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GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE
FRANKFORT, KENTUCKY 40601
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LEONARD K. PETERS
SECRETARY

FACT SHEET

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT TO DISCHARGE TREATED WASTEWATER INTO WATERS OF THE COMMONWEALTH

KPDES No.: KY0023281 **Permit Writer:** Ronnie Thompson **Date:** September 30, 2009
AI No.: 1623

1. **SYNOPSIS OF APPLICATION**

a. Name and Address of Applicant

Dal-Tile
675 Melanie Lane
Lewisport, Kentucky 42351

b. Facility Location

Lewisport Manufacturing
675 Melanie Lane
Lewisport, Hancock County, Kentucky

c. Description of Applicant's Operation

Lewisport Manufacturing processes clay and shale to form quarry tile. The tiles are fired in natural gas fueled tunnel kilns and roller kilns. (SIC Code 3251).

d. Production Capacity of Facility

N/A

e. Description of Existing Pollution Abatement Facilities

Outfall 001 - Sanitary wastewater is treated by an activated sludge package treatment plant.

Outfall 002 - Storm water runoff is treated by either of two holding ponds.

f. Permitting Action

This is a reissuance of a minor KPDES permit for a wastewater treatment plant serving a brick and clay tile manufacturer.

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2. **RECEIVING WATER**

a. Name/Mile Point

Facility discharges to an unnamed tributary of the Ohio River at latitude 37-55-42 and longitude 86-54-21.

b. Stream Segment Use Classification

Pursuant to 401 KAR 10:026, Section 5, the unnamed tributary of the Ohio River carries the following classifications: Warmwater Aquatic Habitat, Primary/Secondary Contact Recreation and Domestic Water Supply.

c. Stream Segment Categorization

Pursuant to 401 KAR 10:030, Section 1, the unnamed tributary of the Ohio River is categorized as “High Quality Waters”.

d. Stream Low Flow Condition

The 7-day, 10-year low flow and harmonic mean conditions of the unnamed tributary of the Ohio River are 0 cfs and unavailable, respectively.

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3. REPORTED DISCHARGE AND PROPOSED LIMITS

Serial Number 001 – Sanitary Wastewater (Design Flow = 0.007 MGD)

Effluent Characteristics	Reported Discharge Monthly Average	Reported Discharge Daily Maximum	Proposed Limits Monthly Average	Proposed Limits Daily Maximum	Applicable Water Quality Criteria and/or Effluent Guidelines
Flow (MGD)	0.002	0.004	Report	Report	401 KAR 5:065, Section 2(8)
$CBOD_5$ (mg/l)	6	12	10	15	401 KAR 10:031, Section 4 401 KAR 5:045, Sections 3 and 5
TSS (mg/l)	10	29	30	45	401 KAR 10:031, Section 4 401 KAR 5:045, Sections 2 and 3
Fecal Coliform (N/100 ml)	16	165	Removing from permit		401 KAR 5:080, Section 1(2)(c)2
Escherichia Coli (N/100 ml)	NR	NR	130	240	401 KAR 10:031, Section 7 401 KAR 5:045, Section 4 401 KAR 5:080, Section 1(2)(c)2
Ammonia Nitrogen (as mg/l N)					
May 1 - October 31	BDL	BDL	2	3	401 KAR 10:031, Section 4
November 1 - April 30	BDL	BDL	5	7.5	401 KAR 5:045, Sections 3 and 5
Dissolved Oxygen (mg/l) (minimum)	7.1		Not less than 7		401 KAR 10:031, Section 4 401 KAR 5:045, Sections 3 and 5
pH (standard units)	6.1	7.3	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4 401 KAR 5:045, Section 4
Total Residual Chlorine (mg/l)	NR	NR	0.011	0.019	401 KAR 10:031, Section 4(k)

The data contained under the reported discharge columns is not from the renewal application, but rather from the analysis of the DMR data that has been reported during the term of the previous permit.

The abbreviation $CBOD_5$ means Carbonaceous Biochemical Oxygen Demand (5-day).
The abbreviation TSS means Total Suspended Solids.
The abbreviation NR means not reported on the Discharge Monitoring Report (DMR).
The effluent limitations for $CBOD_5$ and TSS are Monthly (30 day) and Weekly (7 day) Averages.
The effluent limitations for *Escherichia Coli* are thirty (30) day and seven (7) day Arithmetic Means.

