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ACCESSION NBR: 9012180084 DOC. DATE: 90/12/12 NOTARIZED: NO DOCKET #
 FACIL: 50-315 Donald C. Cook Nuclear Power Plant, Unit 1, Indiana & 05000315
 50-316 Donald C. Cook Nuclear Power Plant, Unit 2, Indiana & 05000316
 AUTH. NAME AUTHOR AFFILIATION
 ALEXICH, M.P. Indiana Michigan Power Co. (formerly Indiana & Michigan Ele
 RECIP. NAME RECIPIENT AFFILIATION
 DAVIS, A.B. Document Control Branch (Document Control Desk)

SUBJECT: Forwards revised NPDES Permit MI 0005827, per Section 3.2 of
 App B (environ protection plan) of plant OL for info. Permit
 issued on 900920 by State of MI Dept of Natural Resources.

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Donald C. Cook Nuclear Plant Units 1 and 2
Docket Nos. 50-315 and 50-316
License Nos. DPR-58 and DPR-74
NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) PERMIT

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

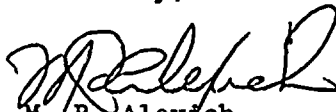
Attn: A. B. Davis

December 12, 1990

Dear Mr. Davis:

In accordance with section 3.2 of Appendix B (Environmental Protection Plan) of the Donald C. Cook Nuclear Plant Units 1 and 2 Facility Operating License, attached for your information is a copy of the revised NPDES Permit No. MI 0005827, issued on September 20, 1990, by the Michigan Department of Natural Resources.

Sincerely,


M. P. Alexich
Vice President

ldp

Attachment

cc: D. H. Williams, Jr.
A. A. Blind
J. R. Padgett
G. Charnoff
NRC Resident Inspector - Bridgman
NFEM Section Chief

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PDR ADOCK 05000315
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NATURAL RESOURCES COMMISSION

THOMAS J. ANDERSON
MARLENE J. FLUHARTY
GORDON E. GUYER
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ELLWOOD A. MATTSON
O. STEWART MYERS
RAYMOND POUPORE

STATE OF MICHIGAN



JAMES J. BLANCHARD, Governor
DEPARTMENT OF NATURAL RESOURCES

STEVENS T. MASON BUILDING
P.O. BOX 30028
LANSING, MI 48909

DAVID F. HALES, Director

RECEIVED
OCT 25 1990
ENVIRONMENTAL
AFFAIRS

October 23, 1990

CERTIFIED MAIL

Indiana Michigan Power Company
P.O. Box 60
Fort Wayne, Indiana 46801

Gentlemen:

SUBJECT: NPDES Permit No. MI0005827
Cook Plant, Bridgman, Michigan

Your National Pollutant Discharge Elimination System (NPDES) Permit has been processed in accordance with appropriate state and federal regulations. It contains the requirements necessary for you to comply with state and federal water pollution control laws.

REVIEW THE PERMIT EFFLUENT LIMITS AND COMPLIANCE SCHEDULES CAREFULLY. These are subject to the criminal and civil enforcement provisions of both state and federal law. Permit violations are audited by the Michigan Department of Natural Resources and the United States Environmental Protection Agency and may appear in a published quarterly noncompliance report made available to agencies and the public.

Your monitoring and reporting responsibilities must be complied with in accordance with this permit. If applicable, Discharge Monitoring Report forms will be transmitted to you in the near future. These reports are to be submitted monthly or otherwise as required by your NPDES permit.

Any reports, notifications, or questions regarding the attached permit or NPDES program should be directed to the following address:

Fred Morley, District Supervisor
621 North Tenth Street
P.O. Box 355
Plainwell, Michigan 49080
Telephone: (616) 685-9886

October 23, 1990

NOTE: All references within this permit made to the Water Quality Division or Chief of the Water Quality Division are to refer to the Surface Water Quality Division or Chief of the Surface Water Quality Division, respectively.

