



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VI
INTERFIRST TWO BUILDING, 1201 ELM STREET
DALLAS, TEXAS 75270

Entered #13

OCT 31 1986

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (P 251 449 871)

Mr. J. C. Carter
Environmental Group Leader
Georgia Pacific Corporation
P.O. Box 520
Crossett, Arkansas 71635

Re: Application to Discharge to Waters of the United States
Permit No. AR0001210

Dear Mr. Carter:

Enclosed is the public notice of the Agency's final permit decision, a copy of our response to comments and the final permit. This public notice describes any substantial changes from the draft permit.

Should you have any questions, please feel free to contact the Permits Branch at the above address or telephone (214) 767-4375.

Sincerely,

/s/Myron O. Knudson

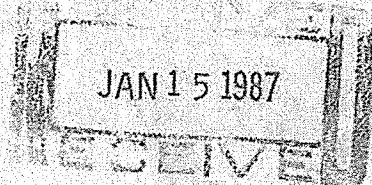
Myron O. Knudson, P.E.
Director, Water Management Division (6W)

Enclosures

cc w/permit copy:

Arkansas Department of Pollution Control and Ecology
Louisiana Department of Environmental Quality

CSN 02-0013-1... Permit No. AR0001210
Media: Air, Water, Solid, Hazardous
Sort: ~~Permit~~ Compliance, Legal, Misc.



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Box 9

CSM: Permit No.
Media: Air, Water, Solid, Hazardous
Sort: Permit, Compliance, Legal, Misc.

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NOV 9 1998

Permit No. AR0001210

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"),

Georgia-Pacific Corporation
Crossett Paper Operation
P.O. Box 520
Crossett, Arkansas 71635

is authorized to discharge from a facility located at Crossett, Ashley County, Arkansas

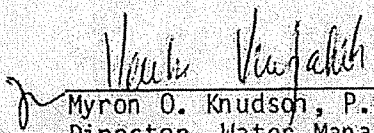
to receiving waters named Coffee Creek below Mossy Lake and thence to Ouchita River

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I (6 pages), II (14 pages), and III (4 page) hereof.

This permit shall become effective on November 1, 1986

This permit and the authorization to discharge shall expire at midnight, November 30, 1991

Signed this 31st day of October 1986



Myron O. Knudson, P.E.
Director, Water Management Division (6W)

PART 1
REQUIREMENTS FOR NPDES PERMITS

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OUTFALL 001

During the period beginning the effective date and lasting through the expiration date, the permittee is authorized to discharge from Outfall 001 - treated process wastewater discharge from the aerated lagoon (R1).

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			
	Mass(lbs/day)		Other Units (Specify)	
	Daily Avg	Daily Max	Daily Avg	Daily Max
Flow (MGD)	N/A	N/A	Report	Report
Biochemical Oxygen Demand (BOD ₅)	19370	37240	N/A	N/A
Total Suspended Solids (TSS)	35190	65470	N/A	N/A

<u>Effluent Characteristic</u>	<u>Monitoring Requirements</u>	
	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Continuous	Record
Biochemical Oxygen Demand (BOD ₅)	3/week	24-Hr. Composite
Total Suspended Solids (TSS)	3/week	24-Hr. Composite

OUTFALL 001

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored three times per week by grab sample.

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

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfall 001, at the discharge from the aerated lagoon (R1).

PART I
REQUIREMENTS FOR NPDES PERMITS

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OUTFALL 002

During the period beginning the effective date and lasting through the expiration date, the permittee is authorized to discharge from Outfall 002 - controlled discharge from Mossy Lake to the Ouachita River subject to footnote (*1).

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				
	Mass(lbs/day)		Other	Units (Specify)	
	Daily Avg	Daily Max		Daily Avg	Daily Max
Flow (MGD)	N/A	N/A	Report	Report	N/A
Biochemical Oxygen Demand (BOD ₅)	8000	12000	N/A	N/A	N/A
Total Suspended Solids (TSS)	16000	24000	N/A	N/A	N/A

During the months of July, August, and September only:

Dissolved Oxygen (*2)	N/A	N/A	Report	Report	Report
River Flow Rate (CFS) (*3)	N/A	N/A	Report	Report	Report
BOD ₅ Exceedances (*4)	N/A	N/A	0 exceedances	0 exceedances	N/A

<u>Effluent Characteristic</u>	<u>Monitoring Requirements</u>	
	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Continuous	Record
Biochemical Oxygen Demand (BOD ₅)	3/week	24-Hr. Composite
Total Suspended Solids (TSS)	3/week	24-Hr. Composite
River Flow (*3)	1/day	Report
Dissolved Oxygen (*2)	1/month	Grab
BOD ₅ Exceedances (*4)	1/day	Report Number

OUTFALL 002

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored three times per week by grab sample.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: The discharge structure from Mossy Lake subject to footnote (*1) below.

