

**NPDES PERMIT APPLICATION FOR
STORM WATER DISCHARGES
ASSOCIATED WITH INDUSTRIAL ACTIVITY AT
MONSANTO CHEMICAL COMPANY
ANNISTON, ALABAMA**

Prepared for

**ALABAMA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT WATER DIVISION
1751 Con. W.L. Dickinson Drive
Montgomery, Alabama 36130**

Prepared by

**MONSANTO CHEMICAL COMPANY
300 Birmingham Highway
Anniston, Alabama 36201
and
GERAGHTY & MILLER, INC.
Environmental Services
14497 N. Dale Mabry Hwy.
Suite 115
Tampa, Florida 33618**

FORM 1 GENERAL		U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION <i>Consolidated Permits Program</i> <i>(Read the "General Instructions" before starting.)</i>	I. EPA I.D. NUMBER F ALD 004019048
LABEL ITEMS I. EPA I.D. NUMBER III. FACILITY NAME V. FACILITY MAILING ADDRESS VI. FACILITY LOCATION		PLEASE PLACE LABEL IN THIS SPACE	GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete Items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

SPECIFIC QUESTIONS	MARK 'X'			SPECIFIC QUESTIONS	MARK 'X'		
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		X		B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)		X	
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)	X			D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)		X		F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X	

III. NAME OF FACILITY

1 SKIP Monsanto

IV. FACILITY CONTACT

A. NAME & TITLE (last, first, & title) B. PHONE (area code & no.)

2 Jones, Robert Environmental Specialist 205 231 8492

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX

3 300 Birmingham Highway

B. CITY OR TOWN C. STATE D. ZIP CODE

4 Anniston AL 36201

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER

5 300 Birmingham Highway

B. COUNTY NAME

6 Calhoun

C. CITY OR TOWN D. STATE E. ZIP CODE F. COUNTY CODE (if known)

7 Anniston AL 36201

TABLE OF CONTENTS

EPA Form 2 - Application for Permit to Discharge Storm Water Associated with Industrial Activity

FIGURES

1. Site Location Plan.
2. Production Facility Storm Water Site Plan
3. Landfill Storm Water Site Plan.

APPENDICES

- A. Existing NPDES Permit No. AL0001201.
- B. IV.B and IV.C Narrative Description of Pollutant Sources.
- C. Nonstorm-water Discharge.
- D. VI. Significant Leaks or Spills.

FORM 2F

VII. Discharge Information

A,B,C, & D: See instructions before proceeding. Complete one set of tables for each outfall. Annotate the outfall number in the space provided.
Tables VII-A, VII-B, and VII-C are included on separate sheets numbered VII-1 and VII-2.

E: Potential discharges not covered by analysis - Is any pollutant listed in Table 2F-2 a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?

Yes (list all such pollutants below) No (go to Section IX)

Benzene
4-Nitrophenol

VIII. Biological Toxicity Testing Data

Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last 3 years?

Yes (list all such pollutants below) No (go to Section IX)

IX. Contract Analysis Information

Were any of the analyses reported in Item V performed by a contract laboratory or consulting firm?

Yes (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below) No (go to Section X)

A. Name	B. Address	C. Area Code & Phone No.	D. Pollutants Analyzed
Environmental Industrial Research Associates, Inc.	161 James Drive West, Suite 100 St. Rose, LA 70087	(504) 469-0333	Oil and Grease TSS Total Kjeldahl Nitrogen NO3-N Total Phosphorus BOD5

X. 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.

A. Name & Official Title (type or print)	B. Area Code and Phone No.
C. Signature	D. Date Signed

IV. Narrative Description of Pollutant Sources

A. For each outfall, provide an estimate of the area (include units) of impervious surfaces (including paved areas and building roofs) drained to the outfall, and an estimate of the total surface area drained by the outfall.

Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)	Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)
DSN001	5.4 ACRES	15.5 ACRES	DSN008	0 ACRES	11.0 ACRES
DSN002	3.3 ACRES	17.0 ACRES	DSN009	0 ACRES	10.0 ACRES
DSN006	1.3 ACRES	8.8 ACRES	DSN010	0 ACRES	11.9 ACRES
DSN007	2.1 ACRES	11.3 ACRES	DSN011	0 ACRES	13.2 ACRES
			DSN012	0 ACRES	17.3 ACRES

B. Provide a narrative description of significant materials that are currently or in the past three years have been treated, stored or disposed in a manner to allow exposure to storm water; method of treatment, storage, or disposal; past and present materials management practices employed, in the last three years, to minimize contact by these materials with storm water runoff; materials loading and access areas; and the location, manner, and frequency in which pesticides, herbicides, soil conditioners, and fertilizers are applied.

SEE APPENDIX B

C. For each outfall, provide the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of the treatment the storm water receives, including the schedule and type of maintenance for control and treatment measures and the ultimate disposal of any solid or fluid wastes other than by discharge.

Outfall Number	Treatment	List Codes from Table 2F-1
	SEE APPENDIX B	

V. Nonstormwater Discharges

A. I certify under penalty of law that the outfall(s) covered by this application have been tested or evaluated for the presence of nonstormwater discharges, and that all nonstormwater discharges from these outfall(s) are identified in either an accompanying Form 2C or Form 2E application for the outfall.

Name and Official Title (type or print)	Signature	Date Signed

B. Provide a description of the method used, the date of any testing, and the onsite drainage points that were directly observed during a test

SEE APPENDIX C

VI. Significant Leaks or Spills

Provide existing information regarding the history of significant leaks or spills of toxic or hazardous pollutants at the facility in the last three years, including the approximate date and location of the spill or leak, and the type and amount of material released.

SEE APPENDIX D

VII - Supplement

The production facility is drained by four outfalls (DSN-001, DSN-004, DSN-006 and DSN-007), as shown on Figure 2. Outfall DSN-001 is the only outfall that discharges storm-water associated with the Therminol® and biphenyl production areas, the boiler area and portions of the laboratory. However, a continuous flow of once-through non-contact cooling water also discharges through DSN-001. The non-contact cooling water is currently permitted to discharge through DSN-001 (please refer to Appendix A).

To obtain a storm-water only sample associated with the Therminol® and biphenyl production areas and avoid sampling the permitted non-contact cooling water discharge, the sample location was located upgradient from DSN-001. The storm-water sample was collected on-site at an outfall that discharges storm water associated with the Therminol® and biphenyl production areas, the boiler area and portions of the laboratory. The sample location is shown on Figure 2.

Outfall DSN-004 is the center outfall at the production site. It is between DSN-006 and DSN-007. It receives runoff from the PNP production area, areas adjacent to the Therminol® production area, portions of former parathion production area, and runoff from the areas drained by DSN-006 and DSN-007. A sample of the storm water discharged through DSN-004 would provide a representative sample of storm-water runoff across the entire production site north and west of the biphenyl production area.

