



**Alabama Department of Environmental Management**  
[adem.alabama.gov](http://adem.alabama.gov)

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

MARCH 15, 2019

MR TERRY ELGIN  
MANAGING DIRECTOR  
ROBBINS LLC  
3415 THOMPSON STREET  
MUSCLE SHOALS ALABAMA 35661

**RE: REVISED DRAFT PERMIT  
NPDES PERMIT NUMBER AL0069931**

Dear Mr. Elgin:

Transmitted herein is a revised draft of the referenced permit.

We would appreciate your comments on the permit within **30 days** of the date of this letter. Please direct any comments of a technical or administrative nature to the undersigned.

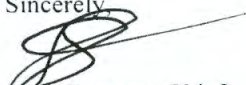
By copy of this letter and the draft permit, we are also requesting comments within the same time frame from EPA.

Our records indicate that you are currently utilizing the Department's web-based electronic environmental (E2) reporting system for submittal of discharge monitoring reports (DMRs). Your E2 DMRs will automatically update on the effective date of this permit, if issued.

The Alabama Department of Environmental Management encourages you to voluntarily consider pollution prevention practices and alternatives at your facility. Pollution Prevention may assist you in complying with effluent limitations, and possibly reduce or eliminate monitoring requirements.

If you have questions regarding this permit or monitoring requirements, please contact Mr. Theo Pinson by e-mail at [tpinson@adem.alabama.gov](mailto:tpinson@adem.alabama.gov) or by phone at (334) 274-4202.

Sincerely,



Scott Ramsey, Chief  
Industrial Section  
Industrial/Municipal Branch  
Water Division

Enclosure: Revised Draft Permit

pc via website: Montgomery Field Office  
EPA Region IV  
U.S. Fish & Wildlife Service  
AL Historical Commission  
Advisory Council on Historic Preservation  
Department of Conservation and Natural Resources





# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

PERMITTEE: ROBBINS HOLDINGS, INC.

FACILITY LOCATION: 3415 THOMPSON STREET  
MUSCLE SHOALS, ALABAMA 35661

PERMIT NUMBER: AL0069931

RECEIVING WATERS: DSN001: UNNAMED TRIBUTARY OF SPRING CREEK

*In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1388 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-17, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.*

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

## DRAFT

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Alabama Department of Environmental Management



**INDUSTRIAL SECTION  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT**

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**PART I DISCHARGE LIMITATIONS, CONDITIONS, AND REQUIREMENTS**

**A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

DSN0011: Stormwater runoff, boiler blowdown, contact cooling water, and non-contact cooling water associated with the manufacture of rubber products. 3/

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

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>				
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Daily Minimum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type</u>	<u>Seasonal</u>
Temperature, Water Deg. Fahrenheit	-	-	-	-	86.0 F	Monthly	Grab	-
pH	-	-	6.0 S.U.	-	8.5 S.U.	Monthly	Grab	-
Solids, Total Suspended	-	-	-	-	REPORT mg/l	Monthly	Composite	-
Oil & Grease	-	-	-	-	15.0 mg/l	Monthly	Grab	-
Carbon, Tot Organic (TOC)	-	-	-	-	REPORT mg/l	Monthly	Composite	-
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	REPORT MGD	-	-	-	Monthly	Totalizer	-
Chlorine, Total Residual 4/	-	-	-	0.011 mg/l	0.019 mg/l	Monthly	Grab	-
Chemical Oxygen Demand (COD)	-	-	-	-	REPORT mg/l	Monthly	Composite	-

**THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.
- 4/ A measurement of Total Residual Chlorine below 0.05 mg/L shall be considered in compliance with the permit limitations and should be reported as \*B on the electronic discharge monitoring report.



During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

DSN001Q: Stormwater runoff, boiler blowdown, contact cooling water, and non-contact cooling water associated with the manufacture of rubber products. 3/ 5/

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

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>				
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Daily Minimum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type 4/</u>	<u>Seasonal</u>
pH	-	-	REPORT S.U.	-	REPORT S.U.	Quarterly	Grab	-
Solids, Total Suspended	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Oil & Grease	-	-	-	-	15.0 mg/l	Quarterly	Grab	-
Carbon, Tot Organic (TOC)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Toluene	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Benzene	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Ethylbenzene	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Naphthalene	-	-	-	-	REPORT mg/l	Quarterly	Grab	-

**THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.
- 4/ See Part IV.B for Stormwater Measurement and Sampling Requirements.
- 5/ Sample shall be collected during a qualifying storm event as defined in Part IV.B.

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

DSN001Q (continued): Stormwater runoff, boiler blowdown, contact cooling water, and non-contact cooling water associated with the manufacture of rubber products. 3/ 5/

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

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS 1/</u>			
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Daily Minimum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type 4/</u>	<u>Seasonal</u>
Flow, In Conduit or Thru Treatment Plant	-	REPORT MGD	-	-	-	Quarterly	Estimate	-
Chemical Oxygen Demand (COD)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Xylene	-	-	-	-	REPORT mg/l	Quarterly	Grab	-

**THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.
- 4/ See Part IV.B for Stormwater Measurement and Sampling Requirements.
- 5/ Sample shall be collected during a qualifying storm event as defined in Part IV.B.



During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) outfall(s), described more fully in the permittee's application:

DSN01A1: Contact cooling water associated with the manufacture of rubber products. 3/

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

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS 1/</u>				
	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Daily Minimum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Measurement Frequency 2/</u>	<u>Sample Type</u>	<u>Seasonal</u>
pH	-	-	6.0 S.U.	-	9.0 S.U.	Weekly	Grab	-
Solids, Total Suspended	14.47 lbs/day	28.93 lbs/day	-	-	-	Weekly	Composite	-
Oil & Grease	5.38 lbs/day	15.05 lbs/day	-	-	-	Weekly	Grab	-
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	REPORT MGD	-	-	-	Weekly	Totalizer	-

**THE DISCHARGE SHALL HAVE NO SHEEN, AND THERE SHALL BE NO DISCHARGE OF VISIBLE OIL, FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.**

- 1/ Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Unless otherwise specified, composite samples shall be time composite samples collected using automatic sampling equipment or a minimum of eight (8) equal volume grab samples collected over equal time intervals. All composite samples shall be collected for the total period of discharge not to exceed 24 hours.
- 2/ If only one sampling event occurs during a month, the sample result shall be reported on the discharge monitoring report as both the monthly average and daily maximum value for all parameters with a monthly average limitation.
- 3/ See Part IV.A for Best Management Practices (BMP) Plan Requirements.

**B. DISCHARGE MONITORING AND RECORD KEEPING REQUIREMENTS**

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge and shall be in accordance with the provisions of this permit.

2. Test Procedures

For the purpose of reporting and compliance, permittees shall use one of the following procedures:

a. For parameters with an EPA established Minimum Level (ML), report the measured value if the analytical result is at or above the ML and report "0" for values below the ML. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). If more than one method for analysis of a substance is approved for use, a method having a minimum level lower than the permit limit shall be used. If the minimum level of all methods is higher than the permit limit, the method having the lowest minimum level shall be used and a report of less than the minimum level shall be reported as zero and will constitute compliance; however, should EPA approve a method with a lower minimum level during the term of this permit the permittee shall use the newly approved method.

b. For pollutants parameters without an established ML, an interim ML may be utilized. The interim ML shall be calculated as 3.18 times the Method Detection Level (MDL) calculated pursuant to 40 CFR Part 136, Appendix B.

Permittees may develop an effluent matrix-specific ML, where an effluent matrix prevents attainment of the established ML. However, a matrix specific ML shall be based upon proper laboratory method and technique. Matrix-specific MLs must be approved by the Department, and may be developed by the permittee during permit issuance, reissuance, modification, or during compliance schedule.

In either case the measured value should be reported if the analytical result is at or above the ML and "0" reported for values below the ML.

c. For parameters without an EPA established ML, interim ML, or matrix-specific ML, a report of less than the detection limit shall constitute compliance if the detection limit of all analytical methods is higher than the permit limit using the most sensitive EPA approved method. For the purpose of calculating a monthly average, "0" shall be used for values reported less than the detection limit.

The Minimum Level utilized for procedures A and B above shall be reported on the permittee's DMR. When an EPA approved test procedure for analysis of a pollutant does not exist, the Director shall approve the procedure to be used.

3. Recording of Results

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

- a. The facility name and location, point source number, date, time and exact place of sampling;
- b. The name(s) of person(s) who obtained the samples or measurements;
- c. The dates and times the analyses were performed;
- d. The name(s) of the person(s) who performed the analyses;
- e. The analytical techniques or methods used, including source of method and method number; and
- f. The results of all required analyses.