Sincerely,

William E. McCracken

William E. McCracken, P.E.
Chief, Permits Section
Surface Water Quality Division
517-373-8088

Enclosure: Permit

cc: EPA-Region V (2)
208 Agency - Southwest Michigan Regional Planning Commission
Planning and Special Programs Section, SWQD
Mr. Fred Morley - Plainwell District, SWQD (2)
Mr. Paul Blakeslee, Regional Supervisor, Region III, SWQD
Compliance and Enforcement, SWQD
Data Entry, SWQD
Point Source Studies (Grand Rapids District Office), SWQD
Files

MICHIGAN WATER RESOURCES COMMISSION
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq; the "Act"), and the Michigan Water Resources Commission Act, as amended, (Act 245, Public Acts of 1929, as amended, the "Michigan Act"),

Indiana Michigan Power Company
P.O. Box 60
Fort Wayne, Indiana 46801

is authorized to discharge from a facility located at

One Cook Place
Bridgman, Michigan 49106

designated as IN MI Power Co-Cook Plt

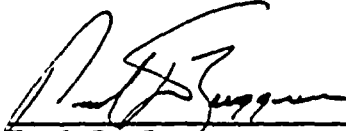
to the receiving water named the Lake Michigan in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit.

This permit takes effect on January 1, 1991. Any person who feels aggrieved by this permit may file a sworn petition with the Executive Secretary of the Michigan Water Resources Commission, setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Commission may reject any petition filed more than 60 days after issuance as being untimely. Upon granting of a contested case to the applicant, the Commission shall review the permit to determine which contested term shall be stayed until the Commission takes its final action. If a contested condition is a requirement placed on wastewater covered by a new or increased discharge authorization, such increased discharge authorization shall be stayed until the Commission takes final action. All other conditions of the permit remain in full effect. If the contested condition is a modification of a previous permit condition and the Commission determines the contested condition shall be stayed, then such previous condition remains in effect until the Commission takes final action. During the course of any administrative proceeding brought by a person other than the applicant, the conditions of this permit will remain in effect, unless the Commission determines otherwise.

This permit and the authorization to discharge shall expire at midnight October 1, 1994. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Michigan Water Resources Commission to the Permits Section of the Surface Water Quality Division no later than 180 days prior to the date of expiration.

This permit is based on an application submitted on March 6, 1990. On its effective date this permit shall supersede NPDES Permit No. MI0005827, expiring August 31, 1990.

Issued this 20th day of September, 1990, by the Michigan Water Resources Commission.


Paul D. Zugger
Executive Secretary

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. Final Effluent Limitations, Outfalls 001 and 002 (condenser cooling water and low volume wastes)

During the period beginning on the effective date of this permit and lasting until the date of expiration, the permittee is authorized to discharge one billion four hundred seventeen million (1,417,000,000) gallons per day* of noncontact cooling water and miscellaneous low volume wastewater from outfall 001 to Lake Michigan; and one billion eight hundred ninety million (1,890,000,000) gallons per day* of noncontact cooling water and miscellaneous low volume wastewater from outfall 002 to Lake Michigan. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	lbs/day		Other Limitations		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
Flow (MGD)	(report)	(report)			Daily	Report Total Daily Flow
Temperature (°F)						
Intake				(report)	Daily	Reading
Discharge				(report)	Daily	Reading
Heat Addition (BTU/Hr)				15.5×10^9	Daily	Calculation
Total Residual Chlorine (TRC)**						
Continuous Use				0.036 mg/l	5x Weekly	Grab
Intermittent Use				0.2 mg/l	5x Weekly	Grab
TRC Discharge Time				(report)	5x Weekly	Report Discha: Time
Outfall Observation					Daily	Visual
			Daily Minimum	Daily Maximum		
pH (Standard Units)			6.5	9.0	Weekly	Grab

* The flow is not to be considered as a limitation on either the quantity or rate over time of discharge.

PART I

Section A.1. (continued)

** The daily maximum value for TRC shall be reported as the average of a minimum of three grab samples taken during the the time of chlorination. The samples must be equally spaced and no single sample may exceed 0.3 mg/l. TRC monitoring is only required during periods of chlorination. The term continuous use shall mean the application of chlorine greater than 160 minutes per day. The term intermittent use shall mean the application of chlorine 160 minutes per day or less. The permittee shall enter a zero on the Discharge Monitoring Report for the TRC mode not being used.

The permittee is authorized to substitute bromine for chlorine as a biocide. If bromine is used in lieu of chlorine, the same effluent limitations and monitoring requirements specified for chlorine will also be applicable for bromine. The permittee shall use the amperometric titration method to determine the total residual oxidant. Prior to the use of any product containing bromine, the permittee shall notify the Plainwell District Supervisor of the Surface Water Quality Division of the product to be used, and the intended schedule of application. The permittee shall notify the District Supervisor of any changes to the application schedule.

