

CHARLES H. CRUSE
Plant General Manager
Calvert Cliffs Nuclear Power Plant

Baltimore Gas and Electric Company
Calvert Cliffs Nuclear Power Plant
1650 Calvert Cliffs Parkway
Lusby, Maryland 20657
410 586-2206 Ext. 4101 Local
410 260-4101 Baltimore



July 15, 1994

U. S. Nuclear Regulatory Commission
Washington, DC 20555

ATTENTION: Document Control Desk

SUBJECT: Calvert Cliffs Nuclear Power Plant
Unit Nos. 1 & 2; Docket Nos. 50-317 & 50-318
Issuance of NPDES Permit No. MD0002399

In accordance with Section 3.2 of Appendix B, "Environmental Protection Plan (Non-Radiological) Technical Specifications," attached is a copy of our new National Pollution Discharge Elimination System (NPDES) permit (MD0002399) for Calvert Cliffs Nuclear Power Plant [Attachment (1)] and a listing of the changes and additions to the permit [Attachment (2)]. The effective date of the new permit is June 16, 1994.

Should you have any questions regarding this matter, we will be pleased to discuss them with you.

Very truly yours,

CHC/RCG/bjd

Attachments

cc: D. A. Brune, Esquire
J. E. Silberg, Esquire
M. K. Boyle, NRC
D. G. McDonald, Jr., NRC
T. T. Martin, NRC
P. R. Wilson, NRC
R. I. McLean, DNR
J. H. Walter, PSC

9407210299 940715
PDR ADDCK 05000317
PDR

cert # 2799 387 266

JE23

ATTACHMENT (1)

CALVERT CLIFFS NUCLEAR POWER PLANT

NPDES PERMIT

June 16, 1994

**MDE****MARYLAND DEPARTMENT OF THE ENVIRONMENT**

2500 Broening Highway • Baltimore, Maryland 21224

(410) 631-3000

William Donald Schaefer
GovernorDavid A.C. Carroll
Secretary

STATE DISCHARGE PERMIT NUMBER	92-DP-0187
NPDES PERMIT NUMBER	MD0002399
EFFECTIVE DATE	June 16, 1994
EXPIRATION DATE	June 15, 1999

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Department of the Environment, hereinafter referred to as the "Department", hereby authorizes

Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

TO DISCHARGE FROM

The Calvert Cliffs Nuclear Power Plant

LOCATED

Two miles northeast of Lusby, Calvert County, Maryland

VIA OUTFALLS

001 through 007 as identified and described herein

TO

Chesapeake Bay and Goldstein Branch which are protected for water contact recreation, fishing, shellfish harvesting (Chesapeake Bay only), aquatic life, and wildlife in accordance with the following special and general conditions and map made a part hereof.

I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Beginning on the effective date of the permit and lasting through the expiration date, the permittee is authorized to discharge once-through cooling water, "low volume waste sources", auxiliary boiler blowdown, precoat sump water, secondary loop blowdown, effluent from a sewage treatment plant, and reverse osmosis reject water from Outfall 001 including the discharges from monitoring points 101A, 103A, 104A, and 106A.

As specified below, such discharge shall be limited and monitored by the permittee at the surge pit at the end of Discharge Road near the northeast corner of the plant.

EFFLUENT CHARACTERISTICSEFFLUENT LIMITATIONSMONITORING REQUIREMENTS

	<u>(lbs/day)</u>		<u>Other Units (Specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>		
Flow	N/A	N/A	⁽¹⁾ mgd	⁽¹⁾ mgd	Continuous	Estimated
Temperature °F	N/A	N/A	N/A	⁽¹⁾	Continuous ⁽²⁾	i-s
Temperature Increase	N/A	N/A	N/A	12°F	1/Hour	Calculated ⁽³⁾
Total Residual Chlorine (TRC)	N/A	N/A	N/A	<0.1 mg/l ⁽⁴⁾	1/Week	Grab
Total Copper ⁽⁴⁾	N/A	N/A	N/A	⁽⁴⁾	1/Month	Grab
Clamtrol CT-1	N/A	N/A	N/A	0.3 mg/l ⁽⁵⁾	1/Week	Grab

NOTE: The radioactive component of this discharge is regulated by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act and not by the Department or the EPA under the Clean Water Act.

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

⁽¹⁾ Monitoring required without limits.

⁽²⁾ Temperature is calculated as the flow weighted average of individual measurements taken at the concrete surge pit. Four conduits converge at this point (two from each unit), and two temperature probes are located within the discharge of each conduit.

⁽³⁾ Calculated as the difference of the temperature calculated in ⁽²⁾ and the temperature in the intake embayment.

⁽⁴⁾ EPA test Method 220.2.

I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- (5) Monitoring required only when Clamtrol CT-1 is in use.
- (6) During periods of chlorination only. The permittee shall indicate on each monthly discharge monitoring report when chlorine compounds are not in use. Otherwise, it will be assumed that chlorine is being used and monitoring is required. Residual chlorine may not be discharged from any unit for more than two hours per day unless the permittee demonstrates to the Department that discharge for more than two hours is needed for macroinvertebrate control. Compliance with this limit shall be determined using the amperometric titration method.

I. SPECIAL CONDITIONS

A.2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Effluent monitoring for the intake embayment.

Such monitoring shall be performed by the permittee along the northern wall of the intake structure at a depth of 8 feet.

MONITORING REQUIREMENTS

<u>CONSTITUENT</u>	<u>FREQUENCY</u>	<u>TYPE OF SAMPLE</u>
Temperature	Continuous	Recorded
Dissolved Oxygen	Continuous	Recorded
Salinity	Continuous	Recorded

1. SPECIAL CONDITIONS

A.3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Beginning on the effective date of the permit and lasting through the expiration date, the permittee is authorized to discharge effluent from a sewage treatment plant via Monitoring Point 101A of Outfall 001.

