

Groundwater Decontamination Program Amendment

Page numbers changed

Pages 1, 2, 3, 4, 5 and 19 amended

State Permit Number WPCC 3087B/74

NPDES Permit Number DE 0020001

Effective Date May 10, 1984

Expiration Date May 9, 1989

Amended: January 21, 1985

100188

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND THE LAWS OF THE
STATE OF DELAWARE

my copy
refer to p. 19
re: notification of
DNREC when
P.W. decom. sys
is to go on
line
RWK

In compliance with the provisions of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251 et seq.) (hereinafter referred to as "the Act"), and pursuant to the provisions of 7 Del. C., §6003

Standard Chlorine of Delaware, Inc.
P. O. Box 319
Delaware City, Delaware 19706

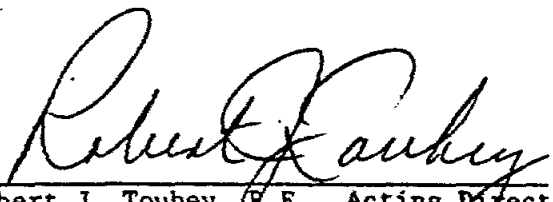
is authorized to discharge from the facility
(Point Sources 001) located at

Governor Lea Road
Delaware City, Delaware

to receiving waters named

Delaware River - Zone 5

The effluent limitations, monitoring requirements and other permit conditions are set forth in Part I, II and III hereof.


Robert J. Touhey, P.E., Acting Director
Division of Environmental Control
Department of Natural Resources
and Environmental Control

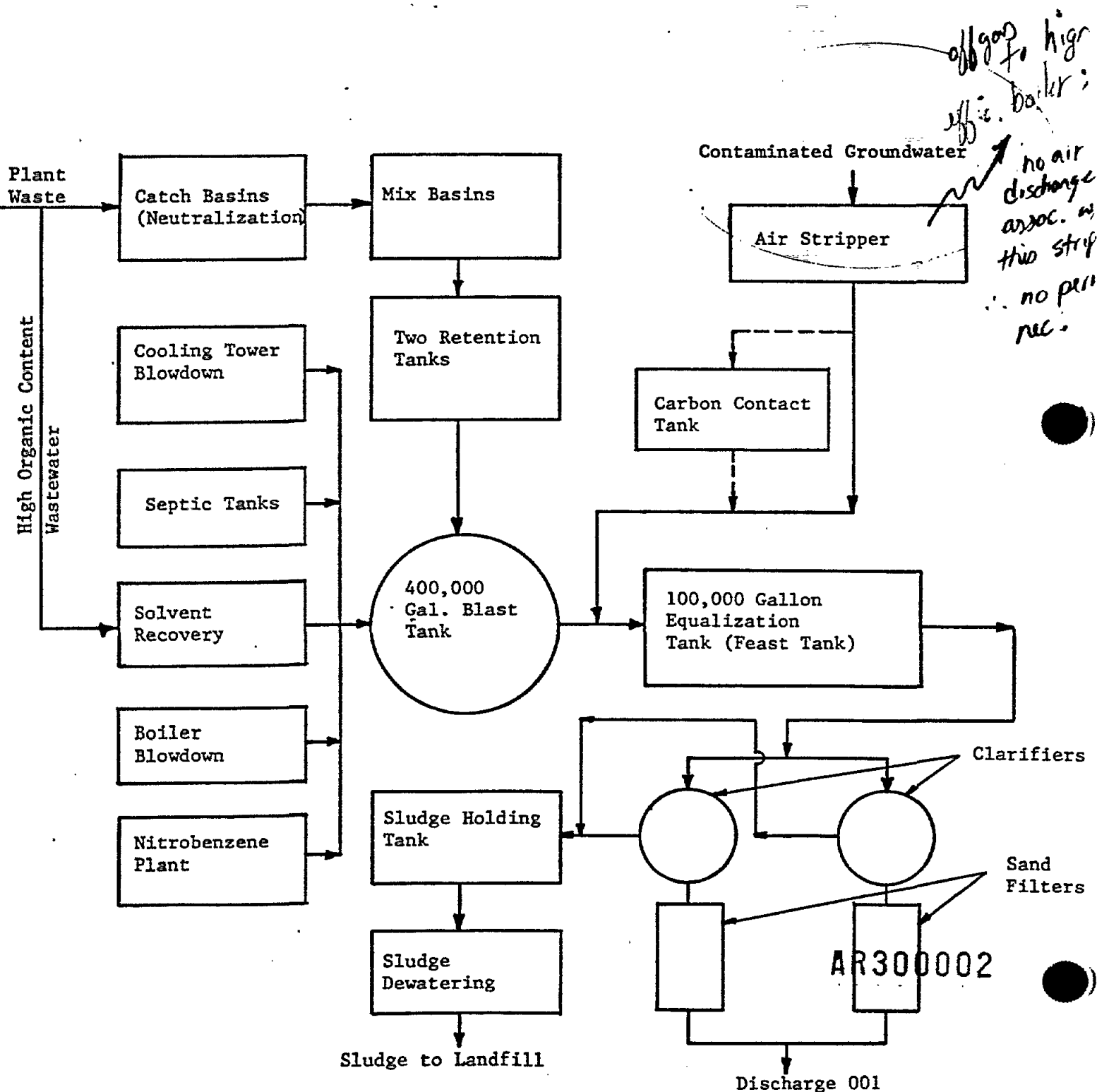
Advise T. Pison to put system
on line @ beginning of
month in order to
facilitate compliance monitoring
paperwork