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4. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 001 – Sanitary Wastewater (Design Flow = 0.007 MGD)

b. Effluent Characteristics

Flow, $CBOD_5$, TSS, Fecal Coliform Bacteria, *Escherichia Coli*, pH, Ammonia Nitrogen, Dissolved Oxygen and Total Residual Chlorine (TRC).

c. Pertinent Factors

None

d. Monitoring Requirements

Flow monitoring shall be conducted once per quarter instantaneously.

$CBOD_5$, TSS, Ammonia Nitrogen shall be monitored once per quarter by 24 hour composite sampling.

Escherichia Coli, pH, Dissolved Oxygen and Total Residual Chlorine shall be monitored once per quarter by grab sample.

e. Justification of Conditions

The Kentucky regulations cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes.

Escherichia Coli and Fecal Coliform Bacteria
The limits for *Escherichia Coli* are consistent with the requirements of 401 KAR 10:031, Section 7, 401 KAR 5:045 Section 4 and 401 KAR 5:080, Section 1(2)(c) 2. The removal of Fecal Coliform Bacteria is consistent with the requirements of 401 KAR 5:080k Section 1 (2) (c)2. Although Fecal Coliform Bacteria has been used as an indicator of fecal contamination, it does contain other species that are not necessarily fecal in origin. EPA recommends *Escherichia Coli*, which is specific to fecal material from warm-blooded animals, as the best indicator of health risk from contact with recreational waters. Therefore, it is the "Best Professional Judgment "BPJ" of the Division of Water that *Escherichia Coli* replace Fecal Coliform Bacteria on this permit.

Flow
The monitoring requirements for this parameter are consistent with the requirements of 401 KAR 5:065, Section 2(8).

$CBOD_5$, Ammonia Nitrogen and Dissolved Oxygen
The limits for these parameters are consistent with the requirements of 401 KAR 10:031, Section 4, and 401 KAR 5:045, Sections 3 and 5. Section 4 of 5:031 establishes water quality criteria for the protection of Kentucky's waters. Section 5 of 5:045 requires biochemically degradable wastewaters to receive treatment in excess of secondary treatment if the Cabinet determines that the receiving water would not satisfy applicable water quality standards as a result of a facility discharge or discharges from multiple facilities

Total Suspended Solids
The limits for this parameter are consistent with the requirements of 401 KAR 10:031, Section 4 and 5:045, Sections 2 and 3. Section 4 of 10:031 establishes water quality criteria for the protection of Kentucky's waters. Sections 2 and 3 of 5:045 require biochemically degradable wastewaters to receive secondary treatment.

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pH
The limits for these parameters are consistent with the requirements of 401 KAR 10:031, Section 4 and 5:045, Section 4. Section 4 of 10:031 establishes water quality criteria for the protection of Kentucky's waters. Section 4 of 5:045 establishes the acceptable levels of these parameters for biochemically degradable wastewaters.

Total Residual Chlorine
The limits for these parameters are consistent with the requirements of 401 KAR 10:031, Section 4.

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5. REPORTED DISCHARGE AND PROPOSED LIMITS

Description of Discharge – Storm water runoff.

Effluent Characteristics	Reported Discharge Monthly Average	Reported Discharge Daily Maximum	Proposed Limits Monthly Average	Proposed Limits Daily Maximum	Applicable Water Quality Criteria and/or Effluent Guidelines
Flow (MGD)	0.006	0.043	Report	Report	401 KAR 5:065, Section 2(8)
Temperature (°F)	54.9	81.9	Removing from permit		401 KAR 5:080, Section 1(2)(c)2
Total Suspended Solids (mg/l)	16	154	30	60	401 KAR 5:080, Section 1(2)(c)2
Oil & Grease (mg/l)	1.5	2.0	10	15	401 KAR 5:080, Section 1(2)(c)2
pH (standard units)	6.5	9.1	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4

The data contained under the reported discharge columns is not from the renewal application, but rather from the analysis of the DMR data that has been reported during the term of the previous permit.

Storm water collected in the holding ponds is typically not discharged, but rather used for land application.