As specified below, such discharge shall be limited and monitored by the permittee at the discharge from the dechlorination chamber.

EFFLUENT CHARACTERISTICSEFFLUENT LIMITATIONSMONITORING REQUIREMENTS

	<u>(lbs/day)</u>		<u>Other Units (Specify)</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>		
Flow	N/A	N/A	⁽¹⁾ gpd	⁽¹⁾ gpd	1/Week	Estimated
BOD ₅	N/A	N/A	30 mg/l	45 mg/l	1/Week	8-hr. Composite
Total Suspended Solids (TSS)	N/A	N/A	30 mg/l	45 mg/l	1/Week	8-hr. Composite
Fecal Coliform	N/A	N/A	200 ⁽²⁾	400 ⁽²⁾	1/Week	Grab
TRC	N/A	N/A	N/A	<0.1 mg/l	1/Week	Grab

⁽¹⁾ Monitoring required without limits.

⁽²⁾ MPN/100ml

NOTE: The radioactive component of this discharge is regulated by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act and not by the Department or the EPA under the Clean Water Act

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

I. SPECIAL CONDITIONS

A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Beginning on the effective date of the permit and lasting through the expiration date, the permittee is authorized to discharge auxiliary boiler blowdown from Monitoring Point 103A of Outfall 001 and condenser dumps from Monitoring Point 106A of Outfall 001.

As specified below, such discharges shall be limited and monitored by the permittee in the auxiliary boiler room for Monitoring Point 103A and at the plant sample sink for Monitoring Point 106A.

	<u>EFFLUENT CHARACTERISTICS</u>		<u>EFFLUENT LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	(lbs/day)		Other Units (Specify)			
	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	N/A	N/A	⁽¹⁾ gpd	⁽¹⁾ gpd	1/Day ⁽²⁾	Estimated
Total Suspended Solids (TSS)	N/A	N/A	30 mg/l	100 mg/l	1/Day ⁽²⁾	Grab
Oil & Grease (O&G)	N/A	N/A	15 mg/l	20 mg/l	1/Day ⁽²⁾	Grab
Ammonia	N/A	N/A	N/A	⁽¹⁾	1/Month ⁽²⁾	Grab

⁽¹⁾ Monitoring required without limits.

⁽²⁾ When discharging.

NOTE: The radioactive component of this discharge is regulated by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act and not by the Department or the EPA under the Clean Water Act.

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

I. SPECIAL CONDITIONS

A.5. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Beginning on the effective date of the permit and lasting through the expiration date, the permittee is authorized to discharge demineralizer backwash from Monitoring Point 104A of Outfall 001.

As specified below, such discharge shall be limited and monitored by the permittee at the sampling tap on the neutralizing tank.

	<u>EFFLUENT CHARACTERISTICS</u>		<u>EFFLUENT LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	(lbs/day)		Other Units (Specify)			
	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	N/A	N/A	"gpd	"gpd	1/Month	Estimated
Total Suspended Solids (TSS)	N/A	N/A	30 mg/l	100 mg/l	1/Month	Grab
Oil & Grease (O&G)	N/A	N/A	15 mg/l	20 mg/l	1/Month	Grab

The pH shall not be less than 6.0 and shall be monitored once per discharge by a grab sample.

⁽¹⁾ Monitoring required without limits.

NOTE: The radioactive component of this discharge is regulated by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act and not by the Department or the EPA under the Clean Water Act

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

I. SPECIAL CONDITIONS

A.6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Beginning on the effective date of the permit and lasting through the expiration date, the permittee is authorized to discharge water from plant sumps and storm water runoff via Outfall 002.

As specified below, such discharge shall be limited and monitored by the permittee during dry weather conditions at the sump beside the sewage treatment plant access road or at the end of the culvert near the edge of the Chesapeake Bay.

<u>EFFLUENT CHARACTERISTICS</u>	<u>EFFLUENT LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>			
	<u>(lbs/day)</u>		<u>Other Units (Specify)</u>			
	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	N/A	N/A	"gpd	"gpd	1/Month	Estimated
Total Suspended Solids (TSS)	N/A	N/A	30 mg/l	100 mg/l	1/Month	Grab
Oil & Grease (O&G)	N/A	N/A	15 mg/l	20 mg/l	1/Month	Grab
Total Copper ⁽¹⁾	N/A	N/A	N/A	"	1/Month	Grab
Total Ammonia(as N)	N/A	N/A	N/A	"	1/Month	Grab

	<u>(lbs/day)</u>		<u>Other Units (Specify)</u>			
	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Quarterly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	N/A	N/A	"gpd	"gpd	1/Month	Estimated
Total Suspended Solids (TSS)	N/A	N/A	30 mg/l	100 mg/l	1/Month	Grab
Oil & Grease (O&G)	N/A	N/A	15 mg/l	20 mg/l	1/Month	Grab
Total Copper ⁽¹⁾	N/A	N/A	N/A	"	1/Month	Grab
Total Ammonia(as N)	N/A	N/A	N/A	"	1/Month	Grab

⁽¹⁾ Monitoring required without limits.

⁽²⁾ EPA test Method 220.2.

NOTE: The radioactive component of this discharge is regulated by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act and not by the Department or the EPA under the Clean Water Act

The pH shall not be less than 6.0 nor greater than 9.0 and shall be monitored once per month by a grab sample.

