



PERMIT NUMBER

WP1295
LA0051128

OFFICE OF WATER RESOURCES

Water Discharge Permit

Pursuant to the Louisiana Environmental Quality Act (La. R. S. 30:1051 et seq; "The Act") as amended, Rules and Regulations effective or promulgated under the authority of the Act, and in reliance on statements and representations heretofore made in the application, a Louisiana Water Discharge Permit System (LWDPS) permit is issued authorizing

Southern Shipbuilding Corporation
Post Office Box 1089
Slidell, Louisiana 70459

Type Facility: Shipbuilding

Location: Slidell
St. Tammany Parish

Receiving Waters: Bayou Bonfouca

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, III and IV attached hereto.

This permit is effective on the date of issuance.

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

Issued this the 21st day of July 1986


J. Dale Givens, Assistant Secretary
Office of Water Resources

127516

Post Office Box 44091

Baton Rouge, Louisiana 70804-4091

(504)342-6363

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning . . . the effective date . . . and lasting through . . . the expiration date . . . the permittee is authorized to discharge from outfall serial number:

001, treated stormwater runoff from waste storage pits into Bayou Bonfouca.

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

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	(lbs/day)		Other units (Specify)		Measurement Frequency	Sample Type
	Daily Avg	Daily Max	Daily Avg	Daily Max		
Flow-MGD	—	—	Report	Report	1/day	Estimate
COD	—	—	—	200 mg/l	2/month*	Grab
TSS	—	—	—	50 mg/l	2/month*	Grab
Oil and Grease	—	—	—	15 mg/l	2/month*	Grab
Organochlorine Pesticides and PCBs (EPA Method 608)	—	—	—	0.01 mg/l each	1/month	Grab
Polynuclear Aromatic Hydrocarbons (EPA Method 610)	—	—	—	0.10 mg/l each	1/month	Grab
Antimony, Arsenic, Chromium, Copper, Lead, Nickel	—	—	—	0.10 mg/l each	1/month	Grab

- * If the value of this effluent characteristic exceeds the Daily Maximum limit in any sample, then the Monitoring Frequency shall increase to 1/week. This increased frequency shall continue until a sample demonstrates a value less than the Daily Maximum. Monitoring for pH shall increase to 1/week if a sample demonstrates a value outside the 6 - 9 range. This increased frequency shall continue until a sample exhibits a value within the 6 - 9 range.

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored

2/month by grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

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

outfall 001, at the overflow pipe in the last baffle pit prior to entering Bayou Bonfouca.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date , the permittee is authorized to discharge from outfall serial number:

002, wastewater from the graving dock into Bayou Bonfouca.

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

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	(lbs/day)		Other units (Specify)		Measurement Frequency	Sample Type
	Daily Avg	Daily Max	Daily Avg	Daily Max		
Flow-MGD	—	—	Report	Report	1/day	Estimate
Oil and Grease	—	—	—	15 mg/l	1/discharge	Grab
COD	—	—	—	125 mg/l	1/discharge	Grab
TSS	—	—	—	50 mg/l	1/discharge	Grab
Priority Metals	—	—	—	Report mg/l	2/year	Grab

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored

1/discharge by grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

outfall 002, at the discharge point from the graving dock into Bayou Bonfouca.

PART II

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PART II

SCHEDULE OF COMPLIANCE

1. The Permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

Effective date of this permit.

2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). Monitoring results obtained during the previous 3 months shall be summarized for each month and reported on a DMR form postmarked no later than the 28th day of the month following the completed reporting period. The first report is due November 28, 1986. Duplicate copies of DMR's signed and certified as required by Part IV, Section D, Paragraph 9, and all other reports required by Part IV, Section D, Reporting Requirements, shall be submitted to the Assistant Secretary of the Office of Water Resources, the appropriate DEQ regional office, and the Regional Administrator of the Environmental Protection Agency at the following addresses:

J. Dale Givens, Assistant Secretary
Office of Water Resources
Department of Environmental Quality
Post Office Box 44091, Capitol Station
Baton Rouge, Louisiana 70804-4091

Mr. Myron Knudson (6W), Director
Water Management Division
U. S. Environmental Protection Agency, Region VI
InterFirst Two Building
1201 Elm Street
Dallas, Texas 75270

Southeast Regional Office
Water Pollution Control Division
3945 North I-10 Service Road/West
Metairie, Louisiana 70002-3945

PART III

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PART III

OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part IV, the office has established the following additional requirements in accordance with Chapter 2, Part VI of the Louisiana Water Pollution Control Regulations.

1. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations or additional restrictions, if necessary, to maintain the water quality integrity and the designated usage(s) of the receiving water bodies.
2. The "daily average" concentration means the arithmetic average (weighted by flow value) of all the daily determinations of concentrations made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily determination of concentration shall be the arithmetic average (weighted by flow value) of all the samples collected during that calendar day or specified 24-hour period that reasonably represents the calendar day for purposes of sampling.
3. The "daily maximum" concentration means the daily determination of concentration for any calendar day or specified 24-hour period that reasonably represents the calendar day for purposes of sampling.
4. In accordance with Part IV, Section D, paragraph 5.a.3., the following violation(s) of daily maximum discharge limitations shall be reported immediately, within one hour, by oral communication, followed by a written report within 5 days.

N/A

As an exception to the requirements of Part IV, Section D, paragraph 5.b.1.b., the following effluent characteristics which exceed the daily maximum limitation by two times or greater do not have to be reported promptly within 24 hours by oral communication, but must be reported by written submission within 5 days:

outfalls 001 and 002 -
all limited effluent characteristics are excepted.

In accordance with Part IV, Section D, paragraph 5.b.1.e., the following violation(s) of daily maximum discharge limitations shall be reported within 24 hours, by oral communication, followed by a written report within 5 days.

N/A

PART III

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OTHER REQUIREMENTS (continued)

5. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, the permittee should obtain approval from the landowner or appropriate easements and rights of way.
6. Within sixty days of the effective date detailed management plans shall be submitted, in writing, to this office addressing the following:
 1. Cleanup in the graving dock after completion of work on a vessel and prior to allowing the dock to refill.
 2. Sandblasting and painting of vessels in a manner which will minimize the potential for contaminants entering the Bayou.
 3. Management of stormwater runoff in the active shipyard area to prevent contamination.

Southern Shipbuilding Corporation
Post Office Box 1089
Slidell, Louisiana 70459

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(LA 0051128)

PART IV

STANDARD CONDITIONS

SECTION A. GENERAL CONDITIONS

1. Violations

The permittee shall comply with all conditions of the permit. No pollutant shall be discharged more frequently or in greater amounts than authorized by the permit. THE PERMIT DOES NOT IN ANY WAY AUTHORIZE THE PERMITTEE TO DISCHARGE A POLLUTANT NOT LISTED OR QUANTIFIED IN THE APPLICATION OR LIMITED OR MONITORED FOR IN THE PERMIT. The discharge of any pollutant not specifically authorized by a permit, or these regulations, or that was not specifically listed as a component of the discharge in the permit application may be considered a violation of the Act. The discharge of any pollutant in quantities exceeding permitted limits or a discharge from a source or at a location not authorized by a permit shall be a violation of the Act. Any permit noncompliance constitutes a violation of the Act and is grounds for:

- a. Enforcement action under the Act;
- b. Permit termination, revocation and reissuance, or modification; or
- c. Denial of a permit renewal.

2. Penalties for Violations of Permit Conditions

- a. Sections 1095 and 1096 of the Act provide that any person who violates the terms of this or any other existing water discharge permit shall be subject to possible enforcement actions under Section 1073 of the Act, including the assessment of civil penalties of up to \$25,000 for each day of continuing noncompliance or violation, and/or the suspension or revocation of this and other existing water discharge permits.
- b. Any person who willfully or knowingly discharges, emits, or disposes of any substance in contravention of the terms and conditions of this permit shall be subject to criminal penalties under Section 1073 of the Act, including a penalty of not more than \$100,000 per day of violation, and/or imprisonment at hard labor for not more than 10 years (when the substance is one which endangers or which could endanger human life or health), or a penalty of \$25,000 per day of violation and/or imprisonment for not more than one year (when the substance does not or could not endanger human life or health).