AR300001

A. General Description of Discharges and Facilities

Discharge 001 - Treated process wastewater from manufacture of chlorinated benzenes and nitrobenzenes; contaminated groundwater; boiler blowdown; cooling tower blowdown; septic tank effluent.

(See Special Conditions page 19 paragraphs 8 and 9)



B. 1 EFFLUENT LIMITATIONS - INTERIM

During the period beginning effective date and lasting through installation of groundwater decontamination the permittee is authorized to discharge from point source(s) 001** program equipment.* the quantity and quality of effluent specified below:

The average quantity of effluent discharged from the wastewater treatment facility shall not exceed 0.48 million gallons per day (mgd) or 1817 cubic meters per day.

Parameter	lbs/day	kg/day	Concentration	Daily Average		Maximum Instantaneous Concentration	
				Daily Maximum			
Benzene & Its Derivatives***	10.0	4.6	2.5 mg/L	16	7.3	4.0 mg/L	
BOD	120****	55	30.0 mg/L	180	82	45 mg/L	
Total Suspended Solids	120	55	30.0 mg/L	180	82	45 mg/L	
Chromium	0.60	0.27	0.15 mg/L	0.90	0.42	0.23 mg/L	
Copper	2.0	0.9	0.50 mg/L	3.0	1.4	0.75 mg/L	
Iron	8.0	3.6	2.0 mg/L	12.0	5.5	3.0 mg/L	
Lead	0.60	0.27	0.15 mg/L	0.92	0.42	0.23 mg/L	
Mercury	0.02	0.01	0.005 mg/L	0.03	0.015	0.008 mg/L	
Selenium	0.08	0.04	0.02 mg/L	0.12	0.06	0.03 mg/L	
Zinc	4.0	1.8	1.0 mg/L	6.0	2.7	1.5 mg/L	
Fecal Coliform			200 colonies/100 mL				

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The discharge shall be free from floating solids, sludge deposits, debris, oil and scum.

*See Special Conditions page 19 paragraphs 8 & 9.

**Treated process wastewater

***See page 18 paragraph 2

**** page 18 paragraph 4

AR3000003

B. 2 EFFLUENT LIMITATIONS - FINAL

During the period beginning after the installation of the groundwater decontamination program equipment* and the permittee is authorized to discharge from point source(s)001** lasting through permit expiration. the quantity and quality of effluent specified below:

The average quantity of effluent discharged from the wastewater treatment facility shall not exceed 1.0 million gallons per day (mgd) or 3785.0 cubic meters per day.