4. Records Retention and Production

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 the permit, and records of all data used to complete the above reports or the application for this permit, for a period of at least three years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time. If litigation or other enforcement action, under the AWPCA and/or the FWPCA, is ongoing which involves any of the above records, the records shall be kept until the litigation is resolved. Upon the written request of the Director or his designee, the permittee shall provide the Director with a copy of any record required to be retained by this paragraph. Copies of these records shall not be submitted unless requested.



All records required to be kept for a period of three years shall be kept at the permitted facility or an alternate location approved by the Department in writing and shall be available for inspection.

5. Monitoring Equipment and Instrumentation

All equipment and instrumentation used to determine compliance with the requirements of this permit shall be installed, maintained, and calibrated in accordance with the manufacturer's instructions or, in the absence of manufacturer's instructions, in accordance with accepted practices. The permittee shall develop and maintain quality assurance procedures to ensure proper operation and maintenance of all equipment and instrumentation. The quality assurance procedures shall include the proper use, maintenance, and installation, when appropriate, of monitoring equipment at the plant site.

C. DISCHARGE REPORTING REQUIREMENTS

1. Reporting of Monitoring Requirements

- a. The permittee shall conduct the required monitoring in accordance with the following schedule:

**MONITORING REQUIRED MORE FREQUENTLY THAN MONTHLY AND MONTHLY** shall be conducted during the first full month following the effective date of coverage under this permit and every month thereafter.

**QUARTERLY MONITORING** shall be conducted at least once during each calendar quarter. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The permittee shall conduct the quarterly monitoring during the first complete calendar quarter following the effective date of this permit and is then required to monitor once during each quarter thereafter. Quarterly monitoring may be done anytime during the quarter, unless restricted elsewhere in this permit, but it should be submitted with the last DMR due for the quarter, i.e., (March, June, September and December DMR's).

**SEMIANNUAL MONITORING** shall be conducted at least once during the period of January through June and at least once during the period of July through December. The permittee shall conduct the semiannual monitoring during the first complete calendar semiannual period following the effective date of this permit and is then required to monitor once during each semiannual period thereafter. Semiannual monitoring may be done anytime during the semiannual period, unless restricted elsewhere in this permit, but it should be submitted with the last DMR for the month of the semiannual period, i.e. (June and December DMR's).

**ANNUAL MONITORING** shall be conducted at least once during the period of January through December. The permittee shall conduct the annual monitoring during the first complete calendar annual period following the effective date of this permit and is then required to monitor once during each annual period thereafter. Annual monitoring may be done anytime during the year, unless restricted elsewhere in this permit, but it should be submitted with the December DMR.

- b. The permittee shall submit discharge monitoring reports (DMRs) on the forms provided by the Department and in accordance with the following schedule:

**REPORTS OF MORE FREQUENTLY THAN MONTHLY AND MONTHLY TESTING** shall be submitted on a **monthly** basis. The first report is due on the **28th day of October, 2017**. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

**REPORTS OF QUARTERLY TESTING** shall be submitted on a **quarterly** basis. The first report is due on the **28th day of January, 2018**. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

**REPORTS OF SEMIANNUAL TESTING** shall be submitted on a semiannual basis. The reports are due on the 28th day of **JANUARY** and the 28th day of **JULY**. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

**REPORTS OF ANNUAL TESTING** shall be submitted on an annual basis. The first report is due on the 28th day of **JANUARY**. The reports shall be submitted so that they are received by the Department no later than the 28th day of the month following the reporting period.

- c. Except as allowed by Provision I.C.1.c.(1) or (2), the permittee shall submit all Discharge Monitoring Reports (DMRs) required by Provision I.C.1.b by utilizing the Department's web-based Electronic Environmental (E2) Reporting System.

- (1) If the permittee is unable to complete the electronic submittal of DMR data due to technical problems originating with the Department's E2 Reporting system (this could include entry/submittal issues with an entire set of DMRs or individual parameters), the permittee is not relieved of their obligation to submit DMR data to the Department by the date specified in Provision I.C.1.b, unless otherwise directed by the Department.



If the E2 Reporting System is down on the 28<sup>th</sup> day of the month in which the DMR is due or is down for an extended period of time, as determined by the Department, when a DMR is required to be submitted, the permittee may submit the data in an alternate manner and format acceptable to the Department. Preapproved alternate acceptable methods include faxing, e-mailing, mailing, or hand-delivery of data such that they are received by the required reporting date. Within 5 calendar days of the E2 Reporting System resuming operation, the permittee shall enter the data into the E2 Reporting System, unless an alternate timeframe is approved by the Department. An attachment should be included with the E2 DMR submittal verifying the original submittal date (date of the fax, copy of the dated e-mail, or hand-delivery stamped date), if applicable.

- (2) The permittee may submit a request to the Department for a temporary electronic reporting waiver for DMR submittals. The waiver request should include the permit number; permittee name; facility/site name; facility address; name, address, and contact information for the responsible official or duly authorized representative; a detailed statement regarding the basis for requesting such a waiver; and the duration for which the waiver is requested. Approved electronic reporting waivers are not transferrable.

Permittees with an approved electronic reporting waiver for DMRs may submit hard copy DMRs for the period that the approved electronic reporting waiver request is effective. The permittee shall submit the Department-approved DMR forms to the address listed in Provision I.C.1.e.

- (3) If a permittee is allowed to submit a hard copy DMR, the DMR must be legible and bear an original signature. Photo and electronic copies of the signature are not acceptable and shall not satisfy the reporting requirements of this permit.
- (4) If the permittee, using approved analytical methods as specified in Provision I.B.2, monitors any discharge from a point source for a limited substance identified in Provision I.A. of this permit more frequently than required by this permit, the results of such monitoring shall be included in the calculation and reporting of values on the DMR and the increased frequency shall be indicated on the DMR.
- (5) In the event no discharge from a point source identified in Provision I.A. of this permit and described more fully in the permittee's application occurs during a monitoring period, the permittee shall report "No Discharge" for such period on the appropriate DMR.

- d. All reports and forms required to be submitted by this permit, the AWPCA and the Department's Rules, shall be electronically signed (or, if allowed by the Department, traditionally signed) by a "responsible official" of the permittee as defined in ADEM Administrative Code Rule 335-6-5-.14 or a "duly authorized representative" of such official as defined in ADEM Administrative Code Rule 335-6-5-.14 and shall bear 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 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."*

- e. Discharge Monitoring Reports required by this permit, the AWPCA, and the Department's Rules that are being submitted in hard copy shall be addressed to:

**Alabama Department of Environmental Management  
Permits and Services Division  
Environmental Data Section  
Post Office Box 301463  
Montgomery, Alabama 36130-1463**

Certified and Registered Mail containing Discharge Monitoring Reports shall be addressed to:

**Alabama Department of Environmental Management  
Permits and Services Division  
Environmental Data Section  
1400 Coliseum Boulevard  
Montgomery, Alabama 36110-2400**

- f. All other correspondence and reports required to be submitted by this permit, the AWPCA, and the Department's Rules shall be addressed to:

**Alabama Department of Environmental Management**



Water Division  
Post Office Box 301463  
Montgomery, Alabama 36130-1463

Certified and Registered Mail shall be addressed to:

Alabama Department of Environmental Management  
Water Division  
1400 Coliseum Boulevard  
Montgomery, Alabama 36110-2400

- g. If this permit is a re-issuance, then the permittee shall continue to submit DMRs in accordance with the requirements of their previous permit until such time as DMRs are due as discussed in Part I.E.1.b above.

2. Noncompliance Notification

a. 24-Hour Noncompliance Reporting

The permittee shall report to the Director, within 24-hours of becoming aware of the noncompliance, any noncompliance which may endanger health or the environment. This shall include but is not limited to the following circumstances:

- (1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Provision I. A. of this permit which is denoted by an "(X)";
- (2) threatens human health or welfare, fish or aquatic life, or water quality standards;
- (3) does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a);
- (4) contains a quantity of a hazardous substance which has been determined may be harmful to public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. Section 1321(b)(4);
- (5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset; and
- (6) is an unpermitted direct or indirect discharge of a pollutant to a water of the state (unpermitted discharges properly reported to the Department under any other requirement are not required to be reported under this provision).

The permittee shall orally report the occurrence and circumstances of such discharge to the Director within 24-hours after the permittee becomes aware of the occurrence of such discharge. In addition to the oral report, the permittee shall submit to the Director or Designee a written report as provided in Part I.C.2.c no later than five (5) days after becoming aware of the occurrence of such discharge.

- b. If for any reason, the permittee's discharge does not comply with any limitation of this permit, the permittee shall submit to the Director or Designee a written report as provided in Part I.C.2.c below, such report shall be submitted with the next Discharge Monitoring Report required to be submitted by Part I.C.1 of this permit after becoming aware of the occurrence of such noncompliance.
- c. Any written report required to be submitted to the Director or Designee by Part I.C.2 a. or b. shall be submitted using a copy of the Noncompliance Notification Form provided with this permit and shall include the following information:
- (1) A description of the discharge and cause of noncompliance;
  - (2) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
  - (3) A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.