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6. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 002 – Storm water runoff from 27.3 acres, 42% of which is impervious.

b. Effluent Characteristics

Flow, Total Suspended Solids, Oil & Grease and pH

c. Pertinent Factors

Storm water collected in the holding ponds is typically not discharged, but rather used for land application.

Because of a modification to the facility's operations, noncontact cooling water is no longer discharged from this outfall.

d. Monitoring Requirements

Flow monitoring shall be conducted once per month instantaneously.

Total Suspended Solids and Oil & Grease shall be monitored once per month by grab sample.

pH shall be monitored once per month by grab sample.

e. Justification of Conditions

The Kentucky regulations cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes.

Flow
The monitoring requirements for this parameter are consistent with the requirements of 401 KAR 5:065, Section 2(8).

Total Suspended Solids and Oil & Grease
The limits for these parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. The limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Conventional Pollutant Control Technology" (BCT) requirements for these pollutants.

pH
The limits for this parameter are consistent with the requirements of 401 KAR 10:031, Section 4.

7. ANTIDEGRADATION

The conditions of 401 KAR 10:029, Section 1 have been satisfied by this permit action. Since this permit action involves reissuance of an existing permit, and does not propose an expanded discharge, a review under 401 KAR 10:030 Section 1 is not applicable.

8. PROPOSED COMPLIANCE SCHEDULE FOR ATTAINING EFFLUENT LIMITATIONS

The permittee will comply with all effluent limitations by the effective date of the permit.

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9. PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE

Connection to a Regional Facility
The Division of Water considers package wastewater treatment plants treating domestic wastewaters as temporary solutions and shall be eliminated by connection to a regional wastewater treatment facility when sewers of sufficient capacity become available. "Available" is defined as being located within the planning area and within one (1.0) miles along the most feasible route of connection to sewers of sufficient capacity to carry the additional flow. This requirement to eliminate the package treatment plant serving this facility is consistent with the requirements of 401 KAR 5:005, Section 4(6) and 401 KAR 5:002, Section 1(21).

Disposal of Non-Domestic Wastes
The pass through or non-treatment by the wastewater treatment plant of chemicals or compounds which may injure, be chronically or acutely toxic to or produce adverse physiological or behavioral responses in humans, animals, fish and other aquatic life is not desirable. Materials such as acids, caustics, herbicides, household chemicals or cleansers, insecticides, lawn chemicals, non-biodegradable products, paints, pesticides, pharmaceuticals, and petroleum based products may not be treatable by the wastewater treatment plant and should not be introduced and other environmentally sound methods for disposal should be utilized. The permittee should educate users of its system that introduction of such chemicals or compounds could result in an adverse environmental impact and provide the users with alternative disposal measures. This requirement is consistent with the requirements of 401 KAR 5:065, Section 1(5) and 401 KAR 5:080, Section 1(c)(2)c.

Certified Operators
Pursuant to 401 KAR 5:010, Section 1 wastewater systems shall be operated under the supervision of a certified operator who holds a Kentucky Certificate equivalent to the class of system being supervised.

Pursuant to 401 KAR 5:010, Section 3 the certified operator shall be reasonably available if not physically present while the system is operating.

Best Management Practices (BMP) Plan
Pursuant to 401 KAR 5:065, Section 2(10), a BMP requirement shall be included: to control or abate the discharge of pollutants from ancillary areas containing toxic or hazardous substances or those substances which could result in an environmental emergency; where numeric effluent limitations are infeasible; or to carry out the purposes and intent of KRS 224. The facility has several areas where support activities occur which have a potential of the discharge of such substances through storm water runoff or spillage. Some of these areas will drain to present wastewater treatment plants, others will not.

Outfall Signage
It is the Best Professional Judgment of the Division of Water, 401 KAR 5:080, Section 1(2)(c)2, that all permittees post a marker at all discharge locations and/or monitoring points. The marker shall be of sufficient size to display the Permittee Name, KPDES permit and outfall numbers in 2 inch letters and shall be prominently displayed. For internal monitoring points the marker shall be of sufficient size to include the outfall number in 2 inch letters and is to be posted as near as possible to the actual sampling location.