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

I. SPECIAL CONDITIONS

B. DEFINITIONS

1. The "monthly, quarterly, semi-annual, or annual average" effluent concentration means the value calculated by computing the arithmetic mean of all the daily determinations of concentration made during any calendar-month, 3-month, 6-month, or 12-month period respectively.
2. The "daily maximum" effluent concentration means the highest reading of any daily determination of concentration.
3. "Daily determination of concentration" means one analysis performed on any given sample representing flow during a calendar day, with one number in mg/l or other appropriate units as an outcome.
4. "Grab sample" means an individual sample collected in less than 15 minutes. Grab samples collected for pH and total residual chlorine shall be analyzed within 15 minutes of time of sample collection.
5. "i-s" = immersion stabilization - means a calibrated device immersed in the effluent stream until the reading is stabilized.
6. The "daily maximum" temperature means the highest temperature observed during a 24-hour period or, if flows are of shorter duration during the operating day.
7. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
8. "Upset" means the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
9. "Estimated" flow means a calculated volume or discharge rate which is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters, and batch discharge volumes.
10. "Recorded" flow, pH, temperature, etc., means any method of providing a permanent, continuous record including, but not limited to, circular and strip charts.

C. TOXIC POLLUTANT REPORTING

The permittee shall notify the Department as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at levels specified in 40 CFR Part 122.42(a).

D. REMOVED SUBSTANCES

1. Within 90 days of the effective date of the permit, unless already submitted with the application, the permittee shall submit to the Department on a form provided, the following information:
 - a. Locate, on a suitable map, all areas used for the disposal of any removed substances as defined by General Condition B.7;
 - b. The physical, chemical, and biological characteristics (as appropriate), quantities of any removed substances handled, and the method of disposal;

- c. If disposal is handled by other than the permittee, identify the contractor or subcontractor, their mailing address, and the information specified in a and b above.
2. Prior to the use of new or additional disposal areas, contractors, or subcontractors, the permittee shall notify the Department in writing.

E. WASTEWATER OPERATOR CERTIFICATION

Within six months from the date of issuance of this permit, the permittee's facility shall be operated by an industrial wastewater operator duly certified by the Maryland Board of Waterworks and Waste Systems Operators. At no time during the effect of this permit shall the treatment facilities be operated for more than six months without a certified operator.

F. ANALYTICAL LABORATORY

Within 30 days of the effective date of this permit the permittee shall submit to the Department the name and address of the analytical laboratory (including the permittee's own laboratory) which is used to perform the monitoring required by this permit.

If the laboratory changes during the effective period of this permit, the permittee shall notify the Department of the new laboratory within 30 days of this change.

G. STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

1. Storm Water Pollution Prevention Plans - General

The permittee shall develop a storm water pollution prevention plan for each area of the facility with point source discharges of storm water associated with industrial activity. The storm water pollution prevention plan shall be prepared in accordance with sound engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.

- a. In developing this plan, the permittee shall use as a reference "Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices" or, when it is available, an EPA-published summary document on the same subject. These documents can be obtained from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161 (phone: 703-487-4600).
- b. The plan shall be signed in accordance with II.C.19, and be retained on site in accordance with II.C.1 of this permit. The plan shall be completed within one year of the date of issuance of this permit. The permittee shall then comply with the terms of the plan within 18 months of the date of issuance of this permit. The permittee shall make plans available upon request to the Department, and in the case of a storm water discharge associated with industrial activity which discharges to a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system.
- c. If the plan is reviewed by the Department, the Department may notify the permittee at any time, that the plan does not meet one or more of the minimum requirements of this Part. After such notification from the Department, the permittee shall make changes to the plan to meet the objections of the Department and shall submit to the Department a written certification that the

requested changes have been made. Unless otherwise provided by the Department, the permittee shall have 90 days after such notification to make the necessary changes.

- d. The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance which has a significant effect on the potential for the discharge of pollutants to the waters of the State or if the storm water pollution prevention plan proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Amendments to the plan may be reviewed by the Department in the same manner as 1.c above.

2. Storm Water Pollution Prevention Plan - Contents

The plan shall include, at a minimum, the following items:

a. Description of Potential Pollutant Sources

The plan shall provide a description of potential sources which may be reasonably expected to add significant amounts of pollutants to storm water discharges. The plan shall identify all activities and significant materials which may potentially be significant pollutant sources. The plan shall include:

- i. A site map indicating an outline of the drainage area of each storm water outfall; each existing structural control measure to reduce pollutants in storm water runoff; and surface water bodies, including drainage ditches and wetlands.
- ii. A topographic map (or other map, if a topographic map is unavailable), extending one-quarter of a mile beyond the property boundaries of the facility. The requirements of this condition may be included in the site map required under 2.a.i. above, if appropriate.
- iii. A narrative description of significant materials that have been treated, stored, or disposed in a manner which allowed exposure to storm water at anytime from three years prior to the date of the issuance of this permit and until the time the present method of on-site storage or disposal was initiated; materials management practices employed to minimize contact of these materials with storm water runoff; materials loading and access areas; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.
- iv. For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an estimate of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity; and
- v. A summary of all existing sampling data describing pollutants in storm water discharges.

b. Storm Water Management Controls

The permittee shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

- i. Preventive Maintenance. A preventive maintenance program that involves timely inspection and maintenance of storm water management devices (cleaning oil/water separators, catch basins) as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.
- ii. Good Housekeeping. Good housekeeping that requires the maintenance of a clean, orderly facility.
- iii. Spill Prevention and Response Procedures. If spills have a potential to occur, procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a cleanup should be available to the appropriate personnel.
- iv. Sediment and Erosion Prevention. The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify measures to limit erosion.
- v. Management of Runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures determined to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity (see 2.a. -description of potential pollutant sources) shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.
- vi. Visual Inspections. Qualified plant personnel shall be identified to inspect designated equipment and plant areas. Material handling areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. A tracking or follow-up procedure shall be used to ensure that appropriate response has been taken in response to the inspection. Records of inspections shall be maintained at the facility, for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department.
- vii. Recordkeeping and Internal Reporting Procedures. Incidents, such as spills or other discharges, along with other information describing the quality and quantity of storm water discharges shall be included in the records. Inspections and maintenance activities shall be documented and recorded.