The permittee may use dechlorination techniques to achieve the applicable limitations using sodium sulfite or other dechlorination agents as approved by the Chief of the Surface Water Quality Division as dechlorination agents. The quantity of reagent used shall be the stoichiometric amount needed for dechlorination of applied chlorine. The permittee shall report monthly the quantity of each dechlorination reagent used per day.

- a. The receiving stream shall contain no unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits as a result of this discharge.
- b. Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to Lake Michigan.
- c. Any unusual characteristics of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits) shall be reported immediately to the Plainwell District Supervisor of the Surface Water Quality Division followed with a written report within 5 days detailing the findings of the investigation and the steps taken to correct the condition.
- d. In the event the permittee shall require the discharge of water treatment additives in addition to any previously approved by the Plainwell District Supervisor of the Surface Water Quality Division, the permittee shall notify the Plainwell District Supervisor. Written approval from the Plainwell District Supervisor to discharge such additives at specified levels shall be obtained prior to discharge by the permittee. The permit will be modified in accordance with the requirements of Part II.B.4. if a constituent of the additive or additives requires limiting.
- e. The term noncontact cooling water shall mean water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product, or finished product.



Trial	Control	MCI	AD
1	85	75	65
2	88	78	68
3	90	80	70
4	92	82	72
5	95	85	75

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PART I

Section A.

2. Final Effluent Limitations, Outfalls 00A and 00B (steam generator blowdown)

During the period beginning on the effective date of this permit and lasting until the date of expiration, the permittee is authorized to discharge seven hundred twelve thousand (712,000) gallons per day* of low volume wastewater consisting of steam generator blowdown from outfall 00A through outfalls 001 and 002 to Lake Michigan; and seven hundred thirty seven thousand (737,000) gallons per day of low volume wastewater consisting of steam generator blowdown from outfall 00B through outfalls 001 and 002 to Lake Michigan. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	lbs/day		Other Limitations		Measurement Frequency	Sample Type
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum		
Flow (MGD)	(report)	(report)			Daily Per Occurrence	Report Total Daily Flow
Total Suspended Solids			30 mg/l	100 mg/l	Weekly Per Occurrence	Grab

* The flow is not to be considered as a limitation on either the quantity or rate over time of discharge.

a. Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken at outfalls 00A and 00B prior to discharge to outfall 001 or 002.

PART I

Section A.

3. Final Effluent Limitations, Outfall 00C (heating boiler blowdown)

During the period beginning on the effective date of this permit and lasting until the date of expiration, the permittee is authorized to discharge nineteen thousand (19,000) gallons per day* of low volume wastewater consisting of heating boiler blowdown from outfall 00C through outfalls 001 and 002 to Lake Michigan. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
	<u>lbs/day</u>		<u>Other Limitations</u>		<u>Measurement</u>	<u>Sample</u>
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Frequency</u>	<u>Type</u>
Flow (MGD)	(report)	(report)			Daily Per Occurrence	Report Total Daily Flow
Total Suspended Solids			30 mg/l	100 mg/l	Daily Per Occurrence**	Grab

* The flow is not considered as a limitation on either the quantity or rate over time of discharge.

**Total Suspended Solids are to be monitored once per occurrence or weekly if the heating boiler is operated continuously for periods greater than one week.

a. Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken at outfall 00C prior to discharge to outfall 001 or 002.



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PART I

Section A.

4. Final Effluent Limitations, Outfall 00F (prefilter backwash)

During the period beginning on the date of issuance and lasting until the date of expiration, the permittee is authorized to discharge five hundred eighty three thousand (583,000) gallons per day* of low volume wastewater consisting of prefilter backwash from outfall 00F through outfalls 001 and 002 to Lake Michigan. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
	<u>lbs/day</u>		<u>Other Limitations</u>		<u>Measurement</u>	<u>Sample</u>
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Frequency</u>	<u>Type</u>
Flow (MGD)	(report)	(report)			Daily Per Occurrence	Report Total Daily Flow
Total Suspended Solids			30 mg/l	100 mg/l	Daily Per Occurrence	Grab
Oil and Grease			15 mg/l	20 mg/l	2x Monthly	Grab

* The flow is not to be considered as a limitation on either the quantity or rate over time of discharge.

a. Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to outfall 001 or 002.

PART I

Section A.

