





**A.1 Discharge Limitations and Monitoring Requirements - *Limitation Category I*:** Outlet 001 (treated discharges into large receiving streams)

**During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, permittees who have been assigned to Limitation Category I are authorized to discharge from the point source. The discharge shall comply with the following:**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		
	<u>(Quantity) lbs/day</u>		<u>Other Units (specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>	
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max Daily</u>			
Flow	N/A	N/A	N/A	Monitor	MGD	1/Quarter	Estimated
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab
Benzene	N/A	N/A	1.98	2.88	ug/l	1/Quarter	Grab
Toluene	N/A	N/A	20.4	29.7	mg/l	1/Quarter	Grab
Ethylbenzene	N/A	N/A	9.3	13.6	mg/l	1/Quarter	Grab
Polynuclear Aromatic Hydrocarbons *	N/A	N/A	0.0084	0.0122	ug/l	1/Quarter	Grab
Total Recoverable Lead **	N/A	N/A	7.8	15.6	ug/l	1/Quarter	Grab
Total Recoverable Iron ***	N/A	N/A	5.3	9.4	mg/l	1/Quarter	Grab
Total Recoverable Manganese ***	N/A	N/A	3	4.4	mg/l	1/Quarter	Grab

\* See Section B.9.

\*\* See Section B.12.

\*\*\* See Section B.13.

**The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored 1/Quarter by grab sample.**

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):** Effluent samples shall be collected at or as near as possible to the point of discharge.

**This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.**

**A.2 Discharge Limitations and Monitoring Requirements - *Limitation Category I-A*: Outlet 001 (treated discharges into large trout streams)**

**During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, permittees who have been assigned to Limitation Category I-A are authorized to discharge from the point source. The discharge shall comply with the following:**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		
	<u>(Quantity) lbs/day</u>		<u>Other Units (specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>	
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max Daily</u>			
Flow	N/A	N/A	N/A	Monitor	MGD	1/Quarter	Estimated
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab
Benzene	N/A	N/A	1.98	2.88	ug/l	1/Quarter	Grab
Toluene	N/A	N/A	20.4	29.7	mg/l	1/Quarter	Grab
Ethylbenzene	N/A	N/A	9.3	13.6	mg/l	1/Quarter	Grab
Polynuclear Aromatic Hydrocarbons *	N/A	N/A	0.0084	0.0122	ug/l	1/Quarter	Grab
Total Recoverable Lead **	N/A	N/A	7.8	15.6	ug/l	1/Quarter	Grab
Total Recoverable Iron ***	N/A	N/A	1.2	2.4	mg/l	1/Quarter	Grab
Total Recoverable Manganese ***	N/A	N/A	3	4.4	mg/l	1/Quarter	Grab

\* See Section B.9.

\*\* See Section B.12.

\*\*\* See Section B.13.

**The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored 1/Quarter by grab sample.**

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):** Effluent samples shall be collected at or as near as possible to the point of discharge.

**This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.**

**A.3 Discharge Limitations and Monitoring Requirements: *Limitation Category I-B*:** Outlet 001 (treated discharges into large Public “A” waters)

**During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, permittees who have been assigned to Limitation Category I-B are authorized to discharge from the point source. The discharge shall comply with the following:**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		
	<u>(Quantity) lbs/day</u>		<u>Other Units (specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>	
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max Daily</u>			
Flow	N/A	N/A	N/A	Monitor	MGD	1/Quarter	Estimated
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab
Benzene	N/A	N/A	N/A	0.66	ug/l	1/Quarter	Grab
Toluene	N/A	N/A	N/A	6.8	mg/l	1/Quarter	Grab
Ethylbenzene	N/A	N/A	N/A	3.1	mg/l	1/Quarter	Grab
Polynuclear Aromatic Hydrocarbons *	N/A	N/A	N/A	0.0028	ug/l	1/Quarter	Grab
Total Recoverable Lead **	N/A	N/A	N/A	15.6	ug/l	1/Quarter	Grab
Total Recoverable Iron ***	N/A	N/A	N/A	1.5	mg/l	1/Quarter	Grab
Total Recoverable Manganese ***	N/A	N/A	N/A	1.0	mg/l	1/Quarter	Grab

\* See Section B.9.