c. Comprehensive Site Compliance Evaluation

A site inspection shall be conducted annually by appropriate responsible personnel to verify that the description of potential pollutant sources required under 2.a. is accurate, the drainage map has been updated to reflect current conditions, and the controls to reduce pollutants identified in the storm water pollution prevention plan are being implemented and are adequate. Records documenting significant observation made during the site inspection shall be retained as part of the storm water pollution prevention plan for three years.

d. Consistency with Other Plans

Storm water management programs may include requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the Clean Water Act or Best Management Practices (BMPs) programs otherwise required by an NPDES permit and may incorporate any part of such plans into the storm water pollution prevention plan by reference.

e. Special Requirements for Storm Water Discharges Associated with Industrial Activity to Municipal Separate Storm Sewer Systems Serving a Population of 100,000 or More

Facilities covered by this permit shall comply with applicable requirements in municipal storm water management programs developed under NPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the discharger has been notified of such conditions. These facilities shall make storm water pollution prevention plans available to the municipal operator of the system upon request.

f. Salt Storage

Storage piles of salt used for deicing or other commercial or industrial purposes shall be enclosed or covered to prevent exposure to precipitation.

g. Pollution Prevention Committee

The description of the storm water Pollution Prevention Committee shall identify specific individuals within the plant organization who are responsible for developing the storm water pollution prevention plan and assisting the plant manager in its implementation, maintenance, and revision. The activities and responsibilities of the committee should address all aspects of the facility's storm water pollution prevention plan.

h. Employee Training

Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics, such as spill response, good housekeeping and material management practices. A pollution prevention plan shall identify periodic dates for such training.

3. Storm Water Pollution Prevention Plan - Additional Requirements for Facilities Subject to SARA Title III, Section 313 Requirements

Storm water pollution prevention plans for facilities subject to reporting requirements under SARA Title III, Section 313 (42 U.S.C. §11023) are required to include, in addition to the information listed in condition 2., a discussion of the facility's conformance with the following appropriate guidelines:

- a. In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided. At a minimum, one of the following preventive systems or its equivalent shall be used:
 - i. Curbing, culverting, gutters, sewers or other forms of drainage control to prevent or minimize the potential for storm water runoff to come into contact with significant sources of pollutants; or
 - ii. Roofs, covers, or other forms of appropriate protection to prevent storage piles from exposure to storm water and wind.

- b. The storm water pollution prevention plan shall include a complete discussion of measures taken to conform with the following applicable guidelines, other effective storm water pollution prevention procedures, and applicable State rules, regulations, and guidelines.
- i. Liquid storage areas where storm water comes into contact with any equipment, tank, container, or other vessel used for Section 313 water priority chemicals. No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage, such as pressure and temperature, etc. Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include secondary containment provided for at least the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.
 - ii. Material storage areas for Section 313 water priority chemicals other than liquids. Material storage areas for Section 313 water priority chemicals other than liquids which are subject to runoff, leaching, or wind blowing shall incorporate drainage or other control features which will minimize the discharge of Section 313 water priority chemicals. Drainage control shall minimize storm water contact with Section 313 water priority chemicals.
 - iii. Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals. Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 water priority chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.
 - iv. In plant areas where Section 313 water priority chemicals are transferred, processed or otherwise handled. Piping, processing equipment and materials handling equipment shall be designed and operated so as to prevent discharges of Section 313 chemicals. Materials used in piping and equipment shall be compatible with the substances handled. Additional protection, such as covers or guards to prevent wind blowing, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system shall be provided, as appropriate, to control the releases.
 - v. Discharges from secondary containment areas.
 - (a) Drainage from secondary containment shall be restrained by valves or other positive means to prevent a spill or other excessive leakage of Section 313 water priority chemicals into the drainage system. After a visual inspection of the storm water and determination that no product is present, containment areas may be emptied by pumps or ejectors; however, these shall be manually activated.
 - (b) Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas shall, as far as is practical, be of manual, open-and-close design.

- (c) Records of the frequency and estimated volume (in gallons) of discharges from containment areas shall be kept, at the facility, for a minimum of three years.
- (d) If facility drainage is not engineered as above, the final discharge of all in-facility storm sewers shall be equipped to be equivalent with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.
- (e) Facility site runoff other than from areas covered by (i), (ii), (iii) or (iv). Other areas of the facility [those not addressed in paragraphs (i), (ii), (iii) or (iv)], from which runoff which may contain Section 313 water priority chemicals or spills of Section 313 water priority chemicals could cause a discharge shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in runoff or leachate.

c. Facility Security

Facilities shall have the necessary security systems to prevent accidental or intentional entry which could cause a discharge. Security systems shall be described in the plan and address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.

d. Risk Identification and Assessment/Material Inventory

The storm water pollution prevention plan shall assess the potential of various sources at the plant to contribute pollutants to storm water discharges associated with industrial activity. The plan shall include an inventory of the types of materials handled. Facilities shall include in the plan a description of releases to land or water of SARA Title III water priority chemicals that have occurred at any time after July 1, 1989. Each of the following shall be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants within six months of the effective date of the permit. This plan shall include, if applicable, treatment requirements, operating and maintenance procedures, schedules of activities, prohibitions of activities, and other management practices to control plant site runoff and prevent or reduce the introduction of pollutants into the storm water runoff. The permittee shall adhere to all of the provisions of this plan no later than one year after the effective date of the permit. Any deficiencies in the report shall be corrected by the permittee within 30 days of receipt of written notification from the Department. The corrections are considered complete only after the permittee has submitted written certification that the requested changes have been made.