Parameter	lbs/day	kg/day	Concentration	Daily Maximum		Maximum Instantaneous Concentration	
				Daily Average	Daily Maximum	Concentration	Concentration
Benzene & Its Derivatives***	21.0	9.5	2.5 mg/L		33.4	15.0	4.0 mg/L
BOD ₅ ****	120.0	55.0	14.0 mg/L		180.0	82.0	22.0 mg/L
Total Suspended Solids	250.0	114.0	30.0 mg/L		375.0	170.0	45.0 mg/L
Chromium	1.25	0.60	0.15 mg/L		1.90	0.9	0.23 mg/L
Copper	4.20	1.90	0.50 mg/L		6.25	2.8	0.75 mg/L
Iron	16.7	7.6	2.0 mg/L		25.0	11.4	3.0 mg/L
Lead	1.25	0.6	0.15 mg/L		1.90	0.9	0.23 mg/L
Mercury	0.02	0.01	0.002 mg/L		0.03	0.015	0.004 mg/L
Selenium	0.08	0.04	0.010 mg/L		0.12	0.06	0.015 mg/L
Zinc	8.3	3.8	1.0 mg/L		12.5	5.7	1.5 mg/L
Fecal Coliform			200 colonies/100 mL				

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The discharge shall be free from floating solids, sludge deposits, debris, oil and scum.

*See Special Conditions page 19 paragraphs 8 and 9

**Treated process wastewater

***See page 18 paragraph 2

****See page 18 paragraph 4

APR 30 00004

C. MONITORING REQUIREMENTS (See Special Conditions page 14 paragraph 8)

During the period beginning effective date and lasting through permit expiration
 the permittee is authorized to discharge from outfall(s) serial number(s) 001 (treated process wastewater)

Such discharge(s) shall be monitored by the permittee as specified below:

<u>Effluent Parameter</u>	<u>Measurement Frequency</u>	<u>Monitoring Requirement</u>	<u>Sample Type</u>
Flow	Continuous	Recording & Totalizing	
pH	Continuous	Recording	
Benzene & Its Derivatives*	Once/week	Composite	
BOD	Once/week	Composite	
Total Suspended Solids	Once/week	Composite	
Chromium	Once/month	Composite	
Copper	Once/month	Composite	
Cyanide***	Once/month	Composite	
Iron	Once/week	Composite	
Lead	Once/month	Composite	
Mercury	Once/month	Composite	
Nickel***	Once/month	Composite	
Selenium	Once/month	Composite	
Silver***	Once/month	Composite	
Zinc	Once/month	Composite	
Bioassay**	Once/quarter	See Part IIIA, Special Condition:	
Fecal Coliform	Once/month	Grab	

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Effluent parshall flume

*See page 18, paragraph 2

**See page 18, paragraph 3

***See page 18, paragraph 5

300005

D. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

None

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or non-compliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

E. Monitoring and Reporting

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous one (1) month shall be summarized for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on June 28, 1984. Signed copies of these, and all other reports required herein, shall be submitted to the State at the following address:

DELAWARE DEPT. OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF ENVIRONMENTAL CONTROL, R & R BUILDING, P. O. BOX 1401, DOVER, DELAWARE 19903 TELEPHONE: (302) 736-4761

AR300006

3. Definitions

- a. The daily average discharge - The total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- b. The daily maximum discharge - The total discharge by weight during any calendar day.
- c. Maximum instantaneous concentration - The concentration of a pollutant in terms of milligrams per liter which represents the value obtained from a grab sample of an effluent. The maximum instantaneous concentration shall be based on a review of the degree of fluctuation experienced in comparable systems. For purposes of compliance, the maximum instantaneous concentration shall be based on the actual analysis of the grab sample.
- d. Bypass - The intentional diversion of wastes from any portion of a treatment facility.
- e. Upset - An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facility, inadequate treatment facilities, lack of preventive maintenance or careless or improper operation.
- f. Composite sample - A combination of individual samples obtained at 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. For a continuous discharge, a minimum of 24 individual grab samples shall be collected and combined to constitute a 24 hour composite sample. For intermittent discharges of 4-8 hours duration, a minimum of 12 grab samples shall be collected and combined to constitute the composite sample for the discharge. For intermittent discharges of less than 4 hours, a minimum of individual grab samples shall be collected and combined to constitute the composite sample equal to the duration of the discharge in hours times 3 but not less than 3 samples.
- g. Grab sample - An individual sample collected in less than 15 minutes.