\*\* See Section B.12.

\*\*\* See Section B.13.

**The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored 1/Quarter by grab sample.**

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):** Effluent samples shall be collected at or as near as possible to the point of discharge.

**This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.**

**A.4 Discharge Limitations and Monitoring Requirements - *Limitation Category II*:** Outlet 001 (treated discharges into small receiving streams)

**During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, permittees who have been assigned to Limitation Category II are authorized to discharge from the point source. The discharge shall comply with the following:**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>					<u>Monitoring Requirements</u>	
	<u>(Quantity) lbs/day</u>		<u>Other Units (specify)</u>			<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max Daily</u>			
Flow	N/A	N/A	N/A	Monitor	MGD	1/Quarter	Estimated
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab
Benzene	N/A	N/A	0.66	0.96	ug/l	1/Quarter	Grab
Toluene	N/A	N/A	6.8	9.9	mg/l	1/Quarter	Grab
Ethylbenzene	N/A	N/A	3.1	4.5	mg/l	1/Quarter	Grab
Polynuclear Aromatic Hydrocarbons *	N/A	N/A	0.0028	0.0041	ug/l	1/Quarter	Grab
Total Recoverable Lead **	N/A	N/A	2.6	5.2	ug/l	1/Quarter	Grab
Total Recoverable Iron ***	N/A	N/A	1.2	2.2	mg/l	1/Quarter	Grab
Total Recoverable Manganese ***	N/A	N/A	1.0	1.4	mg/l	1/Quarter	Grab

\* See Section B.9.

\*\* See Section B.12.

\*\*\* See Section B.13.

**The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored 1/Quarter by grab sample.**

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):** Effluent samples shall be collected at or as near as possible to the point of discharge.

**This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.**

**A.5 Discharge Limitations and Monitoring Requirements - *Limitation Category II-A*: Outlet 001 (treated discharges into small trout streams)**

**During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, permittees who have been assigned to Limitation Category II-A are authorized to discharge from the point source. The discharge shall comply with the following:**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		
	<u>(Quantity) lbs/day</u>		<u>Other Units (specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>	
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max Daily</u>			
Flow	N/A	N/A	N/A	Monitor	MGD	1/Quarter	Estimated
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab
Benzene	N/A	N/A	0.66	0.96	ug/l	1/Quarter	Grab
Toluene	N/A	N/A	6.8	9.9	mg/l	1/Quarter	Grab
Ethylbenzene	N/A	N/A	3.1	4.5	mg/l	1/Quarter	Grab
Polynuclear Aromatic Hydrocarbons *	N/A	N/A	0.0028	0.0041	ug/l	1/Quarter	Grab
Total Recoverable Lead **	N/A	N/A	2.6	5.2	ug/l	1/Quarter	Grab
Total Recoverable Iron ***	N/A	N/A	1.2	2.2	mg/l	1/Quarter	Grab
Total Recoverable Manganese ***	N/A	N/A	1.0	1.4	mg/l	1/Quarter	Grab

\* See Section B.9.

\*\* See Section B.12.

\*\*\* See Section B.13.

**The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored 1/Quarter by grab sample.**

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):** Effluent samples shall be collected at or as near as possible to the point of discharge.

**This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.**

**A.6 Discharge Limitations and Monitoring Requirements - *Limitation Category II-B*: Outlet 001 (treated discharges into Public “A” waters)**

**During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, permittees who have been assigned to Limitation Category II-B are authorized to discharge from the point source. The discharge shall comply with the following:**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		
	<u>(Quantity) lbs/day</u>		<u>Other Units (specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>	
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max Daily</u>			
Flow	N/A	N/A	N/A	Monitor	MGD	1/Quarter	Estimated
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab
Benzene	N/A	N/A	N/A	0.66	ug/l	1/Quarter	Grab
Toluene	N/A	N/A	N/A	6.8	mg/l	1/Quarter	Grab
Ethylbenzene	N/A	N/A	N/A	3.1	mg/l	1/Quarter	Grab
Polynuclear Aromatic Hydrocarbons *	N/A	N/A	N/A	0.0028	ug/l	1/Quarter	Grab
Total Recoverable Lead **	N/A	N/A	N/A	5.2	ug/l	1/Quarter	Grab
Total Recoverable Iron ***	N/A	N/A	N/A	1.5****	mg/l	1/Quarter	Grab
Total Recoverable Manganese ***	N/A	N/A	N/A	1.0	mg/l	1/Quarter	Grab

\* See Section B.9.