10. PERMIT DURATION

Five (5) years. This facility is in the Tradewater, Green Basin Management Unit as per the Kentucky Watershed Management Framework.

11. PERMIT INFORMATION

The application, draft permit, fact sheet, public notice, comments received and additional information is available from the Division of Water at 200 Fair Oaks Lane, Frankfort, Kentucky 40601.

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12. REFERENCES AND CITED DOCUMENTS

All material and documents referenced or cited in this fact sheet are a part of the permit information as described above and are readily available at the Division of Water Central Office. Information regarding these materials may be obtained from the person listed below.

13. CONTACT

For further information on the draft permit or comment process, contact the individual identified on the Public Notice or the Permit Writer – Ronnie Thompson at (502) 564-8158, extension 4896, or email Ronnie.Thompson@ky.gov.

14. PUBLIC NOTICE INFORMATION

Please refer to the attached Public Notice for details regarding the procedures for a final decision, deadline for comments and other information required by 401 KAR 5:075, Section 4(2)(e).

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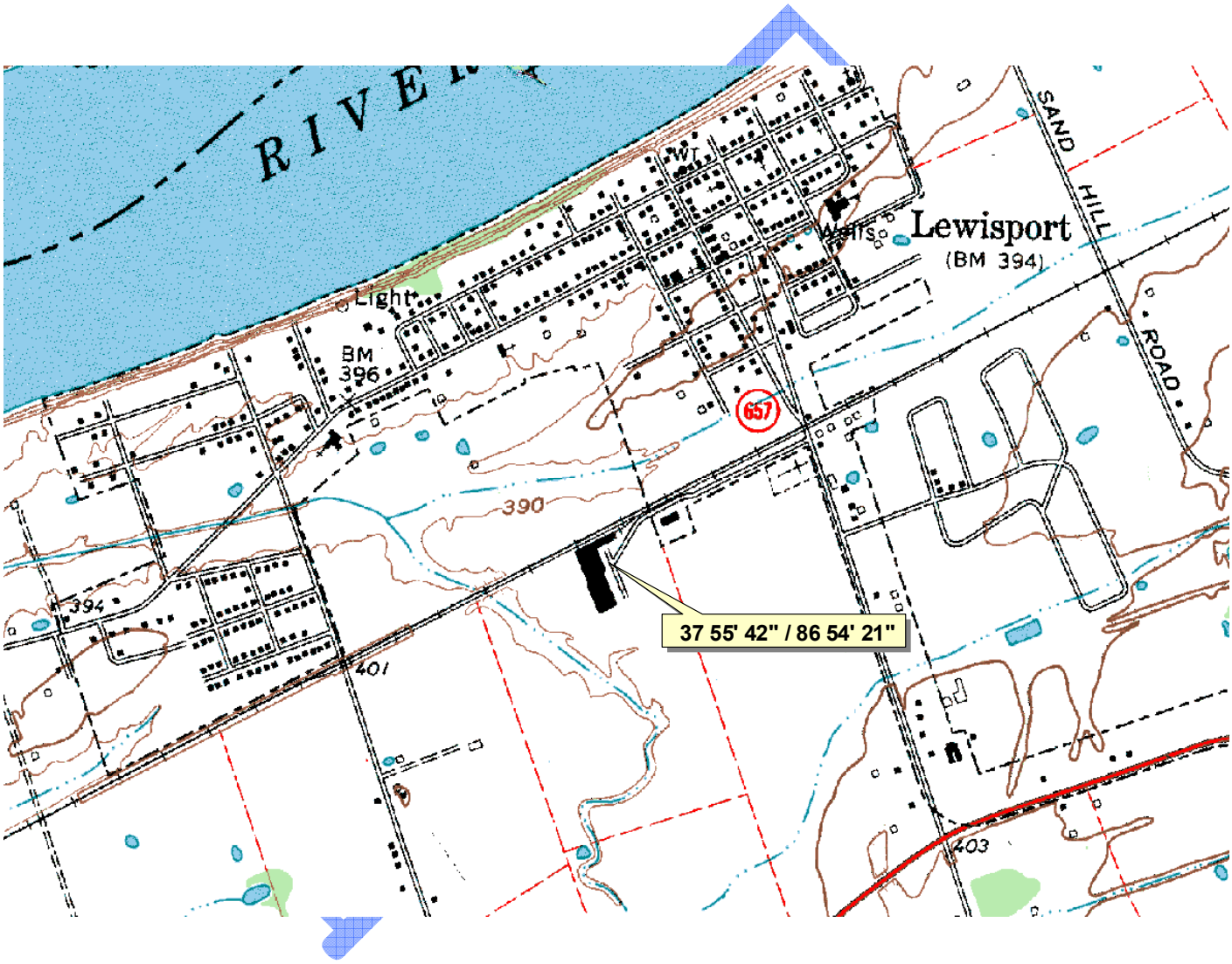
Lewisport Manufacturing