AR300007

- h. I/S (immersion stabilization) - A calibrated device is immersed in the effluent stream until the reading is stabilized.
- i. The monthly average temperature - The arithmetic mean 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.
- j. The daily maximum temperature - The highest arithmetic mean of the temperature observed for any two (2) consecutive hours during a 24-hour day, or during the operating day if flows are of shorter duration.
- k. Measured flow - Any method of liquid volume measurement the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.
- l. Estimate - 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.
- m. Non-contact cooling water - The water that is contained in a leak-free system, i.e., no contact with any gas, liquid, or solid other than the container for transport; the water shall have no net poundage addition of any pollutant over intake water levels.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to the applicable test procedures identified in 40 C.F.R., Part 136, unless otherwise specified in this permit.

5. Quality Assurance Practices

The permittee is required to show the validity of all data by requiring its laboratory to adhere to the following minimum quality assurance practices:

- a. Duplicate ⁽¹⁾ and spiked ⁽²⁾ samples must be run for each constituent in the permit on 5% of the samples, or at least on one sample per month, whichever is greater. If the analysis frequency is less than one sample per month, duplicate and/or spiked samples must be run for each analysis.
- b. For spiked samples, a known amount of each constituent is to be added to the discharge sample. The amount of constituent added should be approximately the same amount present in the unspiked sample, or must be approximately that stated as maximum or average in the discharge permit.

(1) Duplicate samples are not required for the following parameters: Color, Temperature, Turbidity.

(2) Spiked samples are not required for the following parameters: Acidity, Alkalinity, Bacteriological, Benzidine, Chlorine, Color, Dissolved Oxygen, Hardness, pH, Oil & Grease, Radiological, Residues, Temperature, Turbidity, BOD₅ and Total Suspended Solids. Procedures for spiking samples are available through the Regional Quality Assurance Coordinator.

AR300008

Part I

State Permit Number WPCC 3087B/74

NPDES Permit Number DE 0020001

Page 9 of 19Pages

- c. The data obtained in a and b shall be summarized in an annual report submitted at the end of the fourth quarter of reporting in terms of precision, percent recovery, and the number of duplicate and spiked samples run, date and laboratory log no. of samples run and name of analyst.
- d. Precision shall be calculated by the formula, standard deviation $s = (\sum d^2/k)^{1/2}$, where d is the difference between duplicate results, and k is the number of duplicate pairs used in the calculations.
- e. Percent recovery shall be reported on the basis of the formula $R = 100 (F-I)/A$, where F is the analytical result of the spiked sample, I is the result before spiking of the sample, and A is the amount of constituent added to the sample.
- f. The percent recovery, R, in e above shall be summarized yearly in terms of mean recovery and standard deviation from the mean. The formula, $s = (\sum (x-\bar{x})^2 / (n-1))^{1/2}$, where s is the standard deviation around the mean $\bar{x}$, x is an individual recovery value, and n is the number of data points, shall be applied.
- g. The permittee or his contract laboratory is required to annually analyze an external quality control reference sample for each pollutant. These are available through the EPA regional quality assurance coordinator. Results shall be included in the annual report, c above.
- h. The permittee and/or his contract laboratory is required to maintain an up-to-date and continuous record of the method used, of any deviations from the method or options employed in the reference method, of reagent standardization, of equipment calibration and of the data obtained in a, b and f above.
- i. If a contract laboratory is utilized, the permittee shall report the name and address of the laboratory and the parameters analyzed together with the monitoring data required.