\*\* See Section B.12.

\*\*\* See Section B.13.

\*\*\*\* Trout Waters Limitation 0.821 mg/l

**The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored 1/Quarter by grab sample.**

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):** Effluent samples shall be collected at or as near as possible to the point of discharge.

**This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.**

**A.7 Discharge Limitations and Monitoring Requirements - *Limitation Category III*: Discharge to Groundwater**

**During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, permittees who have been assigned to *Limitation Category III* are authorized to discharge from the point source. The discharge shall comply with the following:**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		
	(Quantity) lbs/day <u>Avg. Monthly</u>	<u>Max Daily</u>	Other Units (specify) <u>Avg. Monthly</u>	<u>Max Daily</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	N/A	N/A	N/A	Monitor	MGD	1/Quarter	Estimated
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab
Benzene	N/A	N/A	N/A	5	ug/l	1/Quarter	Grab
Toluene	N/A	N/A	N/A	1	mg/l	1/Quarter	Grab
Ethylbenzene	N/A	N/A	N/A	0.7	mg/l	1/Quarter	Grab
Xylene	N/A	N/A	N/A	10	ug/l	1/Quarter	Grab
Polynuclear Aromatic Hydrocarbons *	N/A	N/A	N/A	Monitor	ug/l	1/Quarter	Grab
Total Recoverable Lead **	N/A	N/A	N/A	15	mg/l	1/Quarter	Grab

\* See Section B.9.

\*\* See Section B.12.

**The pH shall not be less than 6.0 standard units and not more than 9.0 standard units and shall be monitored 1/Quarter by grab sample.**

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):** Effluent samples shall be collected at or as near as possible to the point of discharge.

**This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.**

**A.8 Groundwater Monitoring Well Requirements:**

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is required to quarterly submit monitoring data from the groundwater that has been contaminated with petroleum products for projects not required to pursue a CAP by the Division of Water & Waste Management. In other projects monitored by the Division of Water & Waste Management, the permittee shall install a minimum of one (1) up-gradient and two (2) down-gradient wells at the project area. The zone to be monitored shall be that zone vertically comparable with or immediately below the contaminated zone.

The following parameters shall be monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>	
	<u>(Quantity) lbs/day</u>		<u>Other Units (specify)</u>				<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Avg. Monthly</u>	<u>Max Daily</u>	<u>Avg. Monthly</u>	<u>Max Daily</u>				
pH	N/A	N/A	N/A	Monitor	S.U.	1/Quarter	Estimated	
Temperature	N/A	N/A	N/A	Monitor	°F	1/Quarter	Grab	
Specific Conductance	N/A	N/A	N/A	Monitor	Micromhos	1/Quarter	Grab	
Total Petroleum Hydrocarbons	N/A	N/A	N/A	Monitor	mg/l	1/Quarter	Grab	
Benzene	N/A	N/A	N/A	5.0	ug/l	1/Quarter	Grab	
Toluene	N/A	N/A	N/A	1.0	mg/l	1/Quarter	Grab	
Ethylbenzene	N/A	N/A	N/A	0.7	mg/l	1/Quarter	Grab	
Xylene	N/A	N/A	N/A	10	ug/l	1/Quarter	Grab	
Total Recoverable Lead	N/A	N/A	N/A	15	ug/l	1/Quarter	Grab	
Naphthalene	N/A	N/A	N/A	Monitor	ug/l	1/Quarter	Grab	

This discharge shall not cause violation of Title 46, Series 1, Section 3, of the West Virginia Legislative Rules issued pursuant to Chapter 22B, Article 3.