**D. OTHER REPORTING AND NOTIFICATION REQUIREMENTS**

1. Anticipated Noncompliance

The permittee shall give the Director written advance notice of any planned changes or other circumstances regarding a facility which may result in noncompliance with permit requirements.



2. Termination of Discharge

The permittee shall notify the Director, in writing, when all discharges from any point source(s) identified in Provision I. A. of this permit have permanently ceased. This notification shall serve as sufficient cause for instituting procedures for modification or termination of the permit.

3. Updating Information

- a. The permittee shall inform the Director of any change in the permittee's mailing address, telephone number or in the permittee's designation of a facility contact or office having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's Rules, and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, the permittee shall furnish the Director with an update of any information provided in the permit application.
- b. If the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

4. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director or his designee may request to determine whether cause exists for modifying, revoking and re-issuing, suspending, or terminating this permit, in whole or in part, or to determine compliance with this permit.

5. Cooling Water and Boiler Water Additives

- a. The permittee shall notify the Director in writing not later than thirty (30) days prior to instituting the use of any biocide corrosion inhibitor or chemical additive in a cooling or boiler system, not identified in the application for this permit, from which discharge is allowed by this permit. Notification is not required for additives that do not contain a heavy metal(s) as an active ingredient and that pass through a wastewater treatment system prior to discharge nor is notification required for additives that should not reasonably be expected to cause the cooling water or boiler water to exhibit toxicity as determined by analysis of manufacturer's data or testing by the permittee. Such notification shall include:
  - (1) name and general composition of biocide or chemical;
  - (2) 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach;
  - (2) quantities to be used;
  - (3) frequencies of use;
  - (4) proposed discharge concentrations; and
  - (6) EPA registration number, if applicable.
- b. The use of a biocide or additive containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in cooling or boiler system(s), from which a discharge regulated by this permit occurs, is prohibited except as exempted below. The use of a biocide or additive containing zinc, chromium or related compounds may be used in special circumstances if (1) the permit contains limits for these substances, or (2) the applicant demonstrates during the application process that the use of zinc, chromium or related compounds as a biocide or additive will not pose a reasonable potential to violate the applicable State water quality standards for these substances. The use of any additive, not identified in this permit or in the application for this permit or not exempted from notification under this permit is prohibited, prior to a determination by the Department that permit modification to control discharge of the additive is not required or prior to issuance of a permit modification controlling discharge of the additive.

6. Permit Issued Based On Estimated Characteristics

- a. If this permit was issued based on estimates of the characteristics of a process discharge reported on an EPA NPDES Application Form 2D (EPA Form 3510-2D), the permittee shall complete and submit an EPA NPDES Application Form 2C (EPA Form 3510-2C) no later than two years after the date that discharge begins. Sampling required for completion of the Form 2C shall occur when a discharge(s) from the process(s) causing the new or increased discharge is occurring. If this permit was issued based on estimates concerning the composition of a stormwater discharge(s), the permittee shall perform the sampling required by EPA NPDES Application Form 2F (EPA Form 3510-2F) no later than one year after the industrial activity generating the stormwater discharge has been fully initiated.



- b. This permit shall be reopened if required to address any new information resulting from the completion and submittal of the Form 2C and or 2F.

**E. SCHEDULE OF COMPLIANCE**

1. The permittee shall achieve compliance with the discharge limitations specified in Provision I. A. in accordance with the following schedule:

**COMPLIANCE SHALL BE ATTAINED ON THE EFFECTIVE DATE OF THIS PERMIT**

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

**PART II OTHER REQUIREMENTS, RESPONSIBILITIES, AND DUTIES**

**A. OPERATIONAL AND MANAGEMENT REQUIREMENTS**

1. Facilities 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 the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities only when necessary to achieve compliance with the conditions of the permit.

2. Best Management Practices

- a. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director or his designee has granted prior written authorization for dilution to meet water quality requirements.
- b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112 if required thereby.
- c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee. When submitted and approved, the BMP Plan shall become a part of this permit and all requirements of the BMP Plan shall become requirements of this permit.

3. Spill Prevention, Control, and Management

The permittee shall provide spill prevention, control, and/or management sufficient to prevent any spills of pollutants from entering a water of the state or a publicly or privately owned treatment works. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and which shall prevent the contamination of groundwater and such containment system shall be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided.

**B. OTHER RESPONSIBILITIES**

1. Duty to Mitigate Adverse Impacts

The permittee shall promptly take all reasonable steps to mitigate and minimize or prevent any adverse impact on human health or the environment resulting from noncompliance with any discharge limitation specified in Provision I. A. of this permit, including such accelerated or additional monitoring of the discharge and/or the receiving waterbody as necessary to determine the nature and impact of the noncomplying discharge.

2. Right of Entry and Inspection

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

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

**C. BYPASS AND UPSET**

1. Bypass

- a. Any bypass is prohibited except as provided in b. and c. below:
- b. A bypass is not prohibited if:
  - (1) It does not cause any discharge limitation specified in Provision I. A. of this permit to be exceeded;



- (2) It enters the same receiving stream as the permitted outfall; and
  - (3) It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system.
- c. A bypass is not prohibited and need not meet the discharge limitations specified in Provision I. A. of this permit if:
- (1) It is unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (2) There are 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
  - (3) The permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.
- d. The permittee has the burden of establishing that each of the conditions of Provision II.C.1.b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in a. and an exemption, where applicable, from the discharge limitations specified in Provision I. A. of this permit.
2. Upset
- a. A discharge which results from an upset need not meet the discharge limitations specified in Provision I. A. of this permit if:
- (1) No later than 24-hours after becoming aware of the occurrence of the upset, the permittee orally reports the occurrence and circumstances of the upset to the Director or his designee; and
  - (2) No later than five (5) days after becoming aware of the occurrence of the upset, the permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, or other relevant evidence, demonstrating that (i) an upset occurred; (ii) the permittee can identify the specific cause(s) of the upset; (iii) the permittee's facility was being properly operated at the time of the upset; and (iv) the permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.
- b. The permittee has the burden of establishing that each of the conditions of Provision II. C.2.a. of this permit have been met to qualify for an exemption from the discharge limitations specified in Provision I.A. of this permit.

#### **D. DUTY TO COMPLY WITH PERMIT, RULES, AND STATUTES**

1. Duty to Comply
  - a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the AWPCA and the FWPCA and is grounds for enforcement action, for permit termination, revocation and reissuance, suspension, modification; or denial of a permit renewal application.
  - b. The necessity to halt or reduce production or other activities in order to maintain compliance with the conditions of the permit shall not be a defense for a permittee in an enforcement action.
  - c. The discharge of a pollutant from a source not specifically identified in the permit application for this permit and not specifically included in the description of an outfall in this permit is not authorized and shall constitute noncompliance with this permit.
  - d. The permittee shall take all reasonable steps, including cessation of production or other activities, to minimize or prevent any violation of this permit or to minimize or prevent any adverse impact of any permit violation.
  - e. Nothing in this permit shall be construed to preclude and negate the permittee's responsibility or liability to apply for, obtain, or comply with other ADEM, Federal, State, or Local Government permits, certifications, licenses, or other approvals.
2. Removed Substances

Solids, sludges, filter backwash, or any other pollutant or other waste removed in the course of treatment or control of wastewaters shall be disposed of in a manner that complies with all applicable Department Rules.



3. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facilities, including but not limited to the loss or failure of the primary source of power of the treatment facility, the permittee shall, where necessary to maintain compliance with the discharge limitations specified in Provision I. A. of this permit, or any other terms or conditions of this permit, cease, reduce, or otherwise control production and/or all discharges until treatment is restored. If control of discharge during loss or failure of the primary source of power is to be accomplished by means of alternate power sources, standby generators, or retention of inadequately treated effluent, the permittee must furnish to the Director within six months a certification that such control mechanisms have been installed.

4. Compliance with Statutes and Rules

- a. This permit has been issued under ADEM Administrative Code, Chapter 335-6-6. All provisions of this chapter, that are applicable to this permit, are hereby made a part of this permit. A copy of this chapter may be obtained for a small charge from the Office of General Counsel, Alabama Department of Environmental Management, 1400 Coliseum Blvd., Montgomery, AL 36130.
- b. This permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

**E. PERMIT TRANSFER, MODIFICATION, SUSPENSION, REVOCATION, AND REISSUANCE**

1. Duty to Reapply or Notify of Intent to Cease Discharge

- a. If the permittee intends to continue to discharge beyond the expiration date of this permit, the permittee shall file a complete permit application for reissuance of this permit at least 180 days prior to its expiration. If the permittee does not intend to continue discharge beyond the expiration of this permit, the permittee shall submit written notification of this intent which shall be signed by an individual meeting the signatory requirements for a permit application as set forth in ADEM Administrative Code Rule 335-6-6-.09.
- b. Failure of the permittee to apply for reissuance at least 180 days prior to permit expiration will void the automatic continuation of the expiring permit provided by ADEM Administrative Code Rule 335-6-6-.06 and should the permit not be reissued for any reason any discharge after expiration of this permit will be an unpermitted discharge.