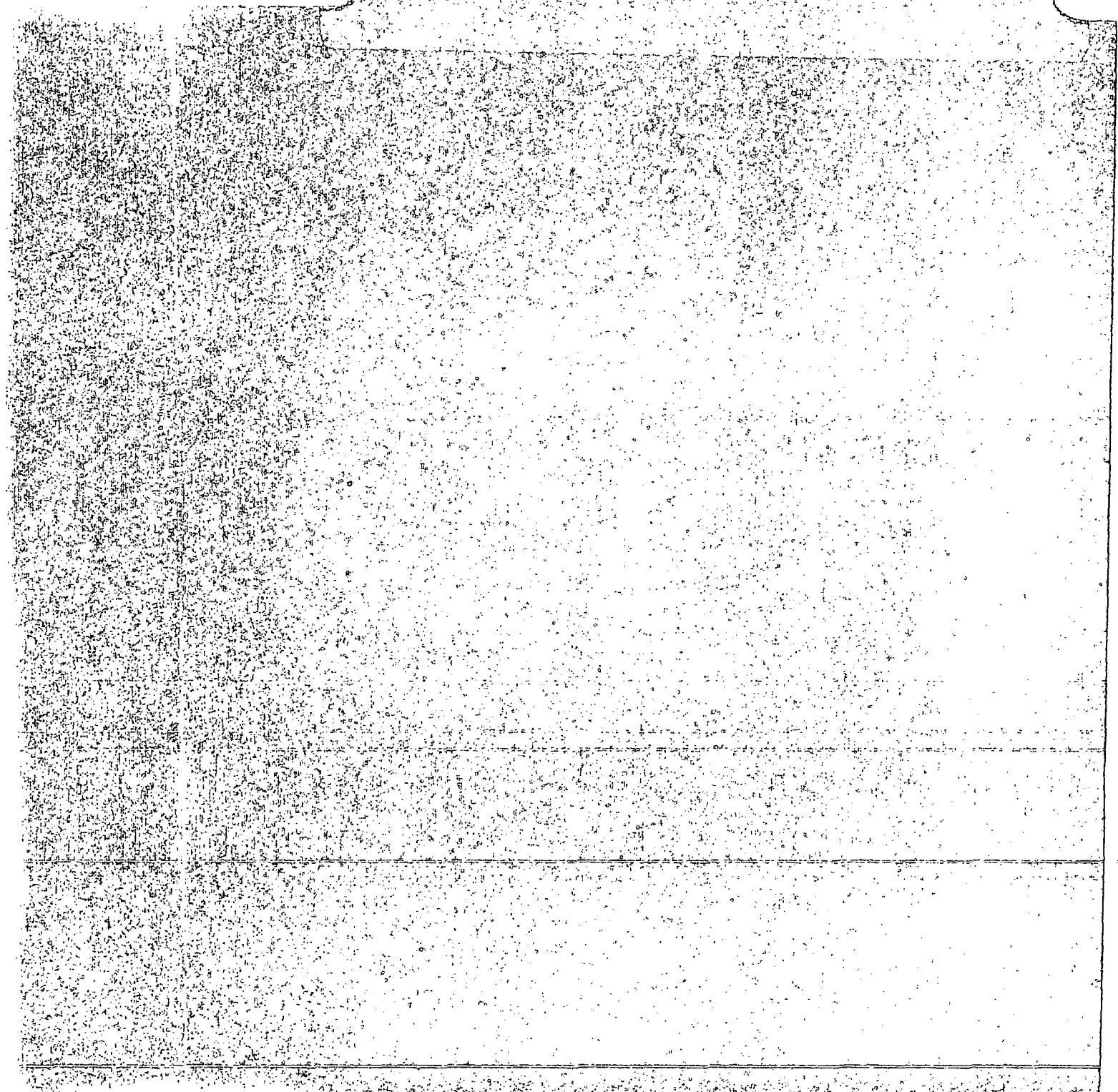
However, a sedimentation build-up at that outfall (DSN-004) made accurate flow measurements difficult and outfalls DSN-006 and DSN-007 were not easily accessible. Therefore, the sample location was moved approximately 130 feet southeast of DSN-004 to an outfall free of sediment build-up and easier to access. The sample location will provide a representative sample of storm-water runoff from the PNP production area, areas adjacent to the Therminol® production area, and portions of former parathion production area. The sample location is shown on Figure 2.

VII - Supplement, Continued

The landfill site is drained by five outfalls. The runoff from the five areas draining to each respective outfall is substantially identical. One of the five outfalls associated with industrial activity at the landfill site will be sampled. The center outfall with the concrete pipe is the most practical sampling point. Sampling this outfall will provide a sample representative of runoff across the entire landfill.

Quantitative data will be submitted for the representative outfalls once a proper storm event is sampled. Only data of storm-water samples from the representative outfalls will be used to complete Form 2F. These data will be listed in the spaces provided in Parts A, B, and C of Section VII.

FIGURES



FIGURES

PROJ\TFS25\RPT\NPDESAPP.W51

Maps

Date	Description	Amount	Balance	Remarks
1998-01-01	Opening Balance		100.00	
1998-01-15	Deposit	50.00	150.00	
1998-02-01	Withdrawal	25.00	125.00	
1998-02-15	Deposit	75.00	200.00	
1998-03-01	Withdrawal	100.00	100.00	
1998-03-15	Deposit	50.00	150.00	
1998-04-01	Withdrawal	25.00	125.00	
1998-04-15	Deposit	75.00	200.00	
1998-05-01	Withdrawal	100.00	100.00	
1998-05-15	Deposit	50.00	150.00	
1998-06-01	Withdrawal	25.00	125.00	
1998-06-15	Deposit	75.00	200.00	
1998-07-01	Withdrawal	100.00	100.00	
1998-07-15	Deposit	50.00	150.00	
1998-08-01	Withdrawal	25.00	125.00	
1998-08-15	Deposit	75.00	200.00	
1998-09-01	Withdrawal	100.00	100.00	
1998-09-15	Deposit	50.00	150.00	
1998-10-01	Withdrawal	25.00	125.00	
1998-10-15	Deposit	75.00	200.00	
1998-11-01	Withdrawal	100.00	100.00	
1998-11-15	Deposit	50.00	150.00	
1998-12-01	Withdrawal	25.00	125.00	
1998-12-15	Deposit	75.00	200.00	
1999-01-01	Closing Balance		200.00	

APPENDIX A

EXISTING NPDES PERMIT NO. AL0001201

ADEM

ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



NATIONAL POLLUTANT DISCHARGE-ELIMINATION SYSTEM PERMIT

PERMITTEE: **MONSANTO CHEMICAL COMPANY**

FACILITY LOCATION: **300 BIRMINGHAM HWY
ANNISTON, ALABAMA
(CALHOUN COUNTY)**

PERMIT NUMBER: **AL0001201**

RECEIVING WATERS: **SNOW CREEK VIA STORM WATER DITCH**

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§ 1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§ 22-22-1-1 to 22-22-1-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE: **September 30, 1991**

EFFECTIVE DATE: **November 1, 1991**

EXPIRATION DATE: **October 31, 1996**

A handwritten signature in cursive script, appearing to read "James Wilson".