**B. OTHER REQUIREMENTS**

1. This permit will be considered as an individual permit if the coverage of a specific individual facility is the subject of an appeal in accordance with Chapter 22, Article 11, Section 21 of the West Virginia Code. Any subsequent action taken as result of the appeal will only affect the specific subject facility.
2. The Director may require any person authorized by this permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Director to take action under this paragraph. The Director may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form and a statement setting a deadline for the owner or operator to file the application and a statement as to when the coverage under this general permit shall terminate.
3. Permittees must provide the following minimum treatment for the wastewater discharge unless the Director determines, based on sufficient recent effluent data submitted by the permittee, that their effluent consistently achieves compliance with the effluent limitations.
  - A. Gravity separation and surface skimming, or equivalent, for free product and/or oil and grease removal.
  - B. Air stripping, or equivalent technology, to reduce volatile petroleum hydrocarbons.
  - C. Activated carbon filtration when necessary (see Condition B.7), or equivalent technology, to
4. Should a publicly-owned treatment works and sewerage system be available, and agree to and are able to handle the wastewater from the permitted facility, such wastewater shall be connected to the publicly-owned treatment works (POTW). However, prior to this connection, the permittee shall obtain written permission from the municipal or public service district sewage system authority which will receive the waste and submit a copy of the written permission to the DWWM for approval. Once notification of the connection to a POTW is received, coverage under this general permit may be terminated at the request of the permittee.
5. Conditions imposed by this permit should be protective of the environment. However, it is recognized that certain site-specific circumstances may be such that the permit conditions will not be adequate. In cases where the Director determines this to be the case, coverage under the general permit may be suspended to said site, and may require reasonable changes in the permit conditions for that particular site to address such problems. If the circumstances warrant, the permit coverage may be revoked and the permittee required to obtain an individual permit.
6. This permit does not contain a discharge flow limitation, however, the permittee shall obtain approval from this Agency for any changes and/or modification to the operations of the wastewater treatment system that may result in the increase in effluent flow.
7. Should the site registration application form indicate contamination by diesel fuel, marine fuel, heating oil, kerosene, or jet fuel, or should polynuclear aromatic hydrocarbons be detected via EPA Method 610 by any site monitoring, the treatment applied to the contaminated water shall include carbon adsorption or equivalent technology.

**B. OTHER REQUIREMENTS (Continued)**

8. Analysis for Polynuclear Aromatic Hydrocarbons (PAH) shall include the total of the following compounds via EPA Method 610 or equivalent:

Naphthalene	Acenaphthylene
Benzo(ghi)perylene	Acenaphthene
Benzo(a)pyrene (3,4-benzopyrene)	Fluorene
1,2 Benzanthracene (benzo(a)anthracene)	Phenanthrene
3,4-Benzofluoranthene (benzo(b)fluoranthene)	Anthracene
11,12-Benzofluoranthene (benzo(k)fluoranthene)	Fluoranthene
1,2,5,6-Dibenzanthracene (dibenzo(ah)anthracene)	Pyrene
Indeno(1,2,3,-cd)pyrene (2,3-o-phenylenepyrene)	Chrysene

9. Limitations (Sections A.1, A.2, A.3, A.4, A.5 and A.6) and/or monitoring requirements (Section A.7) for PAH or monitoring for naphthalene (Section A.8) shall apply if PAH's are detected using EPA Method 610 in any site monitoring through the registration process or if site contamination is a result of diesel fuel, marine fuel, kerosene, heating oil, or jet fuel.

Since current method detection limits for PAH are considerably higher than the permitted limit, facilities will be considered in compliance with the conditions of this permit if analysis for PAH reveal non-detectable levels at the method detection limits (MDL) specified in any latest revision to 40 CFR 136 using EPA Method 610. For any analytical results that fall below the MDL, the permittee shall report "zero" for compliance purposes.

10. The following methodology may be used to approximate the receiving stream flow rate (SFR) at the discharge point where the limit on PAH is applicable to assure the necessary waste stream to the receiving stream flow ratios of 0.00028 or 0.00311 are achieved. This may be used in lieu of a flow measuring device. The SFR shall not be calculated within 72 hours of a precipitation event of more than 0.5 inches. This does not mean that facilities can not discharge during storm events, just that a Discharge Rate (DR) can not be calculated based on a SFR obtained during a storm event.

$$\text{Stream Flow Rate (SFR) (GPD)} = W \times D \times \text{Velocity (ft/sec)} \times 0.75$$

where: 0.75 = surface velocity correction factor  
W = average width of the stream in feet  
D = average depth of the stream in feet

Velocity is determined by measuring off a given distance (for example 20 feet) along a straight segment of stream bank and timing (in seconds) how long it takes a floating object (not subject to wind) to travel that distance. The result is expressed in feet per second.