- 4. The permittee is authorized to discharge storm water runoff from a rubble landfill through outfalls 005, 006, and 007 as shown on the attached map.
- 5. Within one year of the effective date of the permit, the permittee shall submit to the Department sample results from outfalls 002 and 005 to determine the quality of storm water runoff from this facility. Two samples shall be collected from each point according to the sampling instructions for EPA Application Form 2F. These samples shall be analyzed for oil & grease, BOD, COD, TSS, total Kjeldahl

nitrogen, nitrate plus nitrite, total phosphorus, temperature, and pH. The Department reserves the right to require monitoring of additional storm water runoff.

6. The permittee shall make monthly inspections of the water in the Material Processing Sump for an oil sheen, turbidity, or other signs of contamination. The results of these inspections shall be recorded in a logbook maintained at the facility and available for inspection by Department officials. When contamination is noted, a description of all corrective actions taken shall be included in the logbook.

H. BIOCIDES

1. The permittee is authorized to use chlorine in the once-through cooling water and Clam-Trol CT-1 in the salt water systems. Approval to use other biocides will not be given until the permittee demonstrates to the Department's satisfaction that these biocides will not cause a toxic discharge, by providing bioassay test results or aquatic toxicity data, including effluent concentration levels of the product. During the treatment of the salt water systems with Clam-Trol CT-1, two salt water pumps must be operating in the unit to be treated with Clam-Trol CT-1, and all six circulating water pumps shall be operating for that unit. If all six circulating water pumps on the opposite unit are also in operation during treatment, then the application of Clam-Trol CT-1 in the salt water system being treated shall not exceed 40 gallons over a one-hour application period. If less than six circulating water pumps are in operation on the opposite unit, then the application in the salt water system being treated shall not exceed 40 gallons over a two-hour application period. In either case, the permittee shall apply the Clam-Trol CT-1 evenly over the application period. Treatment of each header in the salt water system shall be limited to once a week. Two applications per week will be authorized during June, July, August, and September, but only when ambient conditions cause excessive biofouling. The permittee shall submit records of each application of Clam-Trol CT-1 along with the monthly reports required by General Condition A.2. of this permit. The records shall include the amount of Clam-Trol CT-1 applied and the status of the circulating pumps during each application.
2. Within six months of the effective date of this permit, the permittee shall submit, for approval, a plan of study to determine the effect of Clam-Trol CT-1 on aquatic life near this facility. The study plan shall identify the types of assessments (including bioassays of benthic invertebrate species and oyster spat) and environmental monitoring (including sediment in the near field) that may be required to provide assurances to the Department that Clam-Trol CT-1 or any of its component chemicals (or by-products) are not adversely impacting aquatic resources of the Bay. The study plan shall evaluate the practicality and the feasibility of each task that may be required. The study plan shall include a proposed monitoring program and shall provide a timetable for implementation and completion of studies, where appropriate, after approval by the Department.

I. OTHER DISCHARGES

The permittee is authorized to discharge intake screen backwash and storm water runoff from outfalls 003 and 004.

J. POLYCHLORINATED BIPHENYL COMPOUNDS

There shall be no discharge of polychlorinated biphenyl compounds (PCBs). The permittee shall not discharge wastewater containing PCBs from any transformer sump to waters of the State.

K. IMPINGEMENT REPORTING

Within 24 hours of any impingement on the water intake apparatus (traveling screens, bar screens, etc.), substantial enough to cause modification to plant operations, the permittee shall submit written notification to the Department. Within 30 days of each occurrence, the permittee shall submit a written report to both the Department and to:

Department of Natural Resources
Tidewater Administration
Power Plant and Environmental Review Division
Tawes State Office Building
580 Taylor Avenue
Annapolis, Maryland 21401-2397

The reports shall discuss the cause of the problem, plant reaction, and precautions to be taken to avoid similar impingements. Modification to plant operations due to the impingement of leaves or ice need not be reported.

L. BIOMONITORING PROGRAM

1. Within three months of the effective date of this permit, the permittee shall submit to the Department, for approval, a study plan to evaluate wastewater toxicity at Outfall 002 using biomonitoring. The study plan should include a discussion of:
 - a. wastewater and production variability
 - b. sampling methods
 - c. source of test organisms
 - d. source of dilution water
 - e. testing procedures
 - f. data analysis
 - g. quality control
2. The testing program shall consist of definitive quarterly testing for one year. Three of the quarters shall have acute testing and one of the quarters shall have chronic testing.
 - a. The acute testing shall consist of 48-hour static renewal tests using fathead minnow and the 48-hour static renewal tests using a daphnid.
 - b. The chronic testing shall include the Ceriodaphnia survival and reproduction test and the fathead minnow larval survival and growth test.
 - c. If the receiving water is estuarine, the permittee may elect to substitute estuarine species for those species specified above. Approved estuarine species for acute testing are sheepshead minnows, silversides, grass shrimp, and mysid shrimp. Approved estuarine species for chronic testing are sheepshead minnow, inland silverside, and mysid shrimp.
 - d. Acute test results shall be expressed as LC_{50} . Chronic test results shall be expressed as NOEC, LOEC, ChV, and IC_{25} .
3. The samples used for biomonitoring shall be collected at the same time as the samples used for the chemical analysis required for this outfall.
4. The following EPA documents discuss the appropriate methods:
 - a. Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, September, 1991, EPA/600/4-90/027.