Alabama Department of Environmental Management

TABLE OF CONTENTS

PART I

DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS

- A. Discharge Limitations and Monitoring Requirements
- B. Discharge Monitoring and Record Keeping Requirements
 - 1. Representative Sampling
 - 2. Test Procedures
 - 3. Recording of Results
 - 4. Records Retention and Production
 - 5. Reduction, Suspension, or Termination of Monitoring and/or Reporting
 - 6. Monitoring Equipment and Instrumentation
- C. Discharge Reporting Requirements
 - 1. Reporting of Monitoring Requirements
 - 2. Noncompliance Notification
- D. Other Reporting and Notification Requirements
 - 1. Anticipated Noncompliance
 - 2. Termination of Discharge
 - 3. Updating Information
 - 4. Duty to Provide Information
 - 5. Cooling Water Additives
 - 6. Permit Issued Based On Estimated Characteristics
- E. Schedule of Compliance

PART II

OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES

- A. Operational and Management Requirements
 - 1. Facilities Operation and Maintenance
 - 2. Best Management Practices
 - 3. Spill Prevention, Control, and Management
- B. Other Responsibilities
 - 1. Duty To Mitigate Adverse Impact
 - 2. Right of Entry and Inspection
- C. Bypass and Upset
 - 1. Bypass
 - 2. Upset
- D. Duty to Comply with Permit, Rules, and Statutes
 - 1. Duty to Comply
 - 2. Removed Substances
 - 3. Loss or Failure of Treatment Facilities
 - 4. Compliance with Statutes and Rules
- E. Permit Transfer, Modification, Suspension, Revocation, and Reissuance
 - 1. Duty to Reapply or Notify of Intent
 - 2. Change in Discharge
 - 3. Transfer of Permit
 - 4. Permit Modification and Revocation
 - 5. Permit Termination
 - 6. Permit Suspension
 - 7. Request for Permit Action Does Not Stay Any Permit Requirement
- F. Compliance with Toxic Pollutant Standard or Prohibition
- G. Discharge of Wastewater Generated by Others

PART III

OTHER PERMIT CONDITIONS

- A. Civil and Criminal Liability
- B. Oil and Hazardous Substance Liability
- C. Property and Other Rights
- D. Availability of Reports
- E. Expiration of Permits For New or Increased Discharges
- F. Compliance With Water Quality Standards
- G. Groundwater
- H. Definitions
- I. Severability

PART IV

ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS

- A. Other Requirements

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

DSN001: Noncontact cooling water and steam condensate.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			<u>Monitoring Requirements 1/</u>	
	<u>Daily Minimum</u>	<u>Daily Maximum</u>	<u>Monthly Average 2/</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>

NO LIMITATIONS OR MONITORING REQUIREMENTS APPLY.

SEE PART IV., FOR OTHER REQUIREMENTS.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

PART I

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

DSN003 & 004: Storm water.

Such discharge shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			<u>Monitoring Requirements 1/</u>	
	<u>Daily Minimum</u>	<u>Daily Maximum</u>	<u>Monthly Average 2/</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>

NO LIMITATIONS OR MONITORING REQUIREMENTS APPLY.

SEE PART IV., FOR OTHER REQUIREMENTS.

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ Monthly average limits apply only when a parameter is monitored more than once in a month.

B. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS**1. Representative Sampling**

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge and shall be in accordance with the provisions of this permit.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). If more than one method for analysis of a substance is approved for use, a method having a detection limit lower than the permit limit shall be used. If the detection limit of all methods is higher than the permit limit the method having the lowest detection limit shall be used and a report of less than detection limit shall constitute compliance, however should EPA approve a method with a lower detection limit during the term of this permit the permittee shall use the newly approved method.

When an EPA approved test procedure for analysis of a pollutant does not exist, the Director shall approve the procedure to be used.

3. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The facility name and location, point source number, date, time and exact place of sampling;
- b. The name(s) of person(s) who obtained the samples or measurements;
- c. The dates and times the analyses were performed;
- d. The name(s) of the person(s) who performed the analyses;
- e. The analytical techniques or methods used, including source of method and method number, and
- f. The results of all required analyses.

4. Records Retention and Production

- a. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the above reports or the application for this permit, for a period of at least three years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time. If litigation or other enforcement action, under the AWPCA and/or the FWPCA, is ongoing which involves any of the above records, the records shall be kept until the litigation is resolved. Upon the written request of the Director or his designee, the permittee shall provide the Director with a copy of any record required to be retained by this paragraph. Copies of these records shall not be submitted unless requested.
- b. All records required to be kept for a period of three years shall be kept at the permitted facility or an alternate location approved by the Department in writing and shall be available for inspection.

5. Reduction, Suspension, or Termination of Monitoring and/or Reporting

- a. The Director may, with respect to any point source identified in Provision I. A. of this permit, authorize the permittee to reduce, suspend or terminate the monitoring and/or reporting required by this permit upon the submission of a written request for such reduction, suspension or termination by the permittee, supported by sufficient data which demonstrates to the satisfaction of the Director that the discharge from such point source will continuously meet the discharge limitations specified in Provision I. A. of this permit.

- b. It remains the responsibility of the permittee to comply with the monitoring and reporting requirements of this permit until written authorization to reduce, suspend or terminate such monitoring and/or reporting is received by the permittee from the Director.

6. **Monitoring Equipment and Instrumentation**

All equipment and instrumentation used to determine compliance with the requirements of this permit shall be installed, maintained, and calibrated in accordance with the manufacturer's instructions or, in the absence of manufacturer's instructions, in accordance with accepted practices. At a minimum, flow measurement devices shall be calibrated at least once every 12 months.