**B. OTHER REQUIREMENTS (Continued)**

**EXAMPLE:** An orange went 20 feet in 5 seconds.  
Velocity = 20 feet/5 second = 4 feet/second

If the average width of stream is 2.5 feet and the average depth of stream is 0.5 feet, what is the SFR?

$$\begin{aligned}\text{Stream Flow Rate} &= 2.5 \text{ feet} \times 0.33 \text{ feet} \times 4 \text{ feet/second} \times 0.75 \\ &= 3.75 \text{ cubic feet/second} \\ \text{S.F.R.} &= 3.75 \text{ cfs} \times 60 \text{ sec./min.} \times 7.48 \text{ gal./cubic feet} \\ &= 1683 \text{ GPM}\end{aligned}$$

This calculation shall be required prior to every discharge if a batch treatment scheme is used or at least once (1) a month if a continuous (steady-state) treatment scheme is used. In the event that batch treatment is provided and discharge occurs during a storm event, the SFR used to calculate the DR shall be a value that has been calculated no more than 30 days prior to the discharge date.

Staff gages may be used if reliable data is generated on a site specific basis.

The discharge to SFR ratio calculations shall be submitted with each monthly Discharge Monitoring Report (DMR). Records of these calculations shall be maintained by the facility owner/operator for a minimum of three years or until completion of the remediation process, whichever occurs first.

In lieu of this method of calculating a "real time" Stream Flow Rate, the permittee may choose to use the 7Q10 Stream Flow Rate.

11. During times of applicability of the PAH limit when the discharge to stream flow ratios of 0.00028 or 0.00311 cannot be achieved, adequate storage shall be provided, an alternate discharge location may be utilized, or the discharge shall be discontinued until an adequate stream flow rate is available. If an alternative discharge location other than that referenced in the Site Registration Application is chosen, the permittee must notify and receive approval from the DWWM within fifteen (15) days of any discharge. Other alternative approved disposal methods may also be utilized during this period.
12. Limitations on Total Recoverable Lead shall apply if lead is detected in monitoring required as part of the Registration process in excess of the designated limits specified in Sections A.1, A.2, A.3, A.4, A.5, A.6 or A.7 using EPA Method 239.2 or equivalent in any site monitoring, or if site contamination is a result of leaded gasoline.
13. Limitations on Total Recoverable Iron and Total Recoverable Manganese shall apply if iron and/or manganese are detected in monitoring required as part of the Registration process in excess of the designated limits specified in Sections A.1, A.2, A.3, A.4, A.5 and A.6 using EPA Methods 236.1 and 243.1 respectively or equivalent.
14. The permittee shall sample for and analyze the hardness of the receiving stream. Where discharge is to be to a wet weather channel or intermittent stream with no flow at time of discharge, the sample shall be taken at the next downstream receiving stream with flow. This information must be submitted with the DMR.

**B. OTHER REQUIREMENTS (Continued)**

15. Where applicable, groundwater remediation shall be pursued under the appropriate conditions of any Corrective Action Plan (CAP) issued by the DWWM. For any activity receiving coverage under this permit and not required to adhere to a CAP, the DWWM may require further action to assure compliance with Chapter 22, Article 12 of the West Virginia Code and 46 CSR 12, Requirements Covering Groundwater Standards.
16. All Groundwater Monitoring Wells are to be drilled, completed, modified and/or abandoned by a West Virginia Certified Well Driller in accordance with the Title 47, Series 60, Monitoring Well Design Standards, of the West Virginia Code.
17. The permittee shall submit each quarter according to the enclosed format, a DMR indicating in terms of concentration the values of the constituents listed in Sections A. Additional information pertaining to effluent monitoring and reporting can be found in Section III of Appendix A of this permit.
18. The required DMRs should be received no later than 20 days following the end of the reporting period and be addressed to:

**Director  
Division of Water & Waste Management  
414 Summers Street, Second Floor  
Charleston, West Virginia 25301-1088  
Attention: Permitting Section**

Additionally, DMR's shall be submitted to the appropriate Regional Office of Environmental Enforcement (EE). The permittee shall notify EE at least seven (7) days prior to commencing any discharge.