2. Change in Discharge

- a. The permittee shall apply for a permit modification at least 180 days in advance of any facility expansion, production increase, process change, or other action that could result in the discharge of additional pollutants or increase the quantity of a discharged pollutant such that existing permit limitations would be exceeded or that could result in an additional discharge point. This requirement applies to pollutants that are or that are not subject to discharge limitations in this permit. No new or increased discharge may begin until the Director has authorized it by issuance of a permit modification or a reissued permit.
- b. The permittee shall notify the Director as soon as it is known or there is reason to believe:
  - (1) That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (a) one hundred micrograms per liter;
    - (b) two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dini-trophenol; and one milligram per liter for antimony;
    - (c) five times the maximum concentration value reported for that pollutant in the permit application; or
  - (2) 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 following notification levels:
    - (a) five hundred micrograms per liter;
    - (b) one milligram per liter for antimony;
    - (c) ten times the maximum concentration value reported for that pollutant in the permit application.



3. Transfer of Permit

This permit may not be transferred or the name of the permittee changed without notice to the Director and subsequent modification or revocation and reissuance of the permit to identify the new permittee and to incorporate any other changes as may be required under the FWPCA or AWPCA. In the case of a change in name, ownership or control of the permittee's premises only, a request for permit modification in a format acceptable to the Director is required at least 30 days prior to the change. In the case of a change in name, ownership or control of the permittee's premises accompanied by a change or proposed change in effluent characteristics, a complete permit application is required to be submitted to the Director at least 180 days prior to the change. Whenever the Director is notified of a change in name, ownership or control, he may decide not to modify the existing permit and require the submission of a new permit application.

4. Permit Modification and Revocation

a. This permit may be modified or revoked and reissued, in whole or in part, during its term for cause, including but not limited to, the following:

- (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to revoke and reissue this permit instead of terminating the permit;
- (2) If a request to transfer this permit has been received, the Director may decide to revoke and reissue or to modify the permit; or
- (3) If modification or revocation and reissuance is requested by the permittee and cause exists, the Director may grant the request.

b. This permit may be modified during its term for cause, including but not limited to, the following:

- (1) If cause for termination under Provision II. E. 5. of this permit exists, the Director may choose to modify this permit instead of terminating this permit;
- (2) There are material and substantial alterations or additions to the facility or activity generating wastewater which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;
- (3) The Director has received new information that was not available at the time of permit issuance and that would have justified the application of different permit conditions at the time of issuance;
- (4) A new or revised requirement(s) of any applicable standard or limitation is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA;
- (5) Errors in calculation of discharge limitations or typographical or clerical errors were made;
- (6) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued;
- (7) To the extent allowed by ADEM Administrative Code, Rule 335-6-6-.17, permits may be modified to change compliance schedules;
- (8) To agree with a granted variance under 301(c), 301(g), 301(h), 301(k), or 316(a) of the FWPCA or for fundamentally different factors;
- (9) To incorporate an applicable 307(a) FWPCA toxic effluent standard or prohibition;
- (10) When required by the reopener conditions in this permit;
- (11) When required under 40 CFR 403.8(e) (compliance schedule for development of pretreatment program);
- (12) Upon failure of the state to notify, as required by Section 402(b)(3) of the FWPCA, another state whose waters may be affected by a discharge permitted by this permit;
- (13) When required to correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions; or
- (14) When requested by the permittee and the Director determines that the modification has cause and will not result in a violation of federal or state law, regulations or rules.

5. Permit Termination

This permit may be terminated during its term for cause, including but not limited to, the following:

- a. Violation of any term or condition of this permit;
- b. The permittee's misrepresentation or failure to disclose fully all relevant facts in the permit application or during the permit issuance process or the permittee's misrepresentation of any relevant facts at any time;
- c. Materially false or inaccurate statements or information in the permit application or the permit;
- d. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- e. The permittee's discharge threatens human life or welfare or the maintenance of water quality standards;
- f. Permanent closure of the facility generating the wastewater permitted to be discharged by this permit or permanent cessation of wastewater discharge;
- g. New or revised requirements of any applicable standard or limitation that is promulgated under Sections 301(b)(2)(C), (D), (E), and (F), and 307(a)(2) of the FWPCA that the Director determines cannot be complied with by the permittee; or
- h. Any other cause allowed by the ADEM Administrative Code, Chapter 335-6-6.

6. Permit Suspension

This permit may be suspended during its term for noncompliance until the permittee has taken action(s) necessary to achieve compliance.

7. Request for Permit Action Does Not Stay Any Permit Requirement

The filing of a request by the permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term or condition.

**F. COMPLIANCE WITH TOXIC POLLUTANT STANDARD OR PROHIBITION**

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), for a toxic pollutant discharged by the permittee and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Provision I. A. of this permit, or controls a pollutant not limited in Provision I. A. of this permit, this permit shall be modified to conform to the toxic pollutant effluent standard or prohibition and the permittee shall be notified of such modification. If this permit has not been modified to conform to the toxic pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the permittee shall attain compliance with the requirements of the standard or prohibition within the time period required by the standard or prohibition and shall continue to comply with the standard or prohibition until this permit is modified or reissued.

**G. DISCHARGE OF WASTEWATER GENERATED BY OTHERS**

The discharge of wastewater, generated by any process, facility, or by any other means not under the operational control of the permittee or not identified in the application for this permit or not identified specifically in the description of an outfall in this permit is not authorized by this permit.



**PART III OTHER PERMIT CONDITIONS**

**A. CIVIL AND CRIMINAL LIABILITY**

1. Tampering

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under the permit shall, upon conviction, be subject to penalties as provided by the AWPCA.

2. False Statements

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 subject to penalties as provided by the AWPCA.

3. Permit Enforcement

a. Any NPDES permit issued or reissued by the Department is a permit for the purpose of the AWPCA and the FWPCA and as such any terms, conditions, or limitations of the permit are enforceable under state and federal law.

b. Any person required to have a NPDES permit pursuant to ADEM Administrative Code Chapter 335-6-6 and who discharges pollutants without said permit, who violates the conditions of said permit, who discharges pollutants in a manner not authorized by the permit, or who violates applicable orders of the Department or any applicable rule or standard of the Department, is subject to any one or combination of the following enforcement actions under applicable state statutes.

- (1) An administrative order requiring abatement, compliance, mitigation, cessation, clean-up, and/or penalties;
- (2) An action for damages;
- (3) An action for injunctive relief; or
- (4) An action for penalties.

c. If the permittee is not in compliance with the conditions of an expiring or expired permit the Director may choose to do any or all of the following provided the permittee has made a timely and complete application for reissuance of the permit:

- (1) initiate enforcement action based upon the permit which has been continued;
- (2) issue a notice of intent to deny the permit reissuance. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;
- (3) reissue the new permit with appropriate conditions; or
- (4) take other actions authorized by these rules and AWPCA.

4. Relief from Liability

Except as provided in Provision II.C.1 (Bypass) and Provision II.C.2 (Upset), nothing in this permit shall be construed to relieve the permittee of civil or criminal liability under the AWPCA or FWPCA for noncompliance with any term or condition of this permit.

**B. 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 FWPCA, 33 U.S.C. Section 1321.

**C. PROPERTY AND OTHER RIGHTS**

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 persons or property or invasion of other private rights, trespass, or any infringement of federal, state, or local laws or regulations, nor does it authorize or approve the construction of any physical structures or facilities or the undertaking of any work in any waters of the state or of the United States.



**D. AVAILABILITY OF REPORTS**

Except for data determined to be confidential under Code of Alabama 1975, Section 22-22-9(c), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential.

**E. EXPIRATION OF PERMITS FOR NEW OR INCREASED DISCHARGES**

1. If this permit was issued for a new discharger or new source, this permit shall expire eighteen months after the issuance date if construction of the facility has not begun during the eighteen-month period.
2. If this permit was issued or modified to allow the discharge of increased quantities of pollutants to accommodate the modification of an existing facility and if construction of this modification has not begun during the eighteen month period after issuance of this permit or permit modification, this permit shall be modified to reduce the quantities of pollutants allowed to be discharged to those levels that would have been allowed if the modification of the facility had not been planned.
3. Construction has begun when the owner or operator has:
  - a. begun, or caused to begin as part of a continuous on-site construction program:
    - (1) any placement, assembly, or installation of facilities or equipment; or
    - (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
  - b. entered into a binding contractual obligation for the purpose of placement, assembly, or installation of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under the paragraph. The entering into a lease with the State of Alabama for exploration and production of hydrocarbons shall also be considered beginning construction.