- b. Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, May 1988, EPA/600/4-87/028.
 - c. Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, March, 1989, EPA/600/4-89/001.
- 5. Test results shall be submitted to the Department within one month of completion of each set of tests.
 - 6. Test results shall be reported in accordance with MDE/WMA "Reporting Requirements for Effluent Biomonitoring Data" (8/28/92).
 - 7. As a minimum, the reported chronic results shall be expressed as NOEC, LOEC, ChV, and IC₅₀.
 - 8. If significant mortality occurs during the first 48 hours of the chronic test, 48-hour LC50s shall be calculated and reported along with the chronic results.
 - 9. If testing is not performed in accordance with the Department approved study plan, additional testing may be required.
 - 10. If the test results indicate that the effluent is toxic, additional biomonitoring or a toxicity reduction evaluation will be required by the Department.
 - 11. If plant processes or operations change so that there is a significant change in the nature of the wastewater, the Department may require the permittee to conduct a new set of tests.
 - 12. Submit all biomonitoring related materials to:

Maryland Department of the Environment
Water Management Administration
Water Quality Program
2500 Broening Highway
Baltimore, Maryland 21224

M. TOXICITY REDUCTION EVALUATION

The permittee shall conduct a Toxicity Reduction Evaluation (TRE) when a review of toxicity test data by the Department indicates unacceptable acute or chronic effluent toxicity. A TRE is an investigation conducted to identify the causative agents of effluent toxicity, isolate the source(s), determine the effectiveness of control options, implement the necessary control measures and then confirm the reduction in toxicity.

- 1. Within 90 days of notification by the Department that a TRE is required, the permittee shall submit a plan of study and schedule for conducting a TRE. The permittee shall conduct the TRE study consistent with the submitted plan and schedule.
- 2. This plan should follow the framework presented in Generalized Methods for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070).
- 3. Beginning 60 days from the submission date of the TRE study plan and every 60 days thereafter, the permittee shall submit progress reports including all relevant test data to the Department. This shall continue until completion of the toxicity reduction confirmation.
- 4. Within 60 days of completion of the toxicity identification, or the source identification phase of the TRE, the permittee shall submit to the Department a plan and schedule for implementing those measures necessary to eliminate acute toxicity and/or

reduce chronic toxicity to acceptable levels. The implementation of these measures shall begin immediately upon submission of this plan.

5. Within 60 days of completing the implementation of the control measures to eliminate or reduce toxicity, the permittee shall submit to the Department for approval a study plan to confirm the elimination or reduction of toxicity by using biomonitoring.
6. If, for any reason, the implemented measures do not result in compliance with the Department's toxicity limitations, the permittee shall continue the TRE.

II.

GENERAL CONDITIONS

A. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements taken as required herein shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods.

2. REPORTING-MONITORING RESULTS SUBMITTED MONTHLY

Monitoring results obtained during each calendar month shall be summarized on a Discharge Monitoring Report Form (EPA No. 3320-1) and submitted to the Department postmarked no later than the 28th day of the following month. Reporting periods shall end on the last day of each month. The Discharge Monitoring Reports shall be submitted to:

Inspection and Compliance Program
Water Management Administration
Department of the Environment
2500 Broening Highway
Baltimore, Maryland 21224

3. SAMPLING AND ANALYSIS METHODS

The analytical and sampling methods used shall conform to procedures for the analysis of pollutants as identified in Title 40 CFR Part 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants" unless otherwise specified.

4. DATA RECORDING REQUIREMENTS

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

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

5. MONITORING EQUIPMENT MAINTENANCE

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to insure accuracy of measurements.

II. GENERAL CONDITIONS

A. MONITORING AND REPORTING

6. ADDITIONAL MONITORING BY PERMITTEE

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

7. RECORDS RETENTION

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation, and original recordings from continuous monitoring instrumentation shall be retained for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department.

B. MANAGEMENT REQUIREMENTS

1. CHANGE IN DISCHARGE

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a level in excess of that authorized shall constitute a violation of the terms and conditions of this permit. Anticipated facility expansions, production increases or decreases, or process modifications, which will result in new, different, or an increased discharge of pollutants, shall be reported by the permittee by submission of a new application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Department. Following such notice, the permit may be modified by the Department to specify and limit any pollutants not previously limited.

2. NONCOMPLIANCE WITH EFFLUENT LIMITATIONS

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum or daily minimum effluent limitation specified in this permit, the permittee shall notify the Inspection and Compliance Program by telephone at (410) 631-3510 within 24 hours of becoming aware of the noncompliance. Within five calendar days, the permittee shall provide the Department with the following information in writing:

- a. a description of the noncomplying discharge including its impact upon the receiving waters;
- b. cause of noncompliance;
- c. anticipated time the condition of noncompliance is expected to continue or if such condition has been corrected, the duration of the period of noncompliance;
- d. steps taken by the permittee to reduce and eliminate the noncomplying discharge;
- e. steps to be taken by the permittee to prevent recurrence of the condition of noncompliance; and
- f. a description of the accelerated or additional monitoring by the permittee to determine the nature and impact of the noncomplying discharge.

II. GENERAL CONDITIONS

B. MANAGEMENT REQUIREMENTS

3. FACILITIES OPERATION

All treatment, control and monitoring facilities, or systems installed or used by the permittee, are to be maintained in good working order and operated efficiently.

4. ADVERSE IMPACT

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

5. BYPASSING

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

- a. the bypass is unavoidable to prevent a loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources;
- b. there are no feasible alternatives;
- c. notification is received by the Department within 24 hours (if orally notified, then followed by a written submission within five calendar days of the permittee's becoming aware of the bypass). Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten calendar days before the date of bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days; and
- d. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effects.

6. CONDITIONS NECESSARY FOR DEMONSTRATION OF AN UPSET

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

- a. an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. the permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;
- c. the permittee submitted a 24-hour notification of upset in accordance with the reporting requirements of General Condition II.B.2 above;
- d. the permittee submitted, within five calendar days of becoming aware of the upset, documentation to support and justify the upset; and
- e. the permittee complied with any remedial measures required to minimize adverse impact.

II. GENERAL CONDITIONS

B. MANAGEMENT REQUIREMENTS

7. REMOVED SUBSTANCES

Wastes such as solids, sludges, or other pollutants removed from or resulting from treatment or control of wastewaters, or facility operations, shall be disposed of in a manner to prevent any removed substances or runoff from such substances from entering or from being placed in a location where they may enter the waters of the State.