KPDES

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT

PERMIT NO.: KY0023281
AI NO.: 1623

AUTHORIZATION TO DISCHARGE UNDER THE KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to Authority in KRS 224,

Dal-Tile
675 Melanie Lane
Lewisport, Kentucky 42351

is authorized to discharge from a facility located at

Lewisport Manufacturing
675 Melanie Lane
Lewisport, Hancock County, Kentucky

to receiving waters named

Unnamed tributary of the Ohio River at latitude 37-55-42 and longitude 86-54-21.

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, III and IV hereof. The permit consists of this cover sheet, Part I 3 pages, Part II 1 page, Part III 2 pages, and Part IV 3 pages.

This permit shall become effective on.

This permit and the authorization to discharge shall expire at midnight,
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Date Signed

Sandra L. Gruzesky, Director
Division of Water

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PART I A - EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 001 – Sanitary Wastewater (Design Flow = 0.007 MGD)

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS (lbs/day)		Other Units (Specify)		MONITORING REQUIREMENTS	
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow (MGD)	Report	Report	N/A	N/A	1/Quarter	Instantaneous
$CBOD_5$ (mg/l)	0.58	0.88	10	15	1/Quarter	24 Hr Composite
TSS (mg/l)	1.75	2.63	30	45	1/Quarter	24 Hr Composite
Ammonia Nitrogen (as mg/l N)						
May 1 - October 31	0.12	0.18	2	3	1/Quarter	24 Hr Composite
November 1 - April 30	0.29	0.44	5	7.5	1/Quarter	24 Hr Composite
Escherichia Coli (N/100 ml)	N/A	N/A	130	240	1/Quarter	Grab
Dissolved Oxygen (mg/l) (minimum)	N/A	N/A	Not less than	7.0	1/Quarter	Grab
pH (standard units)	N/A	N/A	6.0 (min)	9.0 (max)	1/Quarter	Grab
Total Residual Chlorine (mg/l)	N/A	N/A	0.011	0.019	1/Quarter	Grab

The abbreviation $CBOD_5$ means Carbonaceous Biochemical Oxygen Demand (5-day).
The abbreviation TSS means Total Suspended Solids.
The abbreviation N/A means Not Applicable.
The effluent limitations for $CBOD_5$ and TSS are Monthly (30 day) and Weekly (7 day) Averages.
The effluent limitations for *Escherichia Coli* are thirty (30) day and seven (7) day Arithmetic Means.

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

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point prior to discharge to or mixing with the receiving waters or wastestreams from other outfalls.

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PART I A - EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 002 – Storm water runoff.

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS (lbs/day)		Other Units (Specify)		MONITORING REQUIREMENTS	
	Monthly Avg.	Daily Max.	Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow (MGD)	Report	Report	N/A	N/A	1/Month	Grab
Total Suspended Solids	N/A	N/A	30 mg/l	60 mg/l	1/Month	Grab
Oil & Grease	N/A	N/A	10 mg/l	15 mg/l	1/Month	Grab
pH (standard units)	N/A	N/A	6.0 (min)	9.0 (max)	1/Month	Grab

The abbreviation N/A means Not Applicable.

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

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point prior to discharge to or mixing with the receiving waters or wastestreams from other outfalls.

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PART I B - SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with all requirements on the effective date of this permit.

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PART II - STANDARD CONDITIONS FOR KPDES PERMIT

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.

It is the responsibility of the permittee to demonstrate compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods.

The permittee is also advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 1 will apply to all discharges authorized by this permit.