**F. COMPLIANCE WITH WATER QUALITY STANDARDS**

1. On the basis of the permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this permit should assure compliance with the applicable water quality standards.
2. Compliance with permit terms and conditions notwithstanding, if the permittee's discharge(s) from point sources identified in Provision I. A. of this permit cause or contribute to a condition in contravention of state water quality standards, the Department may require abatement action to be taken by the permittee in emergency situations or modify the permit pursuant to the Department's Rules, or both.
3. If the Department determines, on the basis of a notice provided pursuant to this permit or any investigation, inspection or sampling, that a modification of this permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the discharge until the permit has been modified.

**G. GROUNDWATER**

Unless specifically authorized under this permit, this permit does not authorize the discharge of pollutants to groundwater. Should a threat of groundwater contamination occur, the Director may require groundwater monitoring to properly assess the degree of the problem and the Director may require that the Permittee undertake measures to abate any such discharge and/or contamination.

**H. DEFINITIONS**

1. Average monthly 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 (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
2. Average weekly discharge limitation - means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week (zero discharge days shall not be included in the number of "daily discharges" measured and a less than detectable test result shall be treated as a concentration of zero if the most sensitive EPA approved method was used).
3. Arithmetic Mean – means the summation of the individual values of any set of values divided by the number of individual values.



4. AWPCA - means the Alabama Water Pollution Control Act.
5. BOD – means the five-day measure of the pollutant parameter biochemical oxygen demand.
6. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
7. CBOD – means the five-day measure of the pollutant parameter carbonaceous biochemical oxygen demand.
8. Daily discharge - means the discharge of a pollutant measured during any consecutive 24-hour period in accordance with the sample type and analytical methodology specified by the discharge permit.
9. Daily maximum - means the highest value of any individual sample result obtained during a day.
10. Daily minimum - means the lowest value of any individual sample result obtained during a day.
11. Day - means any consecutive 24-hour period.
12. Department - means the Alabama Department of Environmental Management.
13. Director - means the Director of the Department.
14. Discharge - means "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other wastes into waters of the state". Code of Alabama 1975, Section 22-22-1(b)(8).
15. Discharge Monitoring Report (DMR) - means the form approved by the Director to accomplish reporting requirements of an NPDES permit.
16. DO – means dissolved oxygen.
17. 8HC – means 8-hour composite sample, including any of the following:
  - a. The mixing of at least 5 equal volume samples collected at constant time intervals of not more than 2 hours over a period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
  - b. A sample continuously collected at a constant rate over period of not less than 8 hours between the hours of 6:00 a.m. and 6:00 p.m. If the sampling period exceeds 8 hours, sampling may be conducted beyond the 6:00 a.m. to 6:00 p.m. period.
18. EPA - means the United States Environmental Protection Agency.
19. FC – means the pollutant parameter fecal coliform.
20. Flow – means the total volume of discharge in a 24-hour period.
21. FWPCA - means the Federal Water Pollution Control Act.
22. Geometric Mean – means the Nth root of the product of the individual values of any set of values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered one (1).
23. Grab Sample – means a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the discharge.
24. Indirect Discharger – means a nondomestic discharger who discharges pollutants to a publicly owned treatment works or a privately owned treatment facility operated by another person.
25. Industrial User – means those industries identified in the Standard Industrial Classification manual, Bureau of the Budget 1967, as amended and supplemented, under the category "Division D – Manufacturing" and such other classes of significant waste producers as, by regulation, the Director deems appropriate.
26. MGD – means million gallons per day.
27. Monthly Average – means, other than for fecal coliform bacteria, the arithmetic mean of the entire composite or grab samples taken for the daily discharges collected in one month period. The monthly average for fecal coliform bacteria is the geometric mean of daily discharge samples collected in a one month period. The monthly average for flow is the arithmetic mean of all flow measurements taken in a one month period.



28. New Discharger – means a person, owning or operating any building, structure, facility or installation:
  - a. from which there is or may be a discharge of pollutants;
  - b. that did not commence the discharge of pollutants prior to August 13, 1979, and which is not a new source; and
  - c. which has never received a final effective NPDES permit for dischargers at that site.
29. NH3-N – means the pollutant parameter ammonia, measured as nitrogen.
30. Permit application - means forms and additional information that is required by ADEM Administrative Code Rule 335-6-6-.08 and applicable permit fees.
31. Point source - means "any discernible, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, . . . from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. Section 1362(14).
32. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics specified in Provision I. A. of this permit.
33. Privately Owned Treatment Works – means any devices or system which is used to treat wastes from any facility whose operator is not the operator of the treatment works, and which is not a "POTW".
34. Publicly Owned Treatment Works – means a wastewater collection and treatment facility owned by the State, municipality, regional entity composed of two or more municipalities, or another entity created by the State or local authority for the purpose of collecting and treating municipal wastewater.
35. Receiving Stream – means the "waters" receiving a "discharge" from a "point source".
36. 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.
37. Significant Source – means a source which discharges 0.025 MGD or more to a POTW or greater than five percent of the treatment work's capacity, or a source which is a primary industry as defined by the U.S. EPA or which discharges a priority or toxic pollutant.
38. Solvent – means any virgin, used or spent organic solvent(s) identified in the F-Listed wastes (F001 through F005) specified in 40 CFR 261.31 that is used for the purpose of solubilizing other materials.
39. TKN – means the pollutant parameter Total Kjeldahl Nitrogen.
40. TON – means the pollutant parameter Total Organic Nitrogen.
41. TRC – means Total Residual Chlorine.
42. TSS – means the pollutant parameter Total Suspended Solids.
43. 24HC – means 24-hour composite sample, including any of the following:
  - a. the mixing of at least 12 equal volume samples collected at constant time intervals of not more than 2 hours over a period of 24 hours;
  - b. a sample collected over a consecutive 24-hour period using an automatic sampler composite to one sample. As a minimum, samples shall be collected hourly and each shall be no more than one twenty-fourth (1/24) of the total sample volume collected; or
  - c. a sample collected over a consecutive 24-hour period using an automatic composite sampler composited proportional to flow.
44. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge 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.



45. Waters - means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, Section 22-22-1(b)(2). Waters "include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.
46. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.
47. Weekly (7-day and calendar week) Average – is the arithmetic mean of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The calendar week is defined as beginning on Sunday and ending on Saturday. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for the calendar week shall be included in the data for the month that contains the Saturday.

**I. 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.

**PART IV            ADDITIONAL REQUIREMENTS, CONDITIONS, AND LIMITATIONS**

**A.    BEST MANAGEMENT PRACTICES (BMP) PLAN REQUIREMENTS**

1.        BMP Plan

The permittee shall develop and implement a Best Management Practices (BMP) Plan which prevents, or minimizes the potential for, the release of pollutants from ancillary activities, including material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas, to the waters of the State through plant site runoff; spillage or leaks; sludge or waste disposal; or drainage from raw material storage.

2.        Plan Content

The permittee shall prepare and implement a best management practices (BMP) plan, which shall:

- a.        Establish specific objectives for the control of pollutants:
  - (1) Each facility component or system shall be examined for its potential for causing a release of significant amounts of pollutants to waters of the State due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.
  - (2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g. precipitation), or circumstances to result in significant amounts of pollutants reaching surface waters, the plan should include a prediction of the direction, rate of flow, and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.
- b.        Establish specific best management practices to meet the objectives identified under paragraph a. of this section, addressing each component or system capable of causing a release of significant amounts of pollutants to the waters of the State, and identifying specific preventative or remedial measures to be implemented;
- c.        Establish a program to identify and repair leaking equipment items and damaged containment structures, which may contribute to contaminated stormwater runoff. This program must include regular visual inspections of equipment, containment structures and of the facility in general to ensure that the BMP is continually implemented and effective;
- d.        Prevent the spillage or loss of fluids, oil, grease, gasoline, etc. from vehicle and equipment maintenance activities and thereby prevent the contamination of stormwater from these substances;
- e.        Prevent or minimize stormwater contact with material stored on site;
- f.        Designate by position or name the person or persons responsible for the day to day implementation of the BMP;
- g.        Provide for routine inspections, on days during which the facility is manned, of any structures that function to prevent stormwater pollution or to remove pollutants from stormwater and of the facility in general to ensure that the BMP is continually implemented and effective;
- b.        Provide for the use and disposal of any material used to absorb spilled fluids that could contaminate stormwater;
- i.        Develop a solvent management plan, if solvents are used on site. The solvent management plan shall include as a minimum lists of the solvents on site; the disposal method of solvents used instead of dumping, such as reclamation, contract hauling; and the procedures for assuring that solvents do not routinely spill or leak into the stormwater;
- j.        Provide for the disposal of all used oils, hydraulic fluids, solvent degreasing material, etc. in accordance with good management practices and any applicable state or federal regulations;
- k.        Include a diagram of the facility showing the locations where stormwater exits the facility, the locations of any structure or other mechanisms intended to prevent pollution of stormwater or to remove pollutants from stormwater, the locations of any collection and handling systems;
- l.        Provide control sufficient to prevent or control pollution of stormwater by soil particles to the degree required to maintain compliance with the water quality standard for turbidity applicable to the waterbody(s) receiving discharge(s) under this permit;
- m.        Provide spill prevention, control, and/or management sufficient to prevent or minimize contaminated stormwater runoff. Any containment system used to implement this requirement shall be constructed of materials compatible with the substance(s) contained and shall prevent the contamination of groundwater. The containment system shall also be capable of retaining a volume equal to 110 percent of the capacity of the largest tank for which containment is provided;