**Northwest Region – (304) 368-3960**  
2031 Pleasant Valley Road  
Suite #1  
Fairmont, WV 26554

Harrison, Taylor, Monongalia, Marion, Tyler, Pleasants, Ritchie, Doddridge, Wetzel, Barbour, Upshur and Lewis Counties.

**Wheeling Satellite Office – (304) 238-1075**  
US EPA-DEP-EE Wheeling Office - Methodist Building  
1060 Chapline Street  
Lower Lobby  
Wheeling, WV 26003-2955

Wetzel, Ohio, Marshall, Hancock and Brooke Counties.

**B. OTHER REQUIREMENTS (Continued)**

**Northeast Region – (304) 822-3551**

1 Depot Street  
Romney, WV 26757

Preston, Tucker, Pendleton, Grant, Randolph, Pocahontas, Jefferson, Berkeley, Morgan, Mineral, Hampshire and Hardy Counties.

**Southwest Region – (304) 757-1693**

P.O. Box 662  
Teays, WV 25569

Kanawha, Putnam, Logan, Mingo, Boone, Lincoln, Wayne, Cabell and Mason Counties.

**Parkersburg Satellite Office – (304) 420-4635**

2311 Ohio Avenue  
Parkersburg, WV 26101

Calhoun, Roane, Gilmer, Wirt, Wood, Jackson and Mason Counties.

**Southeast Region – (304) 465-1919**

116 Industrial Drive  
Oak Hill, WV 25901-8320

Wyoming, Fayette, Monroe, Summers, Greenbrier, Nicholas, Clay, Webster, Braxton, Raleigh, McDowell and Mercer Counties.

The required DMRs shall be submitted to the DWWM by each respective due date:

<b><u>Monitoring Period</u></b>	<b><u>DMR Due Date</u></b>
<b>January 1 - March 31</b>	<b>April 20</b>
<b>April 1 - June 30</b>	<b>July 20</b>
<b>July 1 - September 30</b>	<b>October 20</b>
<b>October 1 - December 31</b>	<b>January 20</b>

19. Requirements regarding the discharge portion of this permit (Sections A.1, A.2, A.3, A.4, A.5, A.6 and A.7) shall be terminated upon the termination of discharge and receipt by the DWWM of any final Discharge Monitoring Report. Requirements regarding the groundwater monitoring portion of this permit (Section A.8) and the remainder of the terms of this permit shall only be terminated upon request by the permittee to the Division of Water & Waste Management. Petition for such request may be subsequent to the receipt of at least two consecutive quarters of groundwater monitoring data (including at least one full year of collected data) revealing compliance with the Standards of Purity and Quality (SPQ) for the appropriate parameters referenced in Section A.8. If compliance with the SPQ is not achieved during the full term of coverage of this permit, the permittee shall notify the DWWM in writing of the non-compliance for a determination of such other action that may be required.

## **B. OTHER REQUIREMENTS (Continued)**

### 20. Facilities Discharging to 303(d) Streams

Permittees discharging pollutants of concern to waters for which there is a total maximum daily load (TMDL) established or approved by EPA are not eligible for coverage under this general permit, unless the permit conditions of this general permit are consistent with the assumptions and requirements of such TMDL. Therefore, the permittee must submit an NPDES application to West Virginia Department of Environmental Protection for coverage under an individual NPDES permit. The permittee should consult with the State or EPA TMDL authority to confirm if his/her facility is subject to an approved TMDL.

### 21. Endangered and Threatened Species

If a site discharges to a stream where a Federally endangered or threatened species or its habitat are present, the applicant should contact the US Fish and Wildlife Service to insure that requirements of the Federal Endangered Species Act are met.