5. Final Effluent Limitations, Outfalls 001S, 002S, 003S and 004S (stormwater runoff)

During the period beginning on the effective date of this permit and lasting until the date of expiration, the permittee is authorized to discharge an unspecified amount of stormwater runoff from outfalls 001S, 002S, 003S, and 004S to Lake Michigan. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	lbs/day		Other Limitations		Measurement	Sample
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Frequency	Type
<u>Retained Self-Monitoring Requirements (See Part I.B.2.b.)</u>					<u>During Discharge</u>	
Outfall Observation.					Monthly*	Visual
Total Copper**			(report)		Quarterly	Grab
Total Zinc**			(report)		Quarterly	Grab

* Monitoring is not required at this time for outfalls 003S and 004S due to the inaccessability of the outfalls.

**Monitoring for total copper and total zinc shall be conducted on a quarterly basis for outfall 001S. The results of such monitoring shall be submitted to the Chief of the Surface Water Quality Division on or before March 1 of each year.

a. The receiving stream shall contain no unnatural turbidity, color, oil film, floating solids, foams, settleable solids, or deposits as a result of this discharge.

b. Samples, measurements, and observations taken in compliance with the monitoring requirements above shall be taken prior to discharge to Lake Michigan.

PART I

Section A.

6. Special Condition - Deicing Discharge Authorization

The permittee is authorized to discharge a portion of the flow from outfall 001 or outfall 002 through intake structure outfall 003 to prevent ice buildup. The permittee is not required to provide any additional monitoring of this discharge because the effluent limitations and monitoring requirements specified for outfalls 001 and 002 will determine compliance with applicable water quality standards.

7. Special Condition - Short Term Waste Characterization Study

As a condition of this permit, the permittee shall monitor the discharge from outfalls 001 and 002 for the constituents, at the frequency, and for the duration specified below. This monitoring is designed to determine whether these constituents are discharged in significant quantities. The results of the analysis of such monitoring shall be submitted to the Plainwell District Supervisor of the Surface Water Quality Division in accordance with Part I.C.2., Schedule of Compliance. If, upon review of the analysis, it is determined that any of the materials or constituents require limiting to protect the receiving waters in accordance with applicable water quality standards, the permit may then be modified after public notice and Commission approval of the recommended permit modification in accordance with Part II.B.4.

<u>CONSTITUENT</u>	<u>SAMPLE TYPE</u>	<u>SAMPLE FREQUENCY</u>	<u>SAMPLE DURATION</u>	<u>DESIRED DETECTION LEVEL</u>
Hexavalent Chromium	Grab	Weekly.	Six Weeks	5 ug/l

8. Special Condition - PCB Prohibition

Effective upon the date of issuance of this permit, the permittee shall not discharge any polychlorinated biphenyls to the receiving waters of the State of Michigan as a result of plant operations other than due to the presence of such compounds in the intake water.

9. Special Condition - Intake Screen Backwash

During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge intake screen backwash to Lake Michigan. The permittee shall collect and remove debris accumulated on intake trash bars and dispose of such material on land in an appropriate manner.

PART I

Section A.

10. Special Condition - Reopener Clause

This permit may be modified or, alternatively, revoked and reissued to comply with any applicable standard(s) or limitation(s) promulgated under Section 301(b)(2)(c)(d), 304(b)(2) and 307(a)(2) of the Act, if the effluent standard(s) or limitation(s) so promulgated:

- a. is(are) either different in condition or more stringent than any effluent limitation in the permit; or
- b. control(s) any pollutant not limited in the permit.

11. Special Condition - Notification Requirement

The permittee shall notify the Plainwell District Supervisor of the Surface Water Quality Division, in writing, within 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of:

- a. Detectable levels* of chemicals on the current Michigan Critical Materials Register or priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, which were not acknowledged in the application** or listed in the application at less than detectable levels.
- b. Detectable levels* of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information.
- c. Any chemical at levels greater than five times the average level reported in the application**.

Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the schedule of compliance.

*The detectable level shall be defined as the Method Detection Limit (MDL) as given in Appendix B to Part 136, Federal Register, Vol. 49, No. 209, October 26, 1984, pp. 43430-31.

**The application submitted on March 6, 1990.

PART I

Section A.