- n. Provide and maintain curbing, diking or other means of isolating process areas to the extent necessary to allow segregation and collection for treatment of contaminated stormwater from process areas;
  - o. Be reviewed by plant engineering staff and the plant manager; and
  - p. Bear the signature of the plant manager.
3. Compliance Schedule
- The permittee shall have reviewed (and revised if necessary) and fully implemented the BMP plan as soon as practicable but no later than six months after the effective date of this permit.
4. Department Review
- a. When requested by the Director or his designee, the permittee shall make the BMP available for Department review.
  - b. The Director or his designee may notify the permittee at any time that the BMP is deficient and require correction of the deficiency.
  - c. The permittee shall correct any BMP deficiency identified by the Director or his designee within 30 days of receipt of notification and shall certify to the Department that the correction has been made and implemented.
5. Administrative Procedures
- a. A copy of the BMP shall be maintained at the facility and shall be available for inspection by representatives of the Department.
  - b. A log of the routine inspection required above shall be maintained at the facility and shall be available for inspection by representatives of the Department. The log shall contain records of all inspections performed for the last three years and each entry shall be signed by the person performing the inspection.
  - c. The permittee shall provide training for any personnel required to implement the BMP and shall retain documentation of such training at the facility. This documentation shall be available for inspection by representatives of the Department. Training shall be performed prior to the date that implementation of the BMP is required.
  - d. BMP Plan Modification. The permittee shall amend the BMP plan whenever there is a change in the facility or change in operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.
  - e. BMP Plan Review. The permittee shall complete a review and evaluation of the BMP plan at least once every three years from the date of preparation of the BMP plan. Documentation of the BMP Plan review and evaluation shall be signed and dated by the Plant Manager.

**B. STORMWATER FLOW MEASUREMENT AND SAMPLING REQUIREMENTS**

1. Stormwater Flow Measurement
- a. All stormwater samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches.
  - b. The total volume of stormwater discharged for the event must be monitored, including the date and duration (in hours) and rainfall (in inches) for storm event(s) sampled. The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event must be a minimum of 72 hours. This information must be recorded as part of the sampling procedure and records retained according to Part I.B. of this permit.
  - c. The volume may be measured using flow measuring devices, or estimated based on a modification of the Rational Method using total depth of rainfall, the size of the drainage area serving a stormwater outfall, and an estimate of the runoff coefficient of the drainage area. This information must be recorded as part of the sampling procedure and records retained according to Part I.B. of this permit.
2. Stormwater Sampling
- a. A grab sample, if required by this permit, shall be taken during the first thirty minutes of the discharge (or as soon thereafter as practicable); and a flow-weighted composite sample, if required by this permit, shall be taken for the entire event or for the first three hours of the event.
  - b. All test procedures will be in accordance with part I.B. of this permit.

**C. 316(B) COOLING WATER INTAKE STRUCTURE REQUIREMENTS**

1. The Department has determined that the Clean Water Act section 316(b) regulations are not applicable.



ADEM PERMIT RATIONALE

PREPARED DATE: May 10, 2017  
REVISED DATE: August 27, 2018  
REVISED DATE: March 14, 2019  
PREPARED BY: Theo Pinson

Permittee Name: Robbins Holdings, Inc.  
Facility Name: Robbins, LLC  
Permit Number: AL0069931

PERMIT IS A REISSUANCE DUE TO EXPIRATION

DISCHARGE SERIAL NUMBERS & DESCRIPTIONS:

DSN0011: Stormwater runoff, boiler blowdown, contact cooling water, and non-contact cooling water associated with the manufacture of rubber products.  
DSN01A1: Contact cooling water associated with the manufacture of rubber products.

**INDUSTRIAL CATEGORY:** 40 CFR Part 428 – Subpart G

**MAJOR:** No

**STREAM INFORMATION:**

Receiving Stream:	Unnamed Tributary of Spring Creek
Classification:	Fish & Wildlife
River Basin:	Tennessee
7Q10:	0 cfs
7Q2:	0 cfs
1Q10:	0 cfs
Annual Average Flow:	0 cfs
303(d) List:	No
Impairment:	No
TMDL:	No

**DISCUSSION:**

The facility produces extruded rubber and polymer products for use in the molded rubber industry. The facility has previously been required to conduct a hydrologic evaluation of the facility discharge pond. The evaluation determined that waters discharged into the pond are ultimately discharged into Spring Creek. Since the pond is not utilized as a treatment unit, the facility has historically shown compliance with permit limitations prior to discharging into the pond.

ADEM Administrative Rule 335-6-10-.12 requires applicants to new or expanded discharges to Tier II waters demonstrate that the proposed discharge is necessary for important economic or social development in the area in which the waters are located. The application submitted by the facility is not for a new or expanded discharge; therefore, the applicant is not required to demonstrate that the discharge is necessary for economic and social development.

## 0011:

<u>Parameter</u>	<u>Monthly Avg Loading</u>	<u>Daily Max Loading</u>	<u>Daily Min Concentration</u>	<u>Monthly Avg Concentration</u>	<u>Daily Max Concentration</u>	<u>Sample Frequency</u>	<u>Sample Type</u>	<u>Basis*</u>
Temperature, Water Deg. Fahrenheit	-	-	-	-	86.0 F	Monthly	Grab	WQBEL
pH	-	-	6.0 S.U.	-	8.5 S.U.	Monthly	Grab	WQBEL
Solids, Total Suspended	-	-	-	-	REPORT mg/l	Monthly	Composite	BPJ
Oil & Grease	-	-	-	-	15.0 mg/l	Monthly	Grab	BPJ
Carbon, Tot Organic (TOC)	-	-	-	-	REPORT mg/l	Monthly	Composite	BPJ
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	REPORT MGD	-	-	-	Monthly	Totalizer	BPJ
Chlorine, Total Residual	-	-	-	0.011 mg/l	0.019 mg/l	Monthly	Grab	WQBEL
Chemical Oxygen Demand (COD)	-	-	-	-	REPORT mg/l	Monthly	Composite	BPJ

## 001Q: (Sample shall be collected during a qualifying storm event)

<u>Parameter</u>	<u>Monthly Avg Loading</u>	<u>Daily Max Loading</u>	<u>Daily Min Concentration</u>	<u>Monthly Avg Concentration</u>	<u>Daily Max Concentration</u>	<u>Sample Frequency</u>	<u>Sample Type</u>	<u>Basis*</u>
pH	-	-	REPORT S.U.	-	REPORT S.U.	Quarterly	Grab	BPJ
Solids, Total Suspended	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Oil & Grease	-	-	-	-	15.0 mg/l	Quarterly	Grab	BPJ
Carbon, Tot Organic (TOC)	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Toluene	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Benzene	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Ethylbenzene	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Naphthalene	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Flow, In Conduit or Thru Treatment Plant	-	REPORT MGD	-	-	-	Quarterly	Estimate	BPJ
Chemical Oxygen Demand (COD)	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Xylene	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ



01A1:

<u>Parameter</u>	<u>Monthly Avg Loading</u>	<u>Daily Max Loading</u>	<u>Daily Min Concentration</u>	<u>Monthly Avg Concentration</u>	<u>Daily Max Concentration</u>	<u>Sample Frequency</u>	<u>Sample Type</u>	<u>Basis*</u>
pH	-	-	6.0 S.U.	-	9.0 S.U.	Weekly	Grab	ELG
Solids, Total Suspended	14.47 lbs/day	28.93 lbs/day	-	-	-	Weekly	Composite	ELG
Oil & Grease	5.38 lbs/day	15.05 lbs/day	-	-	-	Weekly	Grab	ELG
Flow, In Conduit or Thru Treatment Plant	REPORT MGD	REPORT MGD	-	-	-	Weekly	Totalizer	BPJ

\*Basis for Permit Limitation

- BPJ – Best Professional Judgment
- WQBEL – Water Quality Based Effluent Limits
- EGL – Federal Effluent Guideline Limitations

### **Discussion**

Stormwater runoff, boiler blowdown, contact cooling water, and non-contact cooling water are discharged into a settling pond on the facility property which has been determined to ultimately discharge into Spring Creek via an unnamed tributary. Outfall DSN001 is monitored after comingling of all wastestreams but prior to discharge into the pond since the pond is not utilized as a treatment unit and is an unnamed tributary of Spring Creek. The 001Q sample should be collected during a qualifying storm event as defined by permit condition Part IV.B.