8. POWER FAILURE

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 the wastewater collection and treatment facilities or,
- b. halt, reduce or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater collection and treatment facilities.

C. RESPONSIBILITIES

1. RIGHT OF ENTRY

The permittee shall permit the Secretary of the Department, the Regional Administrator for the Environmental Protection Agency, or their authorized representatives, upon the presentation of credentials to:

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

2. TRANSFER OF OWNERSHIP OR CONTROL OF FACILITIES

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

- a. the permittee notifies the Department in writing, of the proposed transfer;
- b. a written agreement, indicating the specific date of proposed transfer of permit coverage and acknowledging responsibilities of current and new permittees for compliance with the liability for the terms and conditions of this permit, is submitted to the Department; and
- c. neither the current permittee nor the new permittee receive notification from the Department, within 30 calendar days, of intent to modify, revoke, reissue or terminate the existing permit.

II. GENERAL CONDITIONS

C. RESPONSIBILITIES

3. REAPPLICATION FOR A PERMIT

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

4. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Section 308 of the Clean Water Act, 33 U.S.C. § 1318, all submitted data shall be available for public inspection at the offices of the Department and the Regional Administrator of the Environmental Protection Agency.

5. PERMIT MODIFICATION

A permit may be modified by the Department upon written request of the permittee and after notice and opportunity for a public hearing in accordance with and for the reasons set forth in 40 CFR § 122.62 and 122.63.

6. PERMIT MODIFICATION, SUSPENSION, OR REVOCATION

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked and reissued in whole or in part during its term for causes 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;
- c. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
- d. a determination that the permitted discharge poses a threat to human health or welfare or to the environment and can only be regulated to acceptable levels by permit modification or termination.

7. TOXIC POLLUTANTS

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such toxic effluent standard or prohibition) is established by the U.S. Environmental Protection Agency, or pursuant to Section 9-314 of the Environment Article, Annotated Code of Maryland, for a toxic pollutant which is present in the discharges authorized herein and such standard is more stringent than any limitation upon such pollutant in this permit, this permit shall be revoked and reissued or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified. Any effluent standard established in this case for a pollutant which is injurious to human health is effective and enforceable by the time set forth in the promulgated standard, even absent permit modification.

II GENERAL CONDITIONS

C. RESPONSIBILITIES

8. OIL AND HAZARDOUS SUBSTANCES PROHIBITED

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liability, or penalties to which the permittee may be subject under Section 311 of the Clean Water Act (33 U.S.C. § 1321), or under the Annotated Code of Maryland.

9. CIVIL AND CRIMINAL LIABILITY

Except as provided in permit conditions on "bypassing," "upset," and "power failure," nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local, or other State law or regulation.

10. PROPERTY RIGHTS/COMPLIANCE WITH OTHER REQUIREMENTS

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 any injury to private property or any invasion of personal rights, nor any infringement of federal, State or local laws or regulations.

11. SEVERABILITY

The provisions of this permit are severable. If any provisions of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this permit to any circumstances is held invalid, its application to other circumstances shall not be affected.

12. WATER CONSTRUCTION AND OBSTRUCTION

This permit does not authorize the construction or placing of physical structures, facilities, or debris, or the undertaking of related activities in any waters of the State.

13. COMPLIANCE WITH WATER POLLUTION ABATEMENT STATUTES

The permittee shall comply at all times with the provisions of the Environment Article, Title 7, Subtitle 2 and Title 9, Subtitle 3 of the Annotated Code of Maryland and the Clean Water Act, 33 U.S.C. § 1251 et seq.

14. ACTION ON VIOLATIONS

The issue or reissue of this permit does not constitute a decision by the State not to proceed in administrative, civil, or criminal action for any violations of State law or regulations occurring before the issue or reissue of this permit, nor a waiver of the State's right to do so.

15. CIVIL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that any person who violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation.

II. GENERAL CONDITIONS

C. RESPONSIBILITIES

16. CRIMINAL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that:

- a. any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one (1) year, or by both.
- b. any person who knowingly violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than three (3) years, or by both.
- c. any person who knowingly violates Section 301, 302, 306, 307, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both.
- d. any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under the Act, is subject to a fine of not more than \$10,000 or by imprisonment for not more than two (2) years, or by both.

17. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

18. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Director shall be signed and certified as required by 40 CFR 122.22.

19. REOPENER CLAUSE FOR PERMITS

This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301, 304, and 307 of the Clean Water Act [33 USCS §§ 1311, 1314, 1317] if the effluent standard or limitation so issued or approved:

II. GENERAL CONDITIONS

C. RESPONSIBILITIES

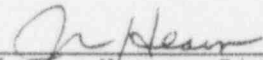
- a. contains different conditions or is otherwise more stringent than any effluent limitation in this permit or
- b. controls any pollutant not limited in this permit. This permit, as modified or reissued under this paragraph, shall also contain any other requirements of the Act then applicable.

D. AUTHORITY TO ISSUE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

On September 5, 1974, the Administrator of the U.S. Environmental Protection Agency approved the proposal submitted by the State of Maryland for the operation of a permit program for discharges into navigable waters pursuant to Section 402 of the Clean Water Act, 33 U.S.C. Section 1342.

Pursuant to the aforementioned approval, this discharge permit is both a State of Maryland discharge permit and a NPDES permit.

This permit and the authorization to discharge shall expire at midnight on the expiration date. The permittee shall not discharge after that date unless a new application has been submitted to the Department in accordance with the provisions of General Condition II.C.3 of this permit.