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PART III - OTHER REQUIREMENTS

A. Reporting of Monitoring Results

Monitoring results obtained during each monitoring period must be reported on a preprinted Discharge Monitoring Report (DMR) Form that will be mailed to you. The completed DMR for each monitoring period must be sent to the Division of Water at the address listed below (with a copy to the appropriate Regional Office) postmarked no later than the 28th day of the month following the monitoring period for which monitoring results were obtained.

Division of Water Madisonville Regional Office Madisonville State Office Bldg. 625 Hospital Drive Madisonville, Kentucky 42431-1683 ATTN: Supervisor	Energy and Environment Cabinet Dept. for Environmental Protection Division of Water/Surface Water Permits Branch 200 Fair Oaks Lane Frankfort, Kentucky 40601

B. Reopener Clause

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under 401 KAR 5:050 through 5:086, if the effluent standard or limitation so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

2. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of KRS Chapter 224 when applicable.

C. Connection to a Regional Facility

The Division of Water considers package wastewater treatment plants treating domestic wastewaters as temporary solutions and shall be eliminated by connection to a regional wastewater treatment facility when sewers of sufficient capacity become available. This facility is within the planning area of the City of Lewisport. Therefore the package treatment plant serving this facility shall be eliminated and the facility connected to the regional facility when the following conditions exist:

1. Sewers with sufficient integrity and capacity to carry the additional flow are available within one (1.0) mile of the facility (i.e. the additional flow will not result in new or expanded Sanitary Sewer Overflows or Combined Sewer Overflows); and

2. The regional facility has sufficient capacity to assimilate the additional wastewater flow and strength (i.e. the regional facility is not under a sewer sanction or tap on ban).

During the term of this permit should the Division of Water determine that the aforementioned conditions exist the permittee shall receive written notification that connection to the regional facility and elimination of the package treatment plant shall occur prior to the expiration of this permit. This permit shall not be reissued unless the permittee can demonstrate to the Division of Water that the aforementioned conditions do not exist, or that natural or man-made obstructions exist, or the cost of connection and elimination would necessitate the closing of the facility.

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D. Disposal of Non-Domestic Wastes

The pass through or non-treatment by the wastewater treatment plant of chemicals or compounds which may injure, be chronically or acutely toxic to or produce adverse physiological or behavioral responses in humans, animals, fish and other aquatic life is not desirable. Materials such as acids, caustics, herbicides, household chemicals or cleansers, insecticides, lawn chemicals, non-biodegradable products, paints, pesticides, pharmaceuticals, and petroleum based products may not be treatable by the wastewater treatment plant and should not be introduced and other environmentally sound methods for disposal should be utilized. The permittee should educate users of its system that introduction of such chemicals or compounds could result in an adverse environmental impact and provide the users with alternative disposal measures.

E. Certified Operators

This wastewater system shall be operated under the supervision of a Class I Kentucky Certified Operator who shall be reasonably available at all times. All other operators employed by the system shall hold a Kentucky Certificate or shall be in the process of obtaining a Kentucky Certificate. The certificates of each operator shall be prominently displayed on the wall of the system office.

F. Outfall Signage

The permittee shall post a permanent marker at all discharge locations and/or monitoring points. The marker shall be at least 2 feet by 2 feet in size and a minimum of 3 feet above ground level with the Permittee Name and KPDES permit and outfall numbers in 2 inch letters. For internal monitoring points the marker shall be of sufficient size to include the outfall number in 2 inch letters and shall be posted as near as possible to the actual sampling location.

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PART IV - BEST MANAGEMENT PRACTICES

SECTION A. GENERAL CONDITIONS

1. Applicability

These conditions apply to all permittees who use, manufacture, store, handle, or discharge any pollutant listed as: (1) toxic under Section 307(a)(1) of the Clean Water Act; (2) oil, as defined in Section 311(a)(1) of the Act; (3) any pollutant listed as hazardous under Section 311 of the Act; or (4) is defined as a pollutant pursuant to KRS 224.01-010(35) and who have ancillary manufacturing operations which could result in (1) the release of a hazardous substance, pollutant, or contaminant, or (2) an environmental emergency, as defined in KRS 224.01-400, as amended, or any regulation promulgated pursuant thereto (hereinafter, the "BMP pollutants"). These operations include material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas.