FOOTNOTES

(*1) The Outfall 002 effluent limitations and monitoring shall be effective only when Mossy Lake 1) is not in a flooded state and 2) is a discrete and accessible point source discharge. A flooded state is defined as the period when the gage at the Felsenthal Dam exceeds 62 feet and also for the two weeks following the recession of flood waters below 62 feet.

(*2) See Part III.C for reporting requirements.

(*3) See Part III.D for reporting requirements.

(*4) See Part III.F for determination of an exceedance.

SECTION B. SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

Compliance shall be achieved on the effective date of the permit.

PART II
STANDARD CONDITIONS FOR NPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Clean Water 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 1 year, or both.

3. Permit Actions

This permit may be modified, revoked and reissued, or terminated 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;
- c. A change in any condition that requires either a temporary or a permanent reduction or elimination of the authorized discharge; or,
- d. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

4. Toxic Pollutants

Notwithstanding Part II.A.3, if any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the permittee so notified.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II.B.4.b) and "Upsets" (Part II.B.5.b), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

7. 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 Clean Water Act.

8. Property Rights

The issuance of this permit does not convey any property rights of any sort, 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.

9. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Definitions

The following definitions shall apply unless otherwise specified in this permit:

- a. "Daily Discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day. "Daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that sampling day.
- b. "Daily Average" (also known as monthly average) discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. When the permit establishes daily average concentration effluent limitations or conditions, the daily average concentration means the arithmetic average (weighted by flow) of all "daily discharges" of concentration determined during the calendar month.
- c. "Daily Maximum" discharge limitation means the highest allowable "daily discharge" during the calendar month.
- d. The term "MGD" shall mean million gallons per day.
- e. The term "mg/l" shall mean milligrams per liter or parts per million (ppm).
- f. The term "ug/l" shall mean micrograms per liter or parts per billion (ppb).

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

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

2. Need to Halt or Reduce not a Defense

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

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

4. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

- b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II.B.4.c and 4.d.

c. Notice

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II.D.6 (24-hour notice).

d. Prohibition of bypass

- (1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
 - (c) The permittee submitted notices as required by Part II.B.4.c.
- (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed at Part II.B.4.d.(1).

5. Upset Conditions

- a. Definition. "Upset" means 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. 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.

- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Part II.B.5.c are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required by Part II.D.6; and,
 - (4) The permittee complied with any remedial measures required by Part II.B.3.
- d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

SECTION C. MONITORING AND RECORDS1. Representative Sampling

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

2. Flow Measurements

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

- a. "A Guide to Methods and Standards for the Measurement of Water Flow", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD catalog No. C13.10:421).
- b. "Water Measurement Manual", U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by Catalog No. I27.19/2:W29/2, Stock No. S/N 24003-0027).
- c. "Flow Measurement in Open Channels and Closed Conduits", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service (NTIS), Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST).
- d. "NPDES Compliance Sampling Manual", U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp.

(Available from the General Services Administration [8FFS],
Centralized Mailing Lists Services, Building 41, Denver Federal
Center, Denver, CO 80225).

3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

4. Penalties for Tampering

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

5. Reporting of Monitoring Results

Monitoring results must be reported on a Discharge Monitoring Report (DMR) Form EPA No. 3320-1. Monitoring results obtained during the previous month shall be summarized and reported on a DMR form post-marked no later than the 25th day of the month following the completed reporting period. The first report is due on December 1986. Duplicate copies of DMR's signed and certified as required by Part II.D.11 and all other reports required by Part II.D (Reporting Requirements) shall be submitted to the Director and to the State (if listed) at the following address(es):

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

Dr. Phyllis Garnett, Director
Arkansas Department of Pollution
Control and Ecology
8001 National Drive
Little Rock, Arkansas 72209

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased monitoring frequency shall also be indicated on the DMR.

7. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

8. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

9. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and,
- f. The results of such analyses.

10. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

SECTION D. REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b) [48 FR 14153, April 1, 1983, as amended at 49 FR 38046, September 26, 1984]; or,
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR Part 122.42(a)(1) [48 FR 14153, April 1, 1983, as amended at 49 FR 38046, September 26, 1984].

2. Anticipated Noncompliance

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

4. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified at Part II.C.5 (Monitoring).