Best Management Practices (BMPs) are believed to be the most effective way to control the contamination of stormwater from areas of industrial activities. This facility is required to maintain a BMP plan. The requirements of the BMP plan call for minimization of stormwater contact with waste materials, products and by-products, and for prevention of spills or loss of fluids from equipment maintenance activities. The effectiveness of the BMPs will be measured through the monitoring of the pollutants of concern.

### **Best Professional Judgment (BPJ)**

The parameters of concern for this facility are based on the parameters of concern listed in the permit application, 40 CFR Part 428 – Subpart G, and from the current permit. These parameters are consistent with similar facilities in the state and have been proven to be reflective of the operations at this facility.

### **Oil & Grease**

The daily maximum limit for Oil and Grease should prevent the occurrence of a visible sheen in the stream and has been shown to be achievable through the use of proper BMPs.

### **Whole Effluent Toxicity (Cooling Water and Boiler Water Additives)**

The discharge of biocides and corrosion inhibitors with non-process wastewaters (e.g. cooling tower blowdown, etc.) can introduce the potential for toxicity in receiving waters. The facility is expected to verify that the use of these chemicals will not present potential toxic effects to representative organisms in the receiving waters and to ensure that the chemicals are used in a manner that is consistent with their labeling and standard industry practices. Monitoring for Whole Effluent Toxicity is not proposed to be included in this permit issuance based on the use of the chemicals specified in the permit application; however, the permittee should refer to Part I.D.5 of the permit for further requirements regarding Cooling Water and Boiler Water Additives.

### **Naphthalene, Benzene, Toluene, Ethylbenzene, and Xylene**

Monitoring for naphthalene, benzene, toluene, ethylbenzene, and xylene is proposed due to the use and storage of diesel at the facility. Stormwater from petroleum handling areas has been shown to contain levels of volatile organics, specifically naphthalene, benzene, toluene, ethyl benzene and xylene (BTEX).

### **Water Quality Based Effluent Limits (WQBEL)**

The Department completed a reasonable potential analysis (RPA) of the discharge based on the effluent data provided in the Permittee's application. The RPA indicates whether pollutants in the treated effluent have the potential to contribute to excursions of Alabama's in-stream water quality standards. There was no background data available for use in the RPA. Based on the analysis, no parameters have shown a reasonable potential.

### **pH**

ADEM Administrative Code, Division 6 Regulations, specifically 335-6-10-.09(5) – Specific Water Quality for Fish and Wildlife classified streams states: "Sewage, industrial waste or other wastes shall not cause the pH to deviate more than one unit from the normal or natural pH, nor be less than 6.0, nor greater than 8.5 standard units."

### **Temperature**

ADEM Administrative Code, Division 6 Regulations, specifically 335-6-10-.09(5) – Specific Water Quality for Fish & Wildlife classified streams states: "the maximum temperature rise above natural temperatures due to the addition of artificial heat shall not exceed 5 °F in streams, lakes, and reservoirs." Additionally, the maximum water temperature shall not exceed 86 °F in the Tennessee River Basin.



### **Total Residual Chlorine**

Total Residual Chlorine (TRC) limitations will be imposed due to the use of chlorinated city water. The TRC limitations are based on the United States Environmental Protection Agency's (EPA) recommended water quality standard. In accordance with a letter dated August 11, 1998 from EPA Headquarters and a 1991 memorandum from EPA Region 4's Environmental Services Division (ESD), due to testing and method detection limitations, a Total Residual Chlorine measurement below 0.05 mg/L shall be considered below detection for compliance purposes.

### **Federal Effluent Guideline Limitations (EGL)**

Parameters based upon EGL have had effluent guidelines established under 40 CFR 428 Subpart G. The categorical guideline limitations are applied at internal Outfall 01A1. The facility does not produce lead-sheathed hose as defined by the guideline.

#### **Oil and Grease**

Daily Maximum: 57,867 lbs of raw materials x 0.26 lbs per 1000 lbs of raw materials = 15.05 lbs/day

Monthly Average: 57,867 lbs of raw materials x 0.093 lbs per 1000 lbs of raw materials = 5.38 lbs/day

#### **Total Suspended Solids**

Daily Maximum: 57,867 lbs of raw materials x 0.50 lbs per 1000 lbs of raw materials = 28.93 lbs/day

Monthly Average: 57,867 lbs of raw materials x 0.25 lbs per 1000 lbs of raw materials = 14.47 lbs/day

#### **pH**

The EGL sets limits on the pH of categorical wastewater discharged.

### **316(b) Cooling Water Intake Structure Requirements**

The EPA promulgated a Clean Water Act section 316(b) regulation on August 15, 2014 which became effective October 14, 2014. The rule establishes best technology available standards to reduce impingement and entrainment of aquatic organisms at existing power generation and manufacturing facilities that withdraw from surface waters. The Department has determined that the 316(b) regulations are not applicable to the facility because the Permittee obtains cooling water from private wells. The facility extracts approximately 0.54 MGD from four on-site wells which are pumped into the same water system. The Permittee also obtains water from the City of Muscle Shoals for sanitary uses and fire suppression.

#### **Well 1**

Well Depth: Estimated 100'

Latitude: 34° 43' 33.59"

Longitude: 87° 40' 19.37"

#### **Well 2**

Well Depth: Estimated 100'

Latitude: 34° 43' 34.89"

Longitude: 87° 40' 17.21"

#### **Well 3**

Well Depth: Estimated 120'

Latitude: 34° 43' 31.08"

Longitude: 87° 40' 15.75"

#### **Well 4**

Well Depth: Estimated 160'

Latitude: 34° 43' 31.84"

Longitude: 87° 40' 13.22"

### **Revision August 27, 2018**

The permit and rationale have been revised to clarify that the receiving stream of the discharge is an Unnamed Tributary of Spring Creek. Water quality based effluent limitations for temperature, pH, total residual chlorine, and copper have been proposed at Outfall DSN0011. Water quality based effluent limitations have not been proposed as part of the DSN001Q monitoring requirements since the sample must be collected during a qualifying storm event.

**Revision March 14, 2019**

Based on comments received from the Permittee, the reasonable potential analysis (RPA) has been revised using site specific hardness data collected by the Permittee. The facility discharge is the headwater flow of the receiving stream; therefore, the hardness of the discharge has been used in the proposed calculations. As a result, the proposed total recoverable copper limitations have been removed from the permit.