C. DISCHARGE REPORTING REQUIREMENTS

1. **Reporting of Monitoring Requirements**

- a. Monitoring results obtained during the previous [N/A] reporting period shall be summarized on a Discharge Monitoring Report (DMR) Form approved by the Department, and received by the Director no later than the 28th day of the month following this monitoring period. The DMR must be legible and bear an original signature, photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this permit. The first report is due N/A. If the permittee, using approved analytical methods as specified in Provision I. B. 2. monitors any discharge from a point source for a limited substance identified in Provision I. A. of this permit more frequently than required by this permit, the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form and the increased frequency shall be indicated on the DMR Form. In the event no discharge from a point source identified in Provision I. A of this permit and described more fully in the permittee's application occurs during a monitoring period, the permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- b. The permittee may certify in writing that a discharge will not occur for an extended period of time and after such certification shall not be required to submit monitoring reports. Written notification of a planned resumption of discharge shall be submitted at least 30 days prior to resumption of the discharge. If an unplanned resumption of discharge occurs, written notification shall be submitted within 7 days of the resumption. In any case, all discharges shall comply with all provisions of this permit.
- c. All reports and forms required to be submitted by this permit, the AWPCA and the Department's Rules and regulations, shall be signed by a "responsible official" of the permittee as defined in ADEM Administrative Code Rule 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Administrative Code Rule 335-6-6-.09 and shall bear 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 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."

- d. All reports and forms required to be submitted by this permit, the AWPCA and the Department's Rules, shall be addressed to:

Director
Alabama Department of Environmental Management
1751 Congressman Dickinson Drive
Montgomery, Alabama 36130
Attention: Industrial Branch, Water Division

2. Noncompliance Notification

- a. If for any reason, the permittee's discharge (1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Provision I. A. of this permit which is denoted by an "(X)", (2) threatens human health or welfare, fish or aquatic life, or water quality standards, (3) does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), (4) contains a quantity of a hazardous substance which has been determined may be harmful to public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. Section 1321(b)(4), (5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset, or (6) is an unpermitted direct or indirect discharge of a pollutant to a water of the state (unpermitted discharges properly reported to the Department under any other requirement are not required to be reported under this provision), the permittee shall orally report the occurrence and circumstances of such discharge to the Director within 24-hours after the permittee becomes aware of the occurrence of such discharge. In addition to the oral report, the permittee shall submit to the Director a written report as provided in Provision I. C. 2. c. no later than five (5) days after becoming aware of the occurrence of such discharges.
- b. If for any reason, the permittee's discharge does not comply with any limitation of this permit, the permittee shall submit to the Director a written report as provided in Provision I. C. 2. c. below, such report shall be submitted with the next Discharge Monitoring Report required to be submitted by Provision I. C. 1. of this permit after becoming aware of the occurrence of such noncompliance.
- c. Any written report required to be submitted to the Director by Provision I. C. 2 a. or b. shall be submitted using a copy of the Noncompliance Notification Form provided with this permit and shall include the following information:
 - (1) A description of the discharge and cause of noncompliance;
 - (2) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

D. OTHER REPORTING AND NOTIFICATION REQUIREMENTS

1. Anticipated Noncompliance

The permittee shall give the Director written advance notice of any planned changes or other circumstances regarding a facility which may result in noncompliance with permit requirements.

2. Termination of Discharge

The permittee shall notify the Director, in writing, when all discharges from any point source(s) identified in Provision I. A. of this permit have permanently ceased. This notification shall serve as sufficient cause for instituting procedures for modification or termination of the permit.

3. Updating Information

- a. The permittee shall inform the Director of any change in the permittee's mailing address or telephone number or in the permittee's designation of a facility contact or office having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's Rules and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, the permittee shall furnish the Director with an update of any information provided in the permit application.
- b. If 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 with a written explanation for the mistake and/or omission.

4. **Duty to Provide Information**

The permittee shall furnish to the Director, within a reasonable time, any information which the Director or his designee may request to determine whether cause exists for modifying, suspending, or revoking this permit, in whole or in part, or to determine compliance with this permit.

5. **Cooling Water and Boiler Water Additives**

a. The permittee shall notify the Director in writing not later than sixty (60) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in a cooling or boiler system, not identified in the application for this permit, from which discharge is allowed by this permit. Such notification shall include:

- (1) name and general composition of biocide or chemical,
- (2) 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach,
- (3) quantities to be used,
- (4) frequencies of use,
- (5) proposed discharge concentrations, and
- (6) EPA registration number, if applicable.

b. The use of a biocide or additive containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in a cooling or boiler system(s), from which a discharge regulated by this permit occurs, is prohibited. The use of any additive not identified in this permit or in the application for this permit prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive is prohibited.

6. **New or Increased Discharges**

a. If this permit was issued based on estimates of the characteristics of a process discharge reported on an EPA NPDES Application Form 2D (EPA Form 3510-2D), the permittee shall complete and submit an EPA NPDES Application Form 2C (EPA Form 3510-2C) no later than two years after the date that discharge begins. Sampling required for completion of the Form 2C shall occur when a discharge(s) from the process(s) causing the new or increased discharge is occurring.

b. This permit shall be reopened if required to address any new information resulting from the completion and submittal of the Form 2C.

H. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the discharge limitations specified in Provision I. A. in accordance with the following schedule:

COMPLIANCE SHALL BE ATTAINED ON THE EFFECTIVE DATE OF THIS PERMIT

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 noncompliance. 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.

PART II

A. OPERATIONAL AND MANAGEMENT REQUIREMENTS

1. Facilities 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 the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities only when necessary to achieve compliance with the conditions of the permit.

2. Best Management Practices

- a. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director or his designee has granted prior written authorization for dilution to meet water quality requirements.
- b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112 if required thereby.
- c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee. When submitted and approved, the BMP Plan shall become a part of this permit and all requirements of the BMP Plan shall become requirements of this permit.

3. Spill Prevention, Control, and Management

The permittee shall provide spill prevention, control, and/or management sufficient to prevent any spills of pollutants from entering a water of the state or a publicly or privately owned treatment works. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and which shall prevent the contamination of groundwater and such containment system shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided.

B. OTHER RESPONSIBILITIES

1. Duty to Mitigate Adverse Impacts

The permittee shall promptly take all reasonable steps to mitigate and minimize or prevent any adverse impact on human health or the environment resulting from noncompliance with any discharge limitation specified in Provision I. A. of this permit, including such accelerated or additional monitoring of the discharge and/or the receiving waterbody as necessary to determine the nature and impact of the noncomplying discharge.

2. Right of Entry and Inspection

The permittee shall allow the Director, or an authorized representative, upon the presentation of proper identification to:

- a. enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;

- b. have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- c. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit; and
- d. sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the AWPCA, any substances or parameters at any location.

C. BYPASS AND UPSET

1. Bypass

- a. Any bypass is prohibited except as provided in b. and c. below:
- b. A bypass is not prohibited if:
 - (1) It does not cause any discharge limitation specified in Provision I. A. of this permit to be exceeded; and
 - (2) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system.
- c. A bypass is not prohibited and need not meet the discharge limitations specified in Provision I. A. of this permit if:
 - (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There are 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 judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance); and
 - (3) The permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.
- d. The permittee has the burden of establishing that each of the conditions of Provision II. C. 1. b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in a. and an exemption, where applicable, from the discharge limitations specified in Provision I. A. of this permit.