The herein-described activity is to be constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit, with any plans, specifications and information submitted with the individual site registration application form, with any plan of maintenance and method of operation thereof submitted and with any applicable rules and regulations promulgated by the Environmental Quality Board and the Secretary of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with any plans, specifications and information submitted, and with any plan of maintenance and method of operation thereof submitted shall constitute grounds for the revocation or suspension of this permit to any individual establishment or other person and for the invocation of all the enforcement procedures set forth in Chapter 22, Article 11, or 15 of the Code of West Virginia.

**This permit is issued in accordance with the provisions of Chapter 22, Articles 11 and 12 and/or 15 of the Code of West Virginia and is transferable under the terms of Section 11 of Article 11.**

By: \_\_\_\_\_  
Director

# Appendix A

## I. MANAGEMENT CONDITIONS:

### 1. Duty to Comply

- a) The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the CWA and State Act and is grounds for enforcement action; for permit modification, revocation and reissuance, suspension or revocation; or for denial of a permit renewal application.
- b) The permittee shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

### 2. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit at least 180 days prior to expiration of the permit.

### 3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment.

### 4. Permit Actions

This permit may be modified, revoked and reissued, suspended, or revoked for cause. The filing of a request by the permittee for permit modification, revocation and reissuance, or revocation, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

### 5. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

### 6. Signatory Requirements

All applications, reports, or information submitted to the Director shall be signed and certified as required in Title 47, Series 10, Section 4.6 of the West Virginia Legislative Rules.

### 7. Transfers

This permit coverage is not transferrable to any person except after notice to the Director. The Director 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.

### 8. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable specified time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, suspending, or revoking this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

### 9. 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 Director, it shall promptly submit such facts or information.

### 10. Inspection and Entry

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

- a) Enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;
- b) Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
- 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 State Act, any substances or parameters at any location.

### 11. Permit Modification

This permit may be modified, suspended, or revoked in whole or in part during its term in accordance with the provisions of Chapter 22-11-12 (of the Code of West Virginia).

### 12. Water Quality

The effluent or effluents covered by this permit are to be of such quality so as not to cause violation of applicable water quality standards adopted by the Environmental Quality Board.

### 13. Outlet Markers

A permanent marker at the establishment shall be posted in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.

### 14. Liabilities

- a) Any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, or 308 of the Clean Water Act 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.
- b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- c) 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 noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- d) Nothing in C.14 a), b), and c) shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11.

## II. OPERATION AND MAINTENANCE:

### 1. 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 adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

### 2. 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 the permit.

### 3. Bypass

- a) Definitions
  - (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility; and
  - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- 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 provision of II.3.c) and II.3.d) of this permit.
- c)
  - (1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass;
  - (2) If the permittee does not know in advance of the need for bypass, notice shall be submitted as required in IV.2.b) of this permit.
- d) Prohibition of bypass
  - (1) Bypass is permitted only under the following conditions, and the Director may take enforcement action against a permittee for a 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 backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
    - (C) The permittee submitted notices as required under II.3.c) of this permit.
  - (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in II.3.d.(1) of this permit.

### 4. Upset

- a) Definition. "Upset" means 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 preventative 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 limitation if the requirements of II.4.c) are met. No determination made during administrative review of claims that noncompliance was caused by 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;
  - (3) The permittee submitted notice of the upset as required in IV.2.b) of this permit.
  - (4) The permittee complied with any remedial measures required under I.3. of this permit.
- d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

### 5. Removed Substances

Where removed substances are not otherwise covered by the terms and conditions of this permit or other existing permit by the Director, any solids, sludge, filter backwash or other pollutants (removed in the course of treatment or control of wastewater) and which are intended for disposal within the State, shall be disposed of only in a manner and at a site subject to the approval by the Director. If such substances are intended for disposal outside the State or for reuse, i.e., as a material used for making another product, which in turn has another use, the permittee shall notify the Director in writing of the proposed disposal or use of such substances, the identity of the prospective disposer or users, and the intended place of disposal or use, as appropriate.