6. Records

- a. For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:
 - (1) The date, exact place and time of sampling or measurements;
 - (2) The person(s) who performed the sampling or measurements;

AR300009

- (3) The dates analyses were performed;
 - (4) The person(s) who performed each analysis;
 - (5) The analytical techniques or methods used;
 - (6) The results of each analyses; and
 - (7) The quality assurance information as stated above.
- b. An operator log must be kept on site at all times. This log should include time spent at the treatment facility on any date, and the nature of operation and maintenance performed.

7. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA No. 3320-1). Such increased frequency shall also be indicated.

8. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation shall be retained for three (3) years. 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 Department.

AR300010

Part II

State Permit Number WPCC 3087B/74

NPDES Permit Number DE 0020001

Page 11 of 19 Pages

A. MANAGEMENT REQUIREMENTS

1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increase, or process modifications which will result in new, different or increased discharge of pollutants must be reported by submission of a new NPDES application at least 180 days prior to commencement of the changed discharge. Any other activity which would constitute cause for modification or revocation and reissuance of this permit, as described in Part II, B-5 of this permit, shall be reported to the Department. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. Noncompliance Notification

a. If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitations or maximum instantaneous concentration specified in this permit, the permittee shall provide the Department with the following information, in writing, within five (5) days of becoming aware of such conditions:

- (1) A description of the discharge and cause of noncompliance;
- (2) The period of noncompliance, including exact dates and times and the anticipated time when the discharge will return to compliance;
- (3) Steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

b. In the case of any upset or discharge subject to any toxic pollutant effluent standard under Section 307(a) of the Act, the Department shall be notified within 24 hours of the time the permittee becomes aware of the noncomplying discharge. Notification shall include information as described in paragraph 2(a) above. If such notification is made orally, a written submission must follow within five (5) days of the time the permittee becomes aware of the noncomplying discharge.

3. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all collection and treatment facilities and systems (and related appurtenances) installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective performance based on designed facility removals,

AR300011

adequate funding, effective management, adequate operator staffing and training and adequate laboratory and process controls including appropriate quality assurance procedures.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the waters of the State or the United States resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

Any bypass of treatment facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited unless:

- a. The bypass is unavoidable to prevent loss of life, personal injury or severe property damage; and
- b. There are no alternatives; and
- c. The Department is notified within 24 hours (if orally notified, then followed by a written submission, within five (5) days of the permittee's becoming aware of the bypass. Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten (10) days before the date of bypass; and
- d. The bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effect as provided under 7 Del. C., Chapter 60, §6011.

6. Conditions Necessary for Demonstration of an Upset

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based effluent limitations only if the permittee demonstrates, through properly signed contemporaneous operating logs, or other relevant evidence, that:

- a. An upset occurred and that the permittee can identify the specific cause(s) of the upset; and
- b. The permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures; and
- c. The permittee submitted a notification of noncompliance as required by Part II, A.2.b.
- d. The permittee has taken all remedial measures required to minimize adverse impact.

AR300012

7. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of collection or treatment of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering surface waters or groundwaters.

8. Failure

The permittee, in order to maintain compliance with its permit, shall control production and all discharges upon reduction, loss or failure of the treatment facility until the facility is restored or an alternative method of treatment is provided.

9. Alternative Power Source

In order to insure compliance with the effluent limitations and all other terms and conditions of this permit, the Department may require that the permittee shall provide an alternative power sufficient to operate the wastewater collection and treatment facilities in accordance with the Schedule of Compliance contained in Part I of this permit.

B. RESPONSIBILITY

1. Right of Entry

The permittee shall allow the Secretary of the Department of Natural Resources and Environmental Control, the Regional Administrator, and their authorized representatives, jointly and severally, upon the presentation of credentials and such other documents as may be required by law:

- a. To enter upon the permittee's premises where a point source is located or where any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; to inspect any collection, treatment, pollution management, or discharge facilities required under this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership and Control

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred to another person if the permittee:

- a. Notifies the Department, in writing, of the proposed transfer; and

AR300013

- b. A written agreement between the transferrer and the transferee, indicating the specific date of proposed transfer of permit coverage and acknowledging responsibilities of current and new permittees for compliance with and liability for the terms and conditions of this permit, is submitted to the Department; and
- c. The Department within thirty (30) days of receipt of the notification of the proposed transfer does not notify the current permittee and the new permittee of intent to modify, revoke and reissue, or terminate the permit and require that a new application be submitted.

