permit; or
  - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

#### K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) 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 (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which 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 assure 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 where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - c. 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 public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II.K.1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Part II.K.1;
  - b. 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 any individual occupying a named position.); and
  - c. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II.K.2 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 Part II.K.2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Parts II.K.1 or 2 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."

#### L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

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 this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II.U), and "upset" (Part II.V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. 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 Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

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 effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. 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.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. 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 Parts II.U.2 and U.3.
2. Notice
  - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
  - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II.I.

### 3. Prohibition of bypass

- a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
  - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (2) 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
  - (3) The permittee submitted notices as required under Part II.U.2.
- b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II.U.3.a.

### V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II.V.2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. The permittee submitted notice of the upset as required in Part II.I; and
  - d. The permittee complied with any remedial measures required under Part II.S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

### W. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. 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;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

### X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. 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.



Y. Transfer of Permits

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II.Y.2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II.Y.1, this permit may be automatically transferred to a new permittee if:
  - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
  - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
  - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II.Y.2.b.

Z. Severability

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