12. Discharge to the Groundwaters

This site is a known source of groundwater pollution. The reissuance of this permit does not authorize venting of contaminated groundwaters to the surface waters, nor does it constitute a release of liability for any groundwater contamination at or around the site. The State reserves its rights to seek remedies to abate any groundwater contamination.

13. Special Condition - Temperature Modification

The Michigan Water Resources Commission is considering the necessity of incorporating temperature limitations in this permit to assure that the requirements of Rule 82(1) of the Michigan Water Quality Standards are met. Therefore, when consideration of this issue has been completed, the Commission may modify this permit in accordance with Part II.B.4. to add appropriate temperature limitations or requirements.

PART I

B. MONITORING AND REPORTING

1. Representative Sampling

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

2. Reporting:

a. DMR Submittal Requirements - The permittee shall submit Discharge Monitoring Report (DMR) forms to the Michigan Department of Natural Resources, Surface Water Quality Division, Data Entry Unit, P.O. Box 30028, Lansing, Michigan, 48909, for each calendar month of the authorized discharge period(s). The DMRs shall be postmarked no later than the 10th day of the month following each month of the authorized discharge period(s).

b. Retained Self-Monitoring Requirements (outfalls 001S, 002S, 003S, & 004S) - The permittee shall maintain a year-to-date log of retained self-monitoring results and provide such log for inspection to the staff of the Surface Water Quality Division, Michigan Department of Natural Resources upon request. Retained self-monitoring results are public information and shall be promptly provided to the public upon request.

The permittee shall certify, in writing, to the Plainwell District Supervisor of the Surface Water Quality Division, Department of Natural Resources in accordance with the Schedule of Compliance, Part I.C.3., that;

- (1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained,
- (2) the flow rate(s) (if part of retained self-monitoring results) from all outfalls have been substantially the same as the flow rate(s) authorized by this permit, or if
- (3) the flow rate(s) (if part of retained self-monitoring results) is (are) substantially different from the flow rate(s) authorized by this permit and the permittee shall provide reasons for the difference in flow rates.

If, for any reason, the permittee does not comply with or will be unable to comply with any requirements specified in Part I.A. of this permit, the permittee shall provide the Plainwell District Supervisor of the Surface Water Quality Division with the following information, in writing, within five (5) days of becoming aware of such noncompliance:

- (1) A description of the discharge and cause of noncompliance; and
- (2) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

PART I

Section B.

3. Definitions

- a. The monthly average discharge is defined as the total discharge by weight, or concentration if specified, during the reporting month divided by the number of days in the reporting month that the discharge from the production or commercial facility occurred. If the pollutant concentration in any sample is less than the detection limit, regard that value as zero when calculating monthly average concentration. When less than daily sampling occurs, the monthly average discharge shall be determined by the summation of the measured daily discharges by weight, or concentration if specified, divided by the number of days during the reporting month when the samples were collected, analyzed and reported.
- b. The daily maximum discharge means the total discharge by weight, or concentration if specified, during any calendar day.
- c. The Regional Administrator is defined as the Region V Administrator, U.S. EPA, located at 230 South Dearborn, 13th Floor, Chicago, Illinois, 60604.
- d. The Executive Secretary of the Michigan Water Resources Commission is located in the KNAPP'S OFFICE CENTRE. The mailing address is P.O. Box 30028, Lansing, Michigan, 48909.
- e. The Chief of the Surface Water Quality Division's mailing address is P.O. Box 30028, Lansing, Michigan, 48909.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Act, under which such procedures may be required.

5. Recording Results

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

- a. The exact place, date, and time of measurement or sampling;
- b. The person(s) who performed the measurement or sample collection;
- c. The dates the analyses were performed;
- d. The person(s) who performed the analyses;
- e. The analytical techniques or methods used;
- f. The date of and person responsible for equipment calibration; and
- g. The results of all required analyses.

PART I

Section B.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Michigan Water Resources Commission.

PART I

C. SCHEDULE OF COMPLIANCE

1. The permittee shall continue to operate the installed facilities to achieve the effluent limitations specified for outfall(s) 001, 002 and 003.

2. The permittee shall achieve compliance with the Short Term Waste Characterization Study requirements specified in Part I.A.7., in accordance with the following schedule. All submittals shall be to the Plainwell District Supervisor of the Surface Water Quality Division.

- a. On or before February 1, 1991, the permittee shall implement the study.
- b. On or before April 1, 1991, the permittee shall have completed all monitoring as required.
- c. On or before June 1, 1991, the permittee shall submit the analytical results of such monitoring.