3. Reapplication for a Permit

At least 180 days before the expiration date of this permit, the permittee shall submit a new application for a permit or notify the Department of the intent to cease discharging by the expiration date. In the event that a timely and sufficient reapplication has been submitted and the Department is unable, through no fault of the permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

4. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department of Natural Resources and Environmental Control. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for under 7 Del. C., §6013.

5. Permit Modification, revocation and Reissuance and Termination

- a. After notice and opportunity for a hearing, this permit may be modified, terminated, or revoked and reissued in whole or in part during its term for cause including, but not limited to, the following:
 - (1) Violation of any terms or conditions of this permit;
 - (2) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
 - (3) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
 - (4) Information that the permitted discharge poses a threat to human health or welfare.

AR300014

Part II

State Permit Number WPCC 3087B/74

NPDES Permit Number DE0020001

Page 15 of 19 Pages

b. In addition to the provisions of paragraph 5.a. above, this permit may be modified, revoked and reissued in whole or in part, but not terminated, after notice and opportunity for a hearing, for cause including, but not limited to, the following:

- (1) Material and substantial alterations or additions to the discharger's operation which were not covered in the effective permit provided that such alterations do not constitute total replacement of the process or production equipment causing the discharge which converts it into a new source;
- (2) The existence of a factor or factors which, if properly and timely brought to the attention of the Department, would have justified the application of limitations or other requirements different from those required by applicable standards or limitations but only if the requestor shows that such factor or factors arose after the final permit was issued;
- (3) Revision, withdrawal or modification of State water quality standards or Environmental Protection Agency promulgated effluent limitations guidelines, but only when:
 - (a) The permit term or condition requested to be modified or revoked was based on a promulgated effluent limitations guideline or an Environmental Protection Agency approved State water quality standards.
 - (b) The U.S. Environmental Protection Agency has:
 - (i) Revised, withdrawn or modified that portion of the effluent limitations guidelines on which the permit term or condition was based; or
 - (ii) Approved a State action with regard to a water quality standard on which the permit term or condition was based; and
 - (c) A request for modification or revocation and reissuance is filed within ninety (90) days after Federal Register notice of:
 - (i) Revision, withdrawal or modification of that portion of the effluent limitations guidelines; or
 - (ii) The U.S. Environmental Protection Agency approval of State action regarding a water quality standard;
- (4) Judicial remand of Environmental Protection Agency promulgated effluent limitations guidelines, if the remand concerns that portion of the guidelines on which the permit term or condition was based and the request is filed within ninety (90) days of the judicial remand;

AR800015

- (5) Any modification or revocation and reissuance of permits specifically authorized by the Act;
- (6) To comply with any applicable standard or limitation promulgated or approved under sections 301(b) (2) (C) and (D), 304 (b) (2) and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (a) Contains different conditions or is otherwise more stringent than any effluent limitations in the permit; or
 - (b) Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

- (7) To contain a schedule of compliance leading to termination of the direct discharge by a date which is no later than the statutory deadline;
- (8) To modify a schedule of compliance in an issued permit for good and valid cause by a date which is no later than the statutory deadline.
- (9) To modify a schedule of compliance of a POTW which has received a grant, under section 202(a) (3) of the Act, to reflect the amount of time lost during construction of the innovative and alternative facilities by a date which is no later than the statutory deadline.

6. 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 7 Del. C., Chapter 60.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation.

8. Discharge of Pollutants

Any person who causes or contributes to the discharge of a pollutant into waters of the State or the United States either in excess of any conditions specified in this permit or in absence of a specific permit condition shall report such an incident to the Department as required under 7 Del. C., §6028.