2. BMP Plan

The permittee shall develop and implement a Best Management Practices (BMP) plan consistent with 401 KAR 5:065, Section 2(10) pursuant to KRS 224.70-110, which prevents or minimizes the potential for the release of "BMP pollutants" from ancillary activities through plant site runoff; spillage or leaks, sludge or waste disposal; or drainage from raw material storage. A Best Management Practices (BMP) plan will be prepared by the permittee unless the permittee can demonstrate through the submission of a BMP outline that the elements and intent of the BMP have been fulfilled through the use of existing plans such as the Spill Prevention Control and Countermeasure (SPCC) plans, contingency plans, and other applicable documents.

3. Implementation

If this is the first time for the BMP requirement, then the plan shall be developed and submitted to the Division of Water within 90 days of the effective date of the permit. Implementation shall be within 180 days of that submission. For permit renewals the plan in effect at the time of permit reissuance shall remain in effect. Modifications to the plan as a result of ineffectiveness or plan changes to the facility shall be submitted to the Division of Water and implemented as soon as possible.

4. General Requirements

The BMP plan shall:

a. Be documented in narrative form, and shall include any necessary plot plans, drawings, or maps.

b. Establish specific objectives for the control of toxic and hazardous pollutants.

   (1) Each facility component or system shall be examined for its potential for causing a release of "BMP pollutants" due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.

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(2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g., precipitation), or other circumstances which could result in a release of "BMP pollutants," the plan should include a prediction of the direction, rate of flow, and total quantity of the pollutants which could be released from the facility as result of each condition or circumstance.

c. Establish specific Best Management Practices to meet the objectives identified under paragraph b of this section, addressing each component or system capable of causing a release of "BMP pollutants."

d. Include any special conditions established in part b of this section.

e. Be reviewed by plant engineering staff and the plant manager.

5. Specific Requirements

The plan shall be consistent with the general guidance contained in the publication entitled "NPDES Best Management Practices Guidance Document," and shall include the following baseline BMPs as a minimum.

a. BMP Committee
b. Reporting of BMP Incidents
c. Risk Identification and Assessment
d. Employee Training
e. Inspections and Records
f. Preventive Maintenance
g. Good Housekeeping
h. Materials Compatibility
i. Security
j. Materials Inventory

6. SPCC Plans

The BMP plan may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the Act and 40 CFR Part 151, and may incorporate any part of such plans into the BMP plan by reference.

7. Hazardous Waste Management

The permittee shall assure the proper management of solid and hazardous waste in accordance with the regulations promulgated under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1978 (RCRA) (40 U.S.C. 6901 et seq.) Management practices required under RCRA regulations shall be referenced in the BMP plan.

8. Documentation

The permittee shall maintain a description of the BMP plan at the facility and shall make the plan available upon request to NREPC personnel. Initial copies and modifications thereof shall be sent to the following addresses when required by Section 3:

Division of Water
Madisonville Regional Office
Madisonville State Office Bldg.
625 Hospital Drive
Madisonville, Kentucky 42431-1683
ATTN: Supervisor

Energy and Environment Cabinet
Dept. for Environmental Protection
Division of Water/Surface Water Permits Branch
200 Fair Oaks Lane
Frankfort, Kentucky 40601

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9. BMP Plan Modification

The permittee shall amend the BMP plan whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in the release of "BMP pollutants."

10. Modification for Ineffectiveness

If the BMP plan proves to be ineffective in achieving the general objective of preventing the release of "BMP pollutants," then the specific objectives and requirements under paragraphs b and c of Section 4, the permit, and/or the BMP plan shall be subject to modification to incorporate revised BMP requirements. If at any time following the issuance of this permit the BMP plan is found to be inadequate pursuant to a state or federal site inspection or plan review, the plan shall be modified to incorporate such changes necessary to resolve the concerns.

SECTION B. SPECIFIC CONDITIONS

Periodically Discharged Wastewaters Not Specifically Covered By Effluent Conditions

The permittee shall include in this BMP plan procedures and controls necessary for the handling of periodically discharged wastewaters such as intake screen backwash, meter calibration, fire protection, hydrostatic testing water, water associated with demolition projects, etc.

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