### III. MONITORING AND REPORTING:

#### 1. Representative Sampling, Sample Type and Sampling Period

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

#### 2. Reporting

- a) Permittee shall submit each quarter, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration, the values of the constituents listed in Part A analytically determined to be in the effluent(s). DMR submissions shall be made in accordance with the terms contained in Section C of this permit.
- b) Enter reported average and maximum values under "Quantity" and "Concentration" in the units specified for each parameter, as appropriate.
- c) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled "N.E." (i.e., number exceeding).
- d) Specify frequency of analysis for each parameter as number of analyses/specified period (e.g., 3/month is equivalent to 3 analyses performed every calendar month). If continuous, enter "Cont.". The frequency listed on format is the minimum required.

#### 3. Test Procedures

Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless other test procedures have been specified elsewhere in this permit.

#### 4. Recording of Results

For each measurement or sample taken pursuant to the permit, the permittee shall record the following information.

- a) The date, exact place, and time of sampling or measurement;
- b) The date(s) analyses were performed;
- c) The individual(s) who performed the sampling or measurement;
- d) The individual(s) who performed the analyses; if a commercial laboratory is used, the name and address of the laboratory;
- e) The analytical techniques or methods used, and
- f) The results of such analyses. Information not required by the DMR form is not to be submitted to this agency, but is to be retained as required in III.6.

#### 5. Additional Monitoring by Permittee

If the permittee monitors any pollutant at any monitoring point specified in this permit more frequently than required by this permit, using approved test procedures or others as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

#### 6. Records Retention

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

#### 7. Definitions

- a) "Daily discharge" means the discharge of a pollutant measured during a calendar day or within any specified period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the 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 day.
- b) "Average monthly discharge limitation" means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
- c) "Maximum daily discharge limitation" means the highest allowable daily discharge.
- d) "Composite Sample" is a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite. The maximum time period between individual samples shall be two hours.
- e) "Grab Sample" is an individual sample collected in less than 15 minutes.
- f) "is" = immersion stabilization - a calibrated device is immersed in the effluent stream until the reading is stabilized.
- g) The "daily average temperature" means the arithmetic average of temperature measurements made on an hourly basis, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar month, or during the operating month if flows are of shorter duration.
- h) The "daily maximum temperature" means the highest arithmetic average of the temperatures observed for any two (2) consecutive hours during a 24 hour day, or during the operating day if flows are of shorter duration.
- i) "Measured Flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or which a relationship to absolute volume has been obtained.
- j) "Estimate" means to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to pump capabilities, water meters and batch discharge volumes.
- k) "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- l) "CWA" means the Clean Water Act.
- m) "Director" means the Director of the Division of Water & Waste Management, Division of Environmental Protection or their designated representative.
- n) "Facility Registration Application Form" means the form(s) designated by the Director for the purpose of making application for coverage under a general permit.
- o) "Trout Streams" means any waters which meet the definition of Section 2.19 of 46 CSR1.

## **IV. OTHER REPORTING:**

### **1. Reporting Spills and Accidental Discharges**

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 Title 47, Series 11, Section 2 of the West Virginia Legislative Rules promulgated pursuant to Chapter 22, Article 11.

Attached is a copy of the West Virginia Spill Alert System for use in complying with Title 47, Series 11, Section 2 of the Legislative rules as they pertain to the reporting of spills and accidental discharges.

### **2. Immediate Reporting**

- a) The permittee shall report any noncompliance which may endanger health or the environment immediately after becoming aware of the circumstances by using the Agency's designated spill alert telephone number. A written submission shall be provided within five (5) 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.
- b) The following shall also be reported immediately:
  - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
  - (2) Any upset which exceeds any effluent limitation in the permit; and
  - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported immediately. This list shall include any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance.
- c) The Director may waive the written report on a case-by-case basis if the oral report has been received in accordance with the above.
- d) Compliance with the requirements of IV.2 of this section, shall not relieve a person of compliance with Title 47, Series 11, Section 2.

### **3. Reporting Requirements**

- a) Planned changes. The permittee shall give notice to the Director of any planned physical alterations or additions to the permitted facility which may affect the nature or quantity of the discharge. Notice is required when:
  - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Section 13.7.b of Series 10, Title 47; or
  - (2) 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 IV.2 of this section.
- b) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

### **4. Other Noncompliance**

The permittee shall report all instances of noncompliance not reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain the information listed in IV.2.a).