2. Upset

- a. A discharge which results from an upset need not meet the discharge limitations specified in Provision I. A. of this permit if:
 - (1) No later than 24-hours after becoming aware of the occurrence of the upset, the permittee orally reports the occurrence and circumstances of the upset to the Director or his designee; and
 - (2) No later than five (5) days after becoming aware of the occurrence of the upset, the permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, or other relevant evidence, demonstrating that (i) an upset occurred; (ii) the permittee can identify the specific cause(s) of the upset; (iii) the permittee's facility was being properly operated at the time of the upset; and (iv) the permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.

- b. The permittee has the burden of establishing that each of the conditions of Provision II C. 2. a. of this permit have been met to qualify for an exemption from the discharge limitations specified in Provision I. A. of this permit.

D. DUTY TO COMPLY WITH PERMIT, RULES, AND STATUTES

1. Duty to Comply

- a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the AWPCA and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification; or denial of a permit renewal application.
- b. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of the permit shall not be a defense for a permittee in an enforcement action.
- c. The discharge of a pollutant from a source not specifically identified in the permit application for this permit and not specifically included in the description of an outfall in this permit is not authorized and shall constitute noncompliance with this permit.
- d. The permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this permit or to minimize or prevent any adverse impact of any permit violation.

2. Removed Substances

Solids, sludges, filter backwash, or any other pollutant or other waste removed in the course of treatment or control of wastewaters shall be disposed of in a manner that complies with all applicable Department Rules.

3. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facility, including but not limited to the loss or failure of the primary source of power of the treatment facility, the permittee shall, where necessary to maintain compliance with the discharge limitations specified in Provision I. A. of this permit, or any other terms or conditions of this permit, cease, reduce, or otherwise control production and/or all discharges until treatment is restored.

4. Compliance With Statutes and Rules

- a. This permit has been issued under ADEM Administrative Code, Chapter 335-6-6. All provisions of this chapter, that are applicable to this permit, are hereby made a part of this permit. A copy of this chapter may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1751 Congressman Dickinson Drive, Montgomery, AL 36130.
- b. This permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

E. PERMIT TRANSFER, MODIFICATION, SUSPENSION, REVOCATION, AND REISSUANCE

1. Duty to Reapply or Notify of Intent to Cease Discharge

- a. If the permittee intends to continue to discharge beyond the expiration date of this permit, the permittee shall file a complete permit application for reissuance of this permit at least 180 days prior to its expiration. If the permittee does not intend to continue discharge beyond the expiration of this permit, the permittee shall submit written notification of this intent which shall be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Administrative Code Rule 335-6-6-.09.
- b. Failure of the permittee to apply for reissuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code Rule 335-6-6-.06 and should the permit not be reissued for any reason any discharge after expiration of this permit will be an unpermitted discharge.

2. Change in Discharge

- a. The permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants or increase the quantity of a discharged pollutant such that existing permit limitations would be exceeded or that could result in an additional discharge point. This requirement applies to pollutants that are or that are not subject to discharge limitations in this permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.
- b. The permittee shall notify the Director as soon as it is known or there is reason to believe:
 - (1) 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:
 - (a) one hundred micrograms per liter;
 - (b) two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
 - (c) five times the maximum concentration value reported for that pollutant in the permit application; or
 - (2) 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 the permit, if that discharge will exceed the highest of the following notification levels:
 - (a) five hundred micrograms per liter;
 - (b) one milligram per liter for antimony;
 - (c) ten times the maximum concentration value reported for that pollutant in the permit application.

3. Transfer of Permit

This permit may not be transferred or the name of the permittee changed without notice to the Director and subsequent modification or revocation and reissuance of the permit to identify the new permittee and to incorporate any other changes as may be required under the FWPCA or AWPCA. In the case of a change in name, ownership or control of the permittee's premises only, a request for permit modification in a format acceptable to the Director is required at least 30 days prior to the change. In the case of a change in name, ownership or control of the permittee's premises accompanied by a change or proposed change in effluent characteristics, a complete permit application is required to be submitted to the Director at least 180 days prior to the change. Whenever the Director is notified of a change in name, ownership or control, he may decide not to modify the existing permit and require the submission of a new permit application.

4. Permit Modification and Revocation

- a. This permit may be modified or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:
 - (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to revoke and reissue this permit instead of terminating the permit;
 - (2) If a request to transfer this permit has been received, the Director may decide to revoke and reissue or to modify the permit; or
 - (3) If modification or revocation and reissuance is requested by the permittee and cause exists, the Director may grant the request.
- b. This permit may be modified during its term for cause, including but not limited to, the following:
 - (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to modify this permit instead of terminating this permit;

- (2) There are material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;
 - (3) The Director has received new information that was not available at the time of permit issuance and that would have justified the application of different permit conditions at the time of issuance;
 - (4) A new or revised requirement(s) of any applicable standard or limitation is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA;
 - (5) Errors in calculation of discharge limitations or typographical or clerical errors were made;
 - (6) To the extent allowed by ADEM Administrative Code, Rule 335-6-6.17, when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued;
 - (7) To the extent allowed by ADEM Administrative Code, Rule 335-6-6.17, permits may be modified to change compliance schedules;
 - (8) To agree with a granted variance under 301(c), 301(g), 301(h), 301(k), or 316(a) of the FWPCA or for fundamentally different factors;
 - (9) To incorporate an applicable 307(a) FWPCA toxic effluent standard or prohibition;
 - (10) When required by the reopener conditions in this permit;
 - (11) When required under 40 CFR 403.8(e) (compliance schedule for development of pretreatment program);
 - (12) Upon failure of the state to notify, as required by Section 402(b)(3) of the FWPCA, another state whose waters may be affected by a discharge permitted by this permit;
 - (13) When required to correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions; or
 - (14) When requested by the permittee and the Director determines that the modification has cause and will not result in a violation of federal or state law, regulations or rules.
5. This permit may be terminated during its term for cause, including but not limited to, the following:
- a. Violation of any term or condition of this permit;
 - b. The permittee's misrepresentation or failure to disclose fully all relevant facts in the permit application or during the permit issuance process or the permittee's misrepresentation of any relevant facts at any time;
 - c. Materially false or inaccurate statements or information in the permit application or the permit;
 - d. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
 - e. The permittee's discharge threatens human life or welfare or the maintenance of water quality standards;
 - f. Permanent closure of the facility generating the wastewater permitted to be discharged by this permit or permanent cessation of wastewater discharge;
 - g. New or revised requirements of any applicable standard or limitation that is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA that the Director determines cannot be complied with by the permittee; or
 - h. Any other cause allowed by the ADEM Administrative Code, Chapter 335-6-6.