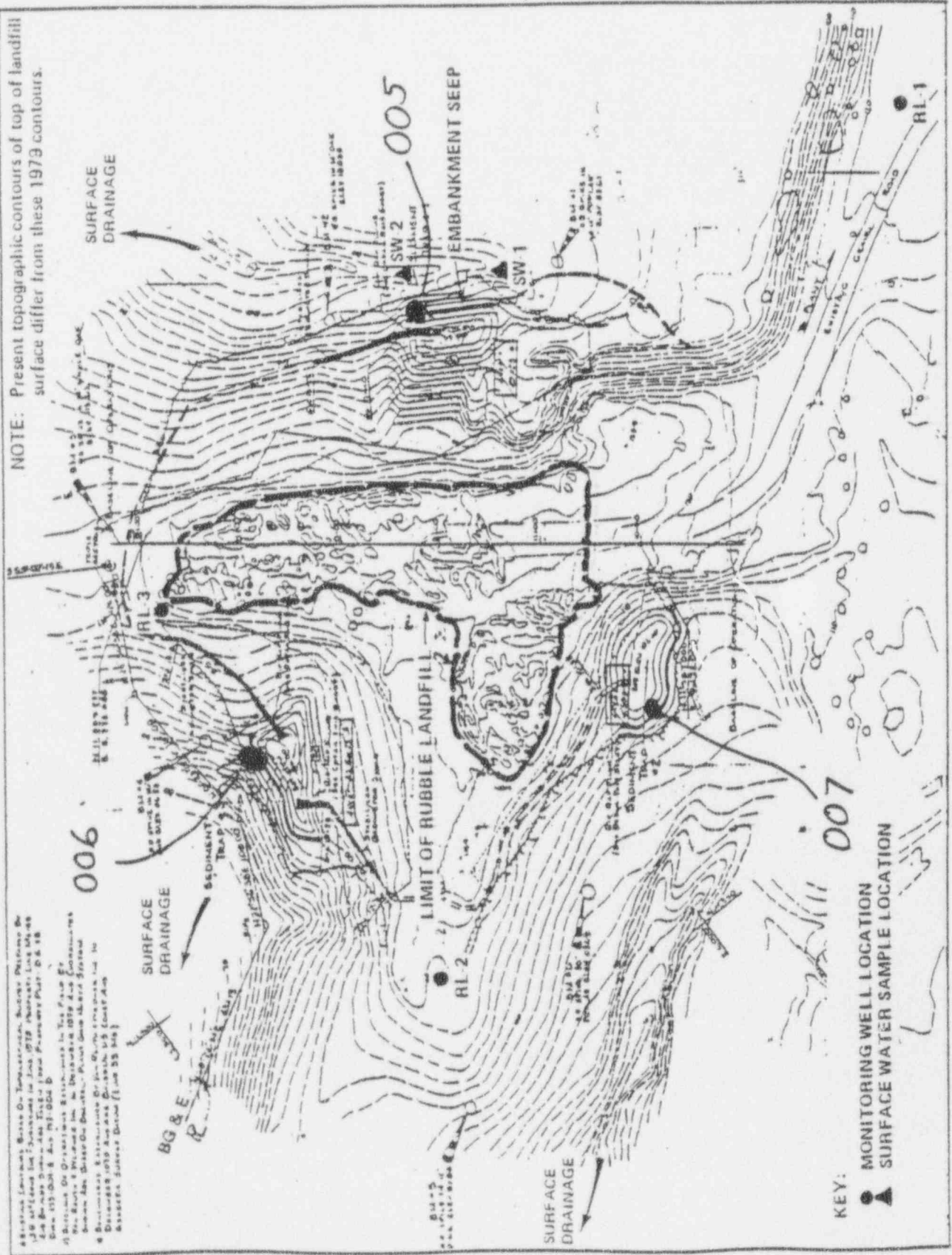
J. L. Hearn, Director
Water Management Administration



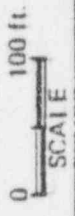


FIGURE 3
 SITE PLAN
 INTERIM RUBBLE
 LANDFILL

Dames & Moor



NOTE: Present topographic contours of top of landfill surface differ from these 1979 contours.



KEY:
 ● MONITORING WELL LOCATION
 ▲ SURFACE WATER SAMPLE LOCATION

Base Map: "Interim Rubble Landfill, Sediment Control Plan, As Built 4 22 80", by Van Reuth and Weidner.

ATTACHMENT (2)

CHANGES AND ADDITIONS TO NPDES PERMIT NO. MD0002399

1. Page 16, Special Condition H - Biocides. This new section gives the plant permission to use Clamtrol at specified application rates. It includes a requirement to submit within 6 months a study plan to monitor for any Clamtrol effects on aquatic life. Also, a limit of 0.3 mg/l and a requirement to monitor for Clamtrol in outfall 001 was added.
2. A requirement to monitor copper with no limit was added to outfall 001.
3. At outfall 001, chlorine has to be monitored only when chlorine is in use. Chlorine may be discharged for more than 2 hours per day per unit only when needed for macroinvertebrate control -- MDE must be contacted first.
4. A limit of 0.1 mg/l and a monitoring requirement has been added for TRC at Monitoring Point 101A (sewage treatment plant).
5. For both the auxiliary boiler blowdown (103A) and condenser dumps (106A), a requirement was added to monitor ammonia without limits. Monitoring of flow, TSS and O&G is now required no more than once per day when discharging. This means less monitoring is required when several discharges occur during one 24 hour period.
6. A limit was added to Monitoring Point 104A (demineralizer backwash) that pH must be about 6.0, to be monitored once per discharge.
7. A requirement to monitor copper and ammonia once per month with no limit was added to Outfall 002 (plant sumps and storm water runoff).
8. The plant is required to draw up a Storm Water Pollution Prevention Plan.
9. The permit requires standard biomonitoring for Outfall 002 (plant sumps and stormwater runoff). Requirements to conduct a TRE would apply in the biomonitoring tests indicate toxicity.
10. The plant is required to continue monitoring the intake water for temperature, dissolved oxygen and salinity. Technically, this is not a new requirement.