AR300016

Part II

State Permit Number WPCC 3087B/74

NPDES Permit Number DE0020001

Page 17 of 19 Pages

9. Property Rights

The issuance of this permit neither conveys any property rights in either real or personal property, or any exclusive privileges, nor authorizes any injury to private property or any invasion of personal rights, or any infringement of Federal, State or local laws or regulations.

10. Construction Authorizations

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

11. Severability

The provisions of this permit are severable. If any provision of this permit is held invalid, the remainder of this permit shall not be affected. If the application of any provision of this permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

AR300017

A. Special Conditions

The following special conditions are included in the permit.

1. This permit supersedes the existing State Permit Number WPCC 3087A/74, NPDES Permit DE 0020001 issued on March 2, 1977.
2. Benzene and its derivatives - the total concentration shall be obtained by addition of the individual concentrations of benzene and its derivatives as determined by the Gas Chromatographic method. Derivatives of benzene shall include monochlorobenzene; para, meta, and ortho-dichloronitrobenzene; trichlorobenzene; nitrobenzene; chloronitrobenzene; and para-, meta-, and ortho-dichloronitrobenzene.
3. Fish survival studies shall be conducted by the permittee once every three (3) months in 100% effluent to determine if deleterious materials are being discharged. Continuous flow-through bioassay tests shall be conducted in accordance with the procedures set forth in the latest (approved) edition of "Standard Methods for the Examination of Water and Wastewater". If the Department determines that mortality in a 4 day (96 hour) period is greater in the effluent than in a non-polluted control test, this permit shall be amended and more stringent final effluent limitations (Part IB2) shall be imposed.
4. The Delaware River Basin Commission allocation of 150 pounds per day of (carbonaceous) first stage oxygen demand equivalent to 120 pounds per day of BOD₅ (as a daily average) shall not be exceeded. The raw waste BOD₅ shall be reduced by at least 87.5% as a monthly average prior to discharge.
5. The Department will review the first year of monitoring test data for cyanide, nickel, silver and based on this review, limitations may be added to this permit.
6. The permittee shall implement a Best Management Practices (BMP) Program which prevents and minimizes the potential for the release of hazardous or toxic substances from ancillary activities to the waters of the United States. Ancillary activities are material storage areas; loading and unloading operations; plant site runoff; and sludge and waste disposal areas. The BMP Program shall be documented in a narrative form and shall include any necessary plot plans, drawings or maps. The permittee shall maintain copies of these plans/documents at the facility and shall make them available to the Department upon request. The permittee shall amend these plans whenever there is a change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of hazardous or toxic pollutants to the surface waters of the United States. If the Department determines that the BMP Program is ineffective in achieving the general objective of preventing the release of significant amounts of toxic or hazardous pollutants to surface waters, the permit and the BMP Program shall be subject to modification to incorporate revised requirements.

AR 300018

Groundwater Decontamination Program Amendment

Special Condition #8 added

Special Condition #9 added

Part III

State Permit Number WPCC 3087B/74

NPDES Permit Number DE 0020001

Page 19 of 19 Pages

A. Special Conditions

7. Alternative plans developed and maintained by the permittee to control Hazardous Substances and Wastes, may be determined to be equivalent by the Department for the purposes of a BMP Program. Any alternative plans which have been determined to be equivalent shall be implemented immediately in conformance with the requirements for a BMP Program in Special Condition #6.
8. At the time of this permit amendment, the equipment required for the groundwater decontamination program has not been installed. The permittee shall notify the Department in writing when all the above-mentioned equipment has been installed and is operational. When the Department receives this notification, the final effluent limitations specified on page 4 of this amended permit and Special Condition #9 shall go into effect.
9. The permittee shall analyze for benzene & its derivatives, both the feed to and the effluent from the air stripper at least once every eight (8) hours for each day when the stripper is operating. Based on the results of these analyses, the permittee shall bring on-line, as required, the carbon contact tank to remove tetrachlorobenzene in the stripper effluent, in order for it (the stripper effluent) to meet the benzene and its derivatives limits specified on page 4 of the permit.

AR300019