6. This permit may be suspended during its term for cause, including but not limited to, the reasons for termination listed in Provision II. E. 3. of this permit.
7. The filing of a request by the permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term or condition.

F. COMPLIANCE WITH TOXIC POLLUTANT STANDARD OR PROHIBITION

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), for a toxic pollutant discharged by the permittee and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Provision I. A. of this permit, or controls a pollutant not limited in Provision I. A. of this permit, this permit shall be modified to conform to the toxic pollutant effluent standard or prohibition and the permittee shall be notified of such modification. If this permit has not been modified to conform to the toxic pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the permittee shall attain compliance with the requirements of the standard or prohibition within the time period required by the standard or prohibition and shall continue to comply with the standard or prohibition until this permit is modified or reissued.

G. DISCHARGE OF WASTEWATER GENERATED BY OTHERS

The discharge of wastewater, generated by any process, facility, or by any other means not under the operational control of the permittee or not identified in the application for this permit or not identified specifically in the description of an outfall in this permit is not authorized by this permit.

PART III

A. CIVIL AND CRIMINAL LIABILITY

1. Tampering

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under the permit shall, upon conviction, be subject to penalties as provided by the AWPCA.

2. False Statements

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 subject to penalties as provided by the AWPCA.

3. Permit Enforcement

a. Any NPDES permit issued or reissued by the Department is a permit for the purpose of the AWPCA and the FWPCA and as such any terms, conditions, or limitations of the permit are enforceable under state and federal law.

b. Any person required to have a NPDES permit pursuant to ADEM Administrative Code Chapter 335-6-6 and who discharges pollutants without said permit, who violates the conditions of said permit, who discharges pollutants in a manner not authorized by the permit, or who violates applicable orders of the Department or any applicable rule or standard of the Department, is subject to any one or combination of the following enforcement actions under applicable state statutes.

- (1) An administrative order requiring abatement, compliance, mitigation, cessation, clean-up, and/or penalties;
- (2) An action for damages;
- (3) An action for injunctive relief; or
- (4) An action for penalties.

4. Relief From Liability

Except as provided in Provision II. C. 1. (Bypass) and Provision II. C. 2. (Upset), nothing in this permit shall be construed to relieve the permittee of civil or criminal liability under the AWPCA or FWPCA for noncompliance with any term or condition of this permit.

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under Section 311 of the FWPCA, 33 U.S.C. Section 1321.

C. PROPERTY AND OTHER RIGHTS

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 persons or property or invasion of other private rights, or any infringement of federal, state, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the state or of the United States.

D. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Code of Alabama 1975, Section 22-22-9(c), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential.

E. EXPIRATION OF PERMITS FOR NEW OR INCREASED DISCHARGES

1. If this permit was issued for a new discharger or new source, this permit shall expire eighteen months after the issuance date if construction of the facility has not begun during the eighteen month period.
2. If this permit was issued or modified to allow the discharge of increased quantities of pollutants to accommodate the modification of an existing facility and if construction of this modification has not begun during the eighteen month period after issuance of this permit or permit modification, this permit shall be modified to reduce the quantities of pollutants allowed to be discharged to those levels that would have been allowed if the modification of the facility had not been planned.
3. Construction has begun when the owner or operator has:
 - a. begun, or caused to begin as part of a continuous on-site construction program:
 - (1) any placement, assembly, or installation of facilities or equipment; or
 - (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. entered into a binding contractual obligation for the purpose of placement, assembly, or installation of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under the paragraph. The entering into a lease with the State of Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.

F. COMPLIANCE WITH WATER QUALITY STANDARDS

1. On the basis of the permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this permit should assure compliance with the applicable water quality standards.
2. Compliance with permit terms and conditions notwithstanding, if the permittee's discharge(s) from point sources identified in Provision I. A. of this permit cause or contribute to a condition in contravention of state water quality standards, the Department may require abatement action to be taken by the permittee in emergency situations or modify the permit pursuant to the Department's Rules, or both.

3. If the Department determines, on the basis of a notice provided pursuant to this permit or any investigation, inspection or sampling, that a modification of this permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the discharge until the permit has been modified.

G. GROUNDWATER

Unless specifically authorized by this permit, the discharge of pollutants to groundwater is prohibited. Should a threat of groundwater contamination occur, the Director may require groundwater monitoring to properly assess the degree of the problem and the Director may require that the permittee undertake measures to abate any such discharge and/or contamination.

H. DEFINITIONS

1. 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 (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
2. Average weekly discharge limitation - means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
3. AWPCA - means the Alabama Water Pollution Control Act.
4. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
5. Daily discharge - means the discharge of a pollutant measured during any consecutive 24 hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
6. Daily maximum - means the highest value of any individual sample result obtained during a day.
7. Daily minimum - means the lowest value of any individual sample result obtained during a day.
8. Day - means any consecutive 24-hour period.
9. Department - means the Alabama Department of Environmental Management.
10. Director - means the Director of the Department.
11. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state". Code of Alabama 1975, Section 22-22-1(b)(9).
12. Discharge monitoring report (DMR) - means the form approved by the Director to accomplish reporting requirements of an NPDES permit.
13. EPA - means the United States Environmental Protection Agency.
14. FWPCA - means the Federal Water Pollution Control Act.
15. Permit application - means forms and additional information that is required by ADEM Administrative Code Rule 335-6-6-.08 and applicable permit fees.
16. Point source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, . . . from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. Section 1362(14).

17. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics specified in Provision I. A. of this permit.
18. 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.
19. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
20. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, Section 22-22-1(b)(2). Waters "include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.
21. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.

I 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.

A. OTHER REQUIREMENTS

Permittee shall submit to the Department a certification of continuation of application conditions. This certification shall be submitted annually and must be received by ADEM not later than June 30 of each year.