5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

6. Twenty-Four Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

The following shall be included as information which must be reported within 24 hours:

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- b. Any upset which exceeds any effluent limitation in the permit; and,
- c. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in Part III of the permit to be reported within 24 hours.

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Part II.D.4, 5, and 6 at the time monitoring reports are submitted. The reports shall contain the information listed at Part II.D.6.

8. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, in a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" described in 40 CFR Part 122.42(a)(1) [48 FR 14153, April 1, 1983, as amended at 49 FR 38046, September 26, 1984].
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that

discharge will exceed the highest of the "notification levels" described in 40 CFR Part 122.42(a).(2) [48 FR 14153, April 1, 1983, as amended at 49 FR 38046, September 26, 1984].

9. 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.

10. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR Part 122.6 [48 FR 14153, April 1, 1983] and any subsequent amendments.

11. Signatory Requirements

All applications, reports, or information submitted to the Director shall be signed and certified.

a. All permit applications shall be signed as follows:

(1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,

(b) The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.

- (3) For a municipality, State, Federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
- b. All reports required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described above;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and,
 - (3) The written authorization is submitted to the Director.
- c. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

12. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of the Director. As required by the Clean Water Act, the name and address of any permit applicant or permittee, permit applications, permits, and effluent data shall not be considered confidential.

13. Penalties for Falsification of Reports

The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

PART III
OTHER CONDITIONS

- A. The term "24-hour composite sample" means a sample consisting of a minimum of four (4) grab samples of effluents collected at regular intervals during the actual hours of discharge over a 24-hour period and combined proportional to flow, or a sample continuously collected proportional to flow occurring during the actual hours of discharge over a 24-hour period.
- B. The permittee has certified that chlorophenolic containing biocides are not used at this facility. The permittee must notify EPA, Region 6 and the State of any current or intended use of these biocides.
- C. The permittee shall obtain dissolved oxygen samples at least once per month during the months of July, August, and September only at the following river mile locations:

<u>Location Number</u>	<u>Location</u>
1.....	River Mile 250
2.....	River Mile 245
3.....	River Mile 240
4.....	River Mile 238 (Outfall 002)
5.....	River Mile 235
6.....	River Mile 230
7.....	River Mile 225
8.....	River Mile 220
9.....	River Mile 215
10.....	River Mile 210

The permittee shall maintain all monitoring results on-site and reasonably accessible to EPA and State officials upon request. Results shall be maintained for a period of at least five (5) years.

- D. The permittee shall obtain U.S.G.S. flow monitoring data from the State Line monitoring station on the Ouachita River upstream of the Outfall 002 discharge point. For purposes of determining the Outfall 002, mass based, BOD₅ effluent limitation from Attachment 1, the permittee shall calculate an average Ouachita River flow rate in cubic feet per second (CFS). The average flow rate for a given day shall be an average calculated from all data collected in the preceeding seven days. The average shall be calculated using a minimum of three daily flows from the preceeding seven days. This paragraph is only applicable during the months of July, August, and September.

- E. For the three (3) month period of July, August, and September the permittee shall prepare a summary of the Outfall 002 BOD₅ discharges. The summary shall be in tabular form and include the following information:
1. The dates and values of BOD₅ samples;
 2. The daily maximum BOD₅ discharge determined in accordance with Part III.F below;
 3. The dates and values of the Ouachita River flow rate (in CFS);
 4. The Ouachita River flow rate (in CFS) determined in accordance with Part III.D; and,
 5. The mass based, daily maximum, BOD₅ limitation corresponding to the Ouachita River flow rate listed above and determined in accordance with Part III.F of this permit.

The permittee shall maintain this summary on-site and reasonably accessible to EPA and State officials upon request. Results shall be maintained for a period of at least five (5) years.

- F. For the three month period of July, August, and September, and also subject the monitoring conditions of Outfall 002, the permittee shall not discharge BOD₅ at a rate which exceeds that shown in Attachment 1. The mathematical depiction of Attachment 1 is as follows:

BOD₅ = 3340 lb/day, for flows <780 cfs

BOD₅ = (3.054 x Flow, cfs + 958) lb/day for flows >780 cfs and <3620 cfs

BOD₅ = 12000 lb/day, for flows >3620 cfs

The flows in the mathematical depiction and also in Attachment 1 are Ouachita River flows determined in accordance with Part III.D. The daily maximum BOD₅ mass discharge for purposes of this requirement only shall be calculated by multiplying the average BOD₅ concentration from the previous seven days by the daily flow and by 8.34. The average BOD₅ concentration from the previous seven days shall be the arithmetic average of all BOD₅ samples analyzed in those seven days. A minimum of three individual samples is required to constitute the average.