- 9) When the level of discharge of any pollutant which is not limited in the permit exceeds the level which can be achieved by the technology-based treatment requirements appropriate to the permittee under a BPJ determination;
 - 10) When the permittee demonstrates operation and maintenance costs that are totally disproportionate from the operation and maintenance costs considered in the development of a subsequently promulgated effluent limitations guideline, but in no case may the limitations be made less stringent than the subsequent guideline;
 - 11) The nonconformance of the discharge with any applicable facility, basin or areawide plans; or
 - 12) Permit inconsistency with any duly promulgated effluent limitation, permit, regulation, statute, or other applicable State law.
- b. Modification cannot extend a permit beyond its original five-year duration.
 - c. Requests for modification or revocation, and reissuance do not suspend any permit condition during the processing of the request.

5. Enforcement Actions

Causes for which the Administrative Authority may initiate enforcement action, terminate a permit during its term, or deny a permit renewal include but are not limited to:

- a. Noncompliance by the permittee with any condition of the permit;
- b. Failure to pay applicable fees;
- c. Failure in the application or during the permit issuance process to fully disclose all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;
- d. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;
- e. A change in any condition that requires either a temporary (more than 180 days) or a permanent reduction or elimination of any discharge controlled by the permit (This provision does not apply to any facility change which was considered during the permitting process);
- f. Due consideration of facility's history of violations and compliance; and/or
- g. Change of ownership or operational control (See Section D, Paragraph D-2.

circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

12. Dilution

A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality standards.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Duty to Halt or Reduce Activity

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

3. Bypass

Bypass is defined as any intentional diversion of waste streams from any portion of a treatment facility.

a. Bypass is permitted only under the following conditions, and the Office may take enforcement action against a permittee for bypass, unless:

- 1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

- 3) Upon becoming aware of the upset the permittee submitted notice of the upset within twenty-four (24) hours unless an earlier notice was required pursuant to L.R.S. 30:1073(J) and/or 30:1096(D).
- 4) The permittee complied with any remedial measures required under Section A, Paragraph A-3 of this permit which states:

The permittee shall take all reasonable steps to:

- (a) Minimize or prevent any discharge in violation of a permit which has a reasonable likelihood of adversely affecting human health or the environment; and
 - (b) Minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.
- b. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset as a defense has the burden of proof.

5. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering the waters of the State as defined in Section 1093 (5) of the Act.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Assistant Secretary, Office of Water Resources, Department of Environmental Quality.

2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to insure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than +10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

5. Quality Control Procedures

- a. Quality Control Procedures shall be employed in all effluent characteristic testing required by a permit. In addition to the routine analysis of standards and blanks, unless otherwise authorized in writing by the Administrative Authority, duplicate analyses shall be performed for all applicable conventional and non-conventional pollutants test procedures at a minimum frequency of one duplicate for every ten samples analyzed for each effluent characteristic at each outfall. For more detailed descriptions please refer to the Water Pollution Control Regulations (effective November 20, 1985), Chapter 2, Part VI.J.2.
- b. The results of Quality Control procedures shall be tabulated and/or statistically analyzed in order to establish Quality Assurance documentation for each test procedure, instrument and analyst.

6. General Laboratory Procedures

General laboratory procedures including glassware cleaning, etc. shall follow guidelines established in the "Handbook for Analytical Quality Control in Water and Wastewater Laboratories" U. S. Environmental Protection Agency Publication Number EPA-600/4-79-019.

7. Prohibition for Tampering; Penalties

- a. No person shall falsify, tamper with, or knowingly render inaccurate, any monitoring device or method required to be maintained under this permit.
- b. Any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method to be maintained under this permit shall, upon conviction, be subject to penalties of not more than \$25,000, or imprisonment for not more than six months, or both.