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION - INDUSTRIAL BRANCH
NONCOMPLIANCE NOTIFICATION FORM

PERMITTEE NAME: _____

PERMIT NUMBER: _____

FACILITY LOCATION: _____

DMR REPORTING PERIOD: _____

1. DESCRIPTION OF DISCHARGE:

NONCOMPLIANCE PARAMETER(S):

CAUSE OF NONCOMPLIANCE: (Attach additional pages if necessary)

2. PERIOD OF NONCOMPLIANCE: (Include exact date(s) and time(s) or, if not corrected, the anticipated time the noncompliance is expected to continue):

3. DESCRIPTION OF STEPS TAKEN AND/OR BEING TAKEN TO REDUCE OR ELIMINATE THE NONCOMPLYING DISCHARGE AND TO PREVENT ITS RECURRENCE (attach additional pages if necessary):

NAME AND TITLE OF RESPONSIBLE OFFICIAL (type or print)

SIGNATURE OF RESPONSIBLE OFFICIAL

DATE SIGNED

APPENDIX B

IV.B AND IV.C NARRATIVE DESCRIPTION OF POLLUTANT SOURCES

IV.B. Narrative description of significant materials that are currently or in the past three years have been treated, stored, or disposed in a manner to allow exposure to storm water; method of treatment, storage, or disposal; past and present materials management practices employed, in the last three years, to minimize contact by these materials with storm water runoff; materials loading and access areas; and the location, manner, and frequency in which pesticides, herbicides, soil conditioners, and fertilizers are applied.

PRODUCTION FACILITY

The Monsanto site produces p-nitrophenol (PNP), Therminol®, and biphenyls as its three primary products. These products are produced on site and shipped off site in bulk quantity via rail cars or tank truck. Powdered PNP, several biphenyl derivatives, and Therminol® is shipped in drums. The raw materials used in production of the above are received in bulk and stored in above-ground storage tanks. The attached table summarizes the raw materials and products handled and stored at the Monsanto facility.

An intermediate product from Therminol® production and a by-product of biphenyl production is mixed and used as boiler fuel. The material is a hazardous waste and stored in an above-ground storage tank, where it is transferred to a feed tank then to the boiler.

Wastewater containing PNP is treated in an on-site wastewater treatment system. This system also receives runoff contained in dikes around above-ground storage tanks and leachate from Monsanto's permitted landfill. The treatment system consists of two aeration tanks, one of which is currently used as a holding tank, a clarifier, and a discharge monitoring station. The effluent is discharged to Anniston POTW.

Pesticides and herbicides are not used at the facility. Triple 13, a fertilizer, is applied to grass areas.

LANDFILL

The Monsanto landfill is a RCRA-permitted disposal facility. There are two hazardous waste disposal cells and eight non-hazardous waste disposal cells. Waste disposal in the landfill ceased in December, 1991. Materials buried in the landfill include production by-products and commercial solid waste.

A soil cover is placed over debris to minimize storm-water contact. Vegetation in the form of trees, shrubs, bushes, and grass covers the landfill surface.

A leachate collection system is operated at the landfill. Leachate is pumped to a holding tank then to the facility wastewater treatment plant.

List of Materials, Handling, and Storage Methods, and Management Practices,
Monsanto Chemical Company, Anniston, Alabama.

Material	Type	Storage Tank	Handling	Structural Controls
Benzene	Raw	Above Ground	Received in Bulk	Diked
Biphenyl	Product	Above Ground	Shipped in Bulk	Diked
Cumene	Raw	Above Ground	Received in Bulk	Diked
Santowax R	Product	Above Ground	Shipped in Drums	Diked
Santowax C	Product	Above Ground	Shipped in Drums	Diked
Santowax Q	Product	Above Ground	Shipped in Drums	Diked
Santotar 9	Waste	Above Ground	Burned in Boiler	Not Diked
Therminol®	Product	Above Ground	Shipped in Drums	Diked
T-59 Ends	Waste	Above Ground	Burned in Boiler	Diked
4-Nitrophenol	Product	Above Ground	Shipped in Drums/Bulk	Diked
4-Nitrochlorobenzene	Raw	Above Ground	Received in Bulk	Diked
Sulfuric Acid	Raw	Above Ground	Received in Bulk	Diked
Sodium Hydroxide	Raw	Above Ground	Received in Bulk	Diked
Diphenyl oxide	Raw	Above Ground	Received in Bulk	Diked
Triple 13	Fertilizer	-	Received in Bags	--

IV.C. Location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff, and a description of the treatment the storm water receives including the schedule and type of maintenance for control and treatment measures and the ultimate disposal of any solid or fluid wastes other than by discharge.

PRODUCTION FACILITY

Dikes and grading are used to contain storm water in, and divert storm water around, materials handling and storage areas. Storm water contained in diked areas is transmitted to the facility wastewater treatment plant. Figure 2 shows the location of these structures. Structural controls are also listed in the List of Materials, Handling and Storage Methods, and Management Practices table.

There are vegetative buffer zones throughout the facility. These provide areas for runoff to infiltrate into the ground, and help to slow the movement of runoff.

A chemical response plan outlines the measures for the prevention and control of hazardous materials releases to the environment. An onsite response team is responsible for its implementation.

LANDFILL

The landfill is completely covered with vegetation. The surface is graded with bench terraces which reduce slope length and divert flow to minimize erosion.

APPENDIX C
V.B. NONSTORM-WATER DISCHARGES

PROJ\TF525\RPT\NPDESAPP.W51

GERAGHTY & MILLER, INC.

V.B. Description of the method used, the date of any testing, and the on-site drainage points that were directly observed during a test.

Monsanto is currently authorized under Alabama NPDES Permit No. AL0001201 to discharge storm water from four outfalls: DSN-001, DSN-004, DSN-005 and DSN-006. DSN-007 and the landfill outfalls are not permitted. Outfall DSN-005 no longer exists. The source was physically removed, as was associated piping, when parathion production ceased.

Mr. Douglas Hatler of Geraghty & Miller, Inc. of Tampa, Florida evaluated the existing outfalls for dry weather flow on Wednesday, July 24, 1991. Flow was not observed at three of the four existing production facility outfalls (DSN-004, DSN-006, and DSN-007), or at the landfill outfalls. A continuous flow of water resulting from the discharge of once-through non-contact cooling water was observed at outfall DSN-001.

APPENDIX D

VI. SIGNIFICANT LEAKS AND SPILLS

1989 RELEASES

<u>DATE</u>	<u>AMOUNT</u>	<u>MATERIAL</u>	<u>DISPOSITION</u>
01/09/89	100 GALLONS	NAOH	WASTEWATER TREATMENT
01/25/89	10 GALLONS	BIPHENYL	WASTEWATER TREATMENT
02/05/89	1000 POUNDS	NAOH	WASTEWATER TREATMENT
02/24/89	<1 GALLON	BIPHENYL	CLEANED UP/DISPOSED
02/24/89	150 GALLONS	WW SLUDGE	CLEANED UP/DISPOSED
03/08/89	300 GALLONS	PNP	WASTEWATER TREATMENT
03/18/89	10 GALLONS	NA PNP	WASTEWATER TREATMENT
03/21/89	30 GALLONS	BIPHENYL	CLEANED UP/DISPOSED
04/10/89	50 GALLONS	SANTOWAX R	CLEANED UP/DISPOSED
04/26/89	10 GALLONS	ALIMET	WASTEWATER TREATMENT
05/15/89	30 GALLONS	PNP	WASTEWATER TREATMENT
08/15/89	10 GALLON	THERMINOL 66	CLEANED UP/DISPOSED
09/13/89	1 GALLON	THERMINOL 66	CLEANED UP/DISPOSED
09/20/89	100 GALLONS	BIPHENYL	CLEANED UP/DISPOSED
12/28/89	30 GALLONS	RAW WASTEWATER	WASTEWATER TREATMENT
12/29/89	55 GALLONS	BIPHENYL	CLEANED UP/DISPOSED