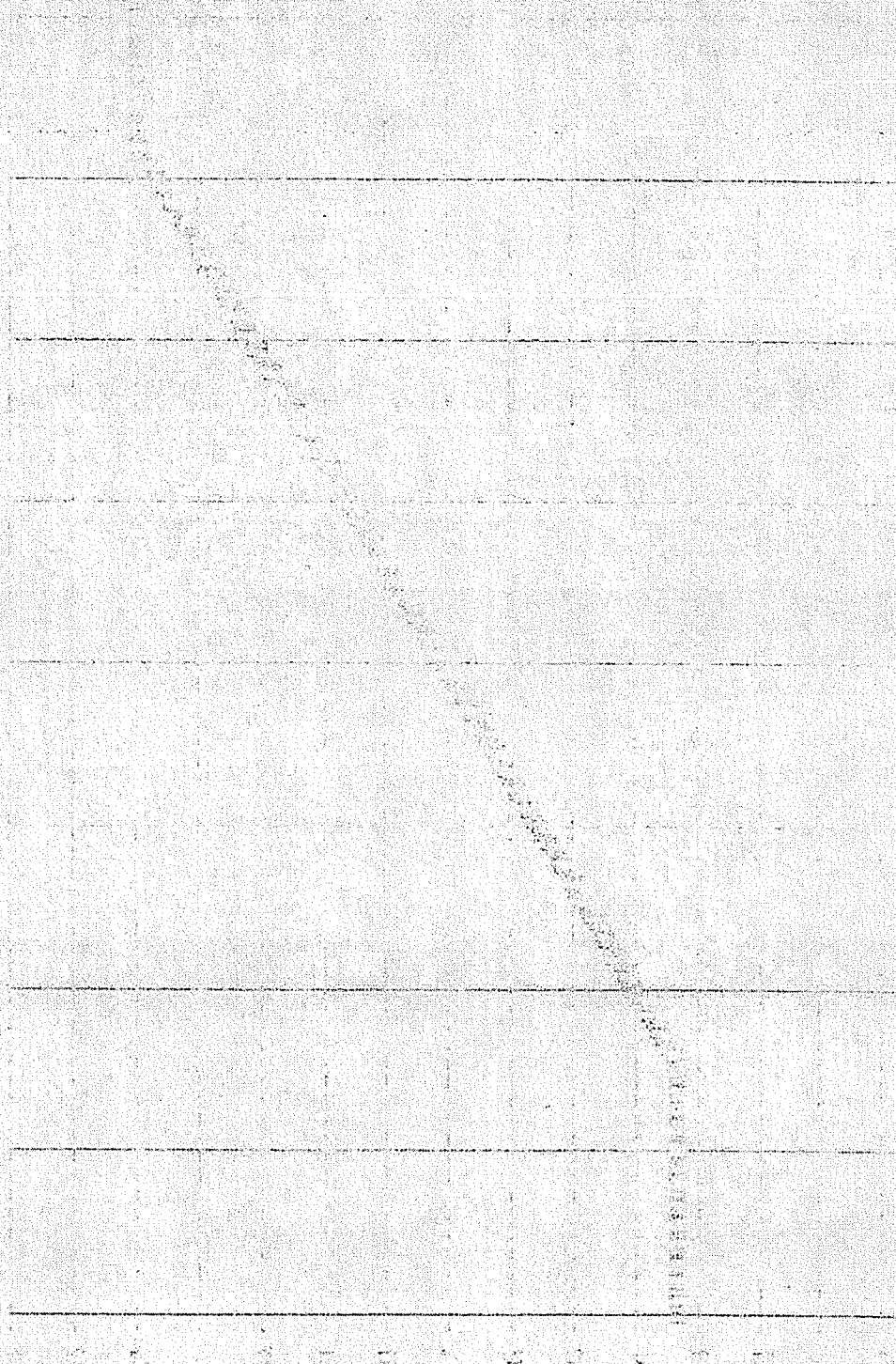
- G. This permit shall be reopened and modified to comply with all applicable provisions of the Ouachita River water quality management plan and Arkansas water quality standards if these documents are modified during the life of the permit.

- H. The permittee shall conduct a study of Mossy Lake to ascertain the potential for environmental impacts resulting from backwater flooding of the lake. The focus of the study shall be the assessment of plant contributions to lake solids, the assessment of sediment scour during flooding events, the quantification of the organic content of the sediments, and the potential for protecting Mossy Lake from backwater flooding. The permittee shall meet with EPA within sixty (60) days of the effective date of the permit to develop the scope and extent of this study.

ATTACHMENT 1

Georgia - Project Information - AR0001210

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