3. On or before January 10th of each year, during the effectiveness of this permit, the permittee shall submit the retained self-monitoring written certification as required in the Monitoring and Reporting Section, Part I.B.2. The certification shall be submitted to the Plainwell District Supervisor of the Surface Water Quality Division, Michigan Department of Natural Resources.

4. Reapplication

If the discharges authorized by this permit are expected to continue beyond the expiration date of this permit, the permittee is required to submit an application for reissuance to the Chief of the Permits Section of the Surface Water Quality Division on or before April 1, 1994.

5. Written Report Required

Within 14 days following each date specified in Part I.C., Schedule of Compliance, the permittee shall submit written notification to the Plainwell District Supervisor of the Surface Water Quality Division regarding its compliance or noncompliance with each schedule requirement. If a requirement was not met, the permittee's written notification shall include an explanation of the failure to meet the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be met. If the requirement involves submittal of a written report and the written report was submitted in accordance with the schedule date, separate written notification is not required.

PART II

A. MANAGEMENT REQUIREMENTS

1. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit constitutes a violation of Public Acts 245, of 1929, as amended, and/or PL 92-500, as amended, and constitutes grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of an application for permit renewal.

2. Change of Conditions

Any anticipated facility expansion, production increases, or process modification which will result in new, different, or increased discharges of pollutants must be reported by submission of a new application to the Chief of the Permits Section of the Surface Water Quality Division or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Plainwell District Supervisor of the Surface Water Quality Division. Following such notice, the permit may be modified to specify and limit any pollutant not previously limited.

3. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of concentrated solutions, acids, alkalies, salts, oils, or other polluting materials in accordance with the requirements of the Michigan Water Resources Commission Rules, Part 5. This requirement is included pursuant to Section 5 of the Michigan Water Resources Commission Act 245, P.A. of 1929, as amended, and the Part 5 Rules of the General Rules of the Commission.

4. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified by the Michigan Department of Natural Resources, as required by Section 6a of the Michigan Act.

5. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Plainwell District Supervisor of the Surface Water Quality Division with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

PART II

Section A.

6. Spill Notification

The permittee shall immediately report any spill or loss of any product, by-product, intermediate product, oils, solvents, waste material, or any other polluting substance which occurs to the surface waters or groundwaters of the state by calling the Department of Natural Resources 24-hour Emergency Response telephone number, 1-800-292-4706 (calls from out-of-state dial 1-517-373-8166); and within ten (10) days of the spill or loss, the permittee shall submit to the Plainwell District Supervisor of the Surface Water Quality Division a full written explanation as to the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken, and schedule of implementation. This requirement is included pursuant to Section 5 of the Michigan Water Resources Commission Act 245, P.A. of 1929, as amended.

7. Facility Operation

The permittee shall at all times properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

8. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the surface or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

9. By-Passing

Any diversion from or by-pass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (a) where unavoidable to prevent loss of life, personal injury, or severe property damage, or (b) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Plainwell District Supervisor of the Surface Water Quality Division and the Regional Administrator, in writing, of such diversion or by-pass.

10. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit which provision shall be indicated in this permit by inclusion of a specific compliance date in each appropriate "Schedule of Compliance for Effluent Limitations".
- b. Upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

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PART II

Section A.

11. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters, or the entry of toxic or harmful contaminants thereof onto the groundwaters in concentrations or amounts detrimental to the groundwater resource.

12. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee) has occurred, the permittee who wishes to establish the affirmative defense of upset shall notify the Plainwell District Supervisor of the Surface Water Quality Division by telephone within 24 hours of becoming aware of such conditions and within five (5) days, provide in writing, the following information:

- a. That an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. That the permitted wastewater treatment facility was, at the time, being properly operated;
- c. That the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

In any enforcement proceedings the permittee, seeking to establish the occurrence of an upset, has the burden of proof.

13. Any requirement of this permit which is included under the unique terms of the Water Resources Commission, Act 245, P.A. of 1929, as amended, and rules promulgated thereunder, is not enforceable under the Federal Clean Water Act regulations.

PART II

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the Executive Secretary of the Michigan Water Resources Commission, the Regional Administrator and/or their authorized representatives, upon the presentation of credentials:

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

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Plainwell District Supervisor of the Surface Water Quality Division and the Regional Administrator.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act and Rule 2128 of the Water Resources Commission Rules, Part 21, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the State Water Pollution Control Agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act and Sections 7 and 10 of the Michigan Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully, all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

PART II

Section B.