8. Additional Monitoring by the Permittee

If the permittee monitors any pollutant at a designated outfall more frequently than required by the permit, using test procedures approved by the Office or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated.

9. Monitoring Data

Data obtained from the monitoring of any waste stream, whether such monitoring was required or not, shall be made available to the Administrative Authority upon request.

13. Inspection and Entry

- a. The permittee shall allow an authorized representative of the Office, upon proper presentation of credentials to:
- 1) Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of these regulations. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action.
 - 2) Have access to and copy any records that the Office or its authorized representative determines are necessary for the enforcement of the Regulations of the Office of Water Resources. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day.
 - 3) Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit.
 - 4) Sample or monitor for the purposes of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.
- b. Sample Collection
- 1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.
 - 2) At the discretion of the Administrative Authority, sample collection shall proceed immediately (without the additional 30 minutes described in paragraph 13-b-1 above) and the inspector will supply the permittee with a duplicate sample.

b. Automatic Transfers

As an alternative to transfers under paragraph 2-a of this section, any LWDPs permit may be automatically transferred to a new permittee if:

- 1) The current permittee notifies the Administrative Authority at least 30 days in advance of the proposed transfer date in paragraph 2-b-2 below;
- 2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- 3) The Administrative Authority does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. A modification under this subparagraph may also be a minor modification. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 2-b-2.

3. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in Part II.

4. Compliance Schedule

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than fourteen (14) days following each schedule date.

5. Reporting

a. Immediate Notification

In accordance with the procedures specified in the "Notification Regulations and Procedures for Unauthorized Discharges" the following shall be reported to the Office immediately, within one hour after learning of the discharge, by telephone or other rapid means of communication, followed by a written report within five (5) days:

- 1) Any discharge which results, or threatens to result, in a condition which could reasonably be expected to endanger the health and safety of the public, or cause significant adverse impact.
- 2) Any discharge into a public water supply, which could reasonably be expected to interfere with downstream water usage.

c. Exceedances of Permit Limitations

Any non-compliance of daily maximum permit limitations not reported pursuant to paragraphs 5-a or 5-b above, shall be reported in writing, within five (5) days of becoming aware of the circumstances.

d. Written Submissions

Any written submission shall be to the Assistant Secretary, Office of Water Resources, Department of Environmental Quality, and shall contain:

- (1) Name of person, company, or other party who is filing the written report.
- (2) If applicable, the time and date of verbal notification, name of person making the notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred.
- (3) Dates, times, and duration of the unauthorized discharge and if not corrected, the anticipated time it is expected to continue.
- (4) Details of the circumstances and events leading to any emergency condition, if applicable.
- (5) Common or scientific chemical name, U. S. Department of Transportation hazard classification, and best estimate of amounts of any or all discharged pollutants, including methodology for calculations and estimates.
- (6) Statement of actual or probable fate or disposition of the pollutant.
- (7) Remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants.
- (8) Procedures or measures which have or will be adopted to prevent a recurrence of the incident.
- (9) If an unpermitted site or facility is involved in the unauthorized discharge, a schedule for submitting a permit application to the Office, or rationale for not requiring a permit.

6. Changes in Discharges of Toxic Substances

The Permittee shall immediately notify the Office of Water Resources upon learning of or having reason to believe that any activity has occurred or will occur which would result in the discharge of any toxic pollutant not specifically authorized in the permit or listed as a component of the discharge in the permit application. The Office of Water Resources may require that this notification be followed by a written report containing the information set forth in Paragraph 5-c, above.

- 3) For a municipality, parish, State, Federal or other public agency-by either a principal executive officer or ranking elected official. For purposes of this Section, a principal executive officer of a Federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
- b. A State permit application and all other forms and reports required by these regulations may be signed by a duly authorized representative of the applicant, if:
 - 1) The authorization is made in writing by a person described in paragraph 9-a;
 - 2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as a position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
 - 3) The written authorization is submitted to the Office.
- c. If an authorization under Paragraph 9 of this Section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Paragraph 9-b of the Section shall be submitted to the Office prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Any person signing any document under Paragraph 9 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under the 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."