1990 RELEASES

01/03/90	10 GALLONS	BIPHENYL	CLEANED UP/DISPOSED
03/04/90	2 POUNDS	BENZENE	RELEASED TO THE AIR
03/26-90	6000 POUNDS	ALIMET	WASTEWATER TREATMENT
04/12/90	2500 POUNDS	BIPHENYL	CLEANED UP/DISPOSED
04/18/90	100 GALLONS	FLUX OIL	RETURNED TO PROCESS
05/03/90	<0.1 POUND	BENZENE	RELEASED TO THE AIR
06/08/90	100 GALLONS	PNP WASTEWATER	ABSORBED INTO THE DIRT
06/14/90	10 GALLONS	SULFURIC ACID	WASTEWATER TREATMENT
06/25/90	5 GALLONS	SULFURIC ACID	WASTEWATER TREATMENT
06/29/90	300 GALLONS	BLENDED FUEL OIL	CLEANED UP/DISPOSED
07/10/90	5 GALLONS	THERMINOL 59 ENDS	CLEANED UP/DISPOSED
07/10/90	100 GALLONS	BLENDED FUEL OIL	CLEANED UP/DISPOSED
07/11/90	15 GALLONS	THERMINOL 59 ENDS	CLEANED UP/DISPOSED
07/17/90	2 GALLONS	THERMINOL 66	CLEANED UP/DISPOSED
08/02/90	125 POUNDS	BENZENE	RELEASED TO THE AIR
08/20/90	1500 POUNDS	50% NAOH SOLN	WASTEWATER TREATMENT
08/30/90	100 GALLONS	RAW WASTEWATER	ABSORBED INTO THE DIRT
09/05/90	2 GALLONS	BENZENE	CLEANED UP/DISPOSED
09/12/90	500 GALLONS	NAOH	WASTEWATER TREATMENT
10/03/90	0.5 GALLONS	BENZENE	CLEANED UP/DISPOSED
10/09/90	20 GALLONS	SANTOTAR 9	CLEANED UP/DISPOSED
10/14/90	95 POUNDS	PNP	WASTEWATER TREATMENT
10/19/90	200 POUNDS	PNP	WASTEWATER TREATMENT
10/22/90	300 GALLONS	THERMINOL 66	CLEANED UP/DISPOSED
10/24/90	6.5 POUNDS	PNP	RELEASED TO CITY SEWER
10/31/90	15 GALLONS	BIPHENYL	CLEANED UP/DISPOSED
11/07/90	DROPS	BENZENE	CLEANED UP/DISPOSED
11/08/90	2 GALLONS	PNP	WASTEWATER TREATMENT
11/13/90	800 GALLONS	CRUDE SANTOWAX	CLEANED UP/DISPOSED
11/30/90	200 GALLONS	SANTOTAR 9	CLEANED UP/DISPOSED

1991 RELEASES

01/01/91	0.25 GALLON	BLENDED FUEL	CLEANED UP/DISPOSED
01/15/91	10 GALLONS	CUMENE	CLEANED UP/DISPOSED
01/17/91	< 1 POUND	BIPHENYL	CLEANED UP/DISPOSED
01/21/91	15 GALLONS	PNCB	CLEANED UP/DISPOSED
02/08/91	4 GALLONS	BLENDED FUEL	CLEANED UP/DISPOSED
02/11/91	50 GALLONS	SANTOTAR 9	CLEANED UP/DISPOSED
02/12/91	1 GALLON	THERMINOL 59	CLEANED UP/DISPOSED
02/18/91	12 GALLONS	BIPHENYL	CLEANED UP/DISPOSED
03/07/91	1000 GALLONS	BALANCED POLYMER	RELEASED TO CITY SEWER
04/18/91	10 GALLONS	BLENDED FUEL	CLEANED UP/DISPOSED
04/19/91	6 POUNDS	BIPHENYL	CLEANED UP/DISPOSED
05/06/91	2 POUNDS	BENZENE	CLEANED UP/DISPOSED
05/08/91	1 GALLON	CUMENE	CLEANED UP/DISPOSED
05/09/91	2 POUNDS	CUMENE	CLEANED UP/DISPOSED
05/10/91	300 POUNDS	SANTOWAX C	RETURNED TO PROCESS
05/20/91	5 POUNDS	BENZENE	CLEANED UP/DISPOSED
05/20/91	15 GALLONS	BENZENE	CLEANED UP/DISPOSED
05/20/91	5 GALLONS	BIPHENYL	CLEANED UP/DISPOSED
05/23/91	< 0.5 POUND	CUMENE	CLEANED UP/DISPOSED
05/25/91	18 GALLONS	SULFURIC ACID	WASTEWATER TREATMENT
06/18/91	< 0.5 POUND	BENZENE	RELEASED TO THE AIR
06/18/91	< 0.5 POUND	BIPHENYL	RELEASED TO THE AIR
06/18/91	< 0.5 POUND	BIPHENYL	CLEANED UP/DISPOSED
06/19/91	< 0.5 POUND	CUMENE	CLEANED UP/DISPOSED
06/19/91	< 0.5 POUND	BIPHENYL	RELEASED TO THE AIR
06/19/91	< 0.5 POUND	BENZENE	CLEANED UP/DISPOSED
06/27/91	2 GALLONS	BIPHENYL	CLEANED UP/DISPOSED
07/09/91	< 0.5 POUND	THERMINOL 59	CLEANED UP/DISPOSED
07/15/91	6 POUNDS	SANTOWAX C	CLEANED UP/DISPOSED
07/19/91	2 POUNDS	BENZENE	CLEANED UP/DISPOSED
07/24/91	25 POUNDS	CUMENE	CLEANED UP/DISPOSED
07/30/91	< 0.5 POUND	BIPHENYL	CLEANED UP/DISPOSED

SDMS

Unscannable Material Target Sheet

DocID: _____

Site ID: ALD0000400123

Site Name: Anniston PCB

Nature of Material:

Map: 2

Computer Disks: _____

Photos: _____

CD-ROM: _____

Blueprints: _____

Oversized Report: _____

Slides: _____

Log Book: _____

Other (describe): _____

Amount of material: _____

Please contact the appropriate Records Center to view the material.