5. Toxic Pollutants

Notwithstanding Part II.B.4. above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "By-Passing" (Part II.A.9., pursuant to 40 CFR 122.41(m)) and "Upset" (Part II.A.12., pursuant to 40 CFR 122.41(n)), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, such as accidents, equipment breakdowns, or labor disputes.

7. 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 may be subject under Section 311 of the Act except as are exempted by federal regulations.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining such permits or approvals from other units of government as may be required by law.

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

11. Notice to Public Utilities (Miss Dig)

The issuance of this permit does not exempt the permittee from giving notice to public utilities and complying with each of the requirements of Act 53 of the Public Acts of 1974, being sections 460.701 to 460.718 of the Michigan Compiled Laws, when constructing facilities to meet the terms of this permit.



PERMIT CONDITIONS

PART III

A. GROUNDWATER DISCHARGE AUTHORIZATION

The permittee is authorized to discharge from its wastewater treatment facility to the groundwaters of the state in accordance with the conditions below. This authorization shall continue until the Michigan Water Resources Commission makes its final determination on a state groundwater discharge permit.

B. GROUNDWATER DISCHARGE REQUIREMENTS

During the period beginning on the date of issuance of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge process wastes and sanitary wastes to the groundwater. Such discharges shall be monitored by the permittee as specified below:

Process wastes shall be disposed of into the ground in such a manner and by means of such facilities and at such location that they shall not injuriously affect public health, welfare, or commercial, industrial, domestic, agricultural, recreational, or other uses of the underground waters.

Monitoring requirements for boiler water treatment systems process water (water softener, clarifiers, make-up demineralizers) and boiler cleaning water prior to discharge into the ground.

| <u>PARAMETER TO BE MEASURED</u> | <u>FREQUENCY</u> | <u>TYPE OF SAMPLE</u> |
|---------------------------------|---|--------------------------------|
| Flow | Continuous | Daily maximum, minimum
Grab |
| pH | Continuous | |
| Cadmium | At times of boiler cleaning
water discharge | |
| Oil & Grease | Weekly | Grab |
| Sulfate (SO ₄) | At all times when regeneration of
ion exchange resins occurs | 24-Hr. Composite |
| Chloride (CL) | Weekly | 24-Hr. Composite |
| Total Phosphorus | Weekly | 24-Hr. Composite |
| Chemical Oxygen Demand | Weekly | 24-Hr. Composite |
| Total Dissolved Solids | At all times when regeneration of
ion exchange resins occurs | 24-Hr. Composite |

Monitoring requirements for sanitary wastewaters prior to discharge into the ground:

| <u>PARAMETER TO BE MEASURED</u> | <u>FREQUENCY</u> | <u>REPORT</u> |
|---|---|--|
| Flow | Continuous | List beginning and
ending date and time
of use of each
seepage area |
| State which seepage area is
being utilized | List when seepage areas
are alternated | |

Part III-B (continued)

Monitoring requirements for groundwater collected in monitoring wells:

| <u>PARAMETER TO BE MEASURED</u> | <u>FREQUENCY</u> | <u>TYPE OF SAMPLE</u> |
|---------------------------------|------------------|-----------------------------|
| Record static water elevation | Quarterly | Reading at time of sampling |
| pH | Quarterly | Grab |
| Total Chromium (Cr) | Quarterly | Grab |
| Copper (Cu) | Quarterly | Grab |
| Sulfate(SO ₄) | Quarterly | Grab |
| Chloride (Cl) | Quarterly | Grab |
| Hardness | Quarterly | Grab |
| Nitrate-Nitrogen as N | Quarterly | Grab |
| Sodium (Na) | Quarterly | Grab |
| Polychlorinated Biphenyls | Quarterly | Grab |
| Chemical Oxygen Demand | Quarterly | Grab |
| Boron (B) | Quarterly | Grab |
| Total Phosphorus (P) | Quarterly | Grab |
| Total Dissolved Solids | Quarterly | Grab |
| Cadmium | Quarterly | Grab |
| Oil & Grease | Quarterly | Grab |

Results of all monitoring required in Part III of this permit shall be submitted to the Plainwell District Office of the Waste Management Division.