Facility Name: **Robbins, LLC**

NPDES No.: **AL0069931**

$Q_d * C_d + Q_{d2} * C_{d2} + Q_s * C_s = Q_r * C_r$										
ID	Pollutant	Carcinogen Yes*	Type	Background	Background	Background	Background	Enter Max	Enter Avg	Partition Coefficient (Stream / Lake)
				from upstream source (C <sub>d2</sub> ) Daily Max µg/l	from upstream source (C <sub>d2</sub> ) Monthly Ave µg/l	Instream (C <sub>s</sub> ) Daily Max µg/l	Instream (C <sub>s</sub> ) Monthly Ave µg/l	Daily Discharge as reported by Applicant (C <sub>d</sub> ) Max µg/l	Daily Discharge as reported by Applicant (C <sub>d</sub> ) Ave µg/l	
1	Antimony		Metals	0	0	0	0	0	0	-
2	Arsenic**	YES	Metals	0	0	0	0	0	0	0.574
3	Beryllium		Metals	0	0	0	0	0	0	-
4	Cadmium**		Metals	0	0	0	0	0	0	0.200
5	Chromium / Chromium III**		Metals	0	0	0	0	1.2	1.2	0.125
6	Chromium / Chromium VI**		Metals	0	0	0	0	0	0	-
7	Copper**		Metals	0	0	0	0	9.41	9.41	0.230
8	Lead**		Metals	0	0	0	0	0	0	0.206
9	Mercury**		Metals	0	0	0	0	0	0	0.400
10	Nickel**		Metals	0	0	0	0	0	0	0.235
11	Selenium		Metals	0	0	0	0	0	0	-
12	Silver		Metals	0	0	0	0	0	0	-
13	Thallium		Metals	0	0	0	0	0	0	-
14	Zinc**		Metals	0	0	0	0	0	0	0.152
15	Cyanide		Metals	0	0	0	0	0	0	-
16	Total Phenolic Compounds		Metals	0	0	0	0	53	53	-
17	Hardness (As CaCO3)		Metals	0	0	0	0	0	0	-
18	Acrolein		VOC	0	0	0	0	0	0	-
19	Acrylonitrile*	YES	VOC	0	0	0	0	0	0	-
20	Aldrin	YES	VOC	0	0	0	0	0	0	-
21	Benzene*	YES	VOC	0	0	0	0	0	0	-
22	Bromoform*	YES	VOC	0	0	0	0	0	0	-
23	Carbon Tetrachloride*	YES	VOC	0	0	0	0	0	0	-
24	Chlordane	YES	VOC	0	0	0	0	0	0	-
25	Chlorobenzene		VOC	0	0	0	0	0	0	-
26	Chlorodibromo-Methane*	YES	VOC	0	0	0	0	0	0	-
27	Chloroethane		VOC	0	0	0	0	0	0	-
28	2-Chloro-Ethylmethyl Ether		VOC	0	0	0	0	0	0	-
29	Chloroform*	YES	VOC	0	0	0	0	0	0	-
30	4,4'-DDD	YES	VOC	0	0	0	0	0	0	-
31	4,4'-DDE	YES	VOC	0	0	0	0	0	0	-
32	4,4'-DDT	YES	VOC	0	0	0	0	0	0	-
33	Dichlorobromo-Methane*	YES	VOC	0	0	0	0	0	0	-
34	1,1-Dichloroethane		VOC	0	0	0	0	0	0	-
35	1, 2-Dichloroethane*	YES	VOC	0	0	0	0	0	0	-
36	Trans-1, 2-Dichloro-Ethylene		VOC	0	0	0	0	0	0	-
37	1, 1-Dichloroethylene*	YES	VOC	0	0	0	0	0	0	-
38	1, 2-Dichloropropane		VOC	0	0	0	0	0	0	-
39	1, 3-Dichloro-Propylene		VOC	0	0	0	0	0	0	-
40	Dieldrin	YES	VOC	0	0	0	0	0	0	-
41	Ethylbenzene		VOC	0	0	0	0	0	0	-
42	Methyl Bromide		VOC	0	0	0	0	0	0	-
43	Methyl Chloride		VOC	0	0	0	0	0	0	-
44	Methylene Chloride*	YES	VOC	0	0	0	0	0	0	-
45	1, 1, 2, 2-Tetrachloro-Ethane*	YES	VOC	0	0	0	0	0	0	-
46	Tetrachloro-Ethylene*	YES	VOC	0	0	0	0	0	0	-
47	Toluene		VOC	0	0	0	0	0	0	-
48	Toxaphene	YES	VOC	0	0	0	0	0	0	-
49	Tributyltine (TBT)	YES	VOC	0	0	0	0	0	0	-
50	1, 1, 1-Trichloroethane		VOC	0	0	0	0	0	0	-
51	1, 1, 2-Trichloroethane*	YES	VOC	0	0	0	0	0	0	-
52	Trichloroethylene*	YES	VOC	0	0	0	0	0	0	-
53	Vinyl Chloride*	YES	VOC	0	0	0	0	0	0	-
54	p-Chloro-m-Cresol		Acids	0	0	0	0	0	0	-
55	2-Chlorophenol		Acids	0	0	0	0	0	0	-
56	2, 4-Dichlorophenol		Acids	0	0	0	0	0	0	-
57	4-Dimethylphenol		Acids	0	0	0	0	0	0	-
58	4, 6-Dinitro-O-Cresol		Acids	0	0	0	0	0	0	-
59	2, 4-Dinitrophenol		Acids	0	0	0	0	0	0	-
60	4,6-Dinitro-2-methylphenol	YES	Acids	0	0	0	0	0	0	-
61	Dioxin (2,3,7,8-TCDD)	YES	Acids	0	0	0	0	0	0	-
62	2-Nitrophenol		Acids	0	0	0	0	0	0	-
63	4-Nitrophenol		Acids	0	0	0	0	0	0	-
64	Pentachlorophenol*	YES	Acids	0	0	0	0	0	0	-
65	Phenol		Acids	0	0	0	0	0	0	-
66	2, 4, 6-Trichlorophenol*	YES	Acids	0	0	0	0	0	0	-
67	Acenaphthene		Bases	0	0	0	0	0	0	-
68	Acenaphthylene		Bases	0	0	0	0	0	0	-
69	Anthracene		Bases	0	0	0	0	0	0	-
70	Benzidine		Bases	0	0	0	0	0	0	-
71	Benzo(A)Anthracene*	YES	Bases	0	0	0	0	0	0	-
72	Benzo(A)Pyrene*	YES	Bases	0	0	0	0	0	0	-
73	3, 4-Benzo-Fluoranthene		Bases	0	0	0	0	0	0	-
74	Benzo(GH)Perylene		Bases	0	0	0	0	0	0	-
75	Benzo(K)Fluoranthene		Bases	0	0	0	0	0	0	-
76	Bis (2-Chloroethoxy) Methane		Bases	0	0	0	0	0	0	-
77	Bis (2-Chloroethyl) Ether*	YES	Bases	0	0	0	0	0	0	-
78	Bis (2-Chloroisopropyl) Ether		Bases	0	0	0	0	0	0	-
79	Bis (2-Ethylhexyl) Phthalate*	YES	Bases	0	0	0	0	0	0	-
80	4-Bromophenyl Phenyl Ether		Bases	0	0	0	0	0	0	-
81	Butyl Benzyl Phthalate		Bases	0	0	0	0	0	0	-
82	2-Chloronaphthalene		Bases	0	0	0	0	0	0	-
83	4-Chlorophenyl Phenyl Ether		Bases	0	0	0	0	0	0	-
84	Chrysene*	YES	Bases	0	0	0	0	0	0	-
85	Di-N-Butyl Phthalate		Bases	0	0	0	0	0	0	-
86	Di-N-Octyl Phthalate		Bases	0	0	0	0	0	0	-
87	Dibenzo(A,H)Anthracene*	YES	Bases	0	0	0	0	0	0	-
88	1, 2-Dichlorobenzene		Bases	0	0	0	0	0	0	-
89	1, 3-Dichlorobenzene		Bases	0	0	0	0	0	0	-
90	1, 4-Dichlorobenzene		Bases	0	0	0	0	0	0	-
91	3, 3-Dichlorobenzidine*	YES	Bases	0	0	0	0	0	0	-
92	Diethyl Phthalate		Bases	0	0	0	0	0	0	-
93	Dimethyl Phthalate		Bases	0	0	0	0	0	0	-
94	2, 4-Dinitrotoluene*	YES	Bases	0	0	0	0	0	0	-
95	2, 6-Dinitrotoluene		Bases	0	0	0	0	0	0	-
96	1,2-Dichloroethylenediamine		Bases	0	0	0	0	0	0	-
97	Endosulfan (alpha)	YES	Bases	0	0	0	0	0	0	-
98	Endosulfan (beta)	YES	Bases	0	0	0	0	0	0	-
99	Endosulfan sulfate	YES	Bases	0	0	0	0	0	0	-
100	Endrin	YES	Bases	0	0	0	0	0	0	-
101	Endrin Aldehyde	YES	Bases	0	0	0	0	0	0	-
102	Fluoranthene		Bases	0	0	0	0	0	0	-
103	Fluorene		Bases	0	0	0	0	0	0	-
104	Heptachlor	YES	Bases	0	0	0	0	0	0	-
105	Heptachlor Epoxide	YES	Bases	0	0	0	0	0	0	-
106	Hexachlorobenzene*	YES	Bases	0	0	0	0	0	0	-
107	Hexachlorobutadiene*	YES	Bases	0	0	0	0	0	0	-
108	Hexachlorocyclohexan (alpha)	YES	Bases	0	0	0	0	0	0	-
109	Hexachlorocyclohexan (beta)	YES	Bases	0	0	0	0	0	0	-
110	Hexachlorocyclohexan (gamma)	YES	Bases	0	0	0	0	0	0	-
111	Hexachlorocyclopentadiene		Bases	0	0	0	0	0	0	-
112	Hexachloroethane		Bases	0	0	0	0	0	0	-
113	Indeno(1, 2, 3-CK)Pyrene*	YES	Bases	0	0	0	0	0	0	-
114	Isophorone		Bases	0	0	0	0	0	0	-
115	Naphthalene		Bases	0	0	0	0	0	0	-
116	Nitrobenzene		Bases	0	0	0	0	0	0	-
117	N-Nitrosodi-N-Propylamine*	YES	Bases	0	0	0	0	0	0	-
118	N-Nitrosodi-N-Methylamine*	YES	Bases	0	0	0	0	0	0	-
119	N-Nitrosodi-N-Phenylamine*	YES	Bases	0	0	0	0	0	0	-
120	PCB-1016	YES	Bases	0	0	0	0	0	0	-
121	PCB-1221	YES	Bases	0	0	0	0	0	0	-
122	PCB-1232	YES	Bases	0	0	0	0	0	0	-
123	PCB-1242	YES	Bases	0	0	0	0	0	0	-
124	PCB-1248	YES	Bases	0	0	0	0	0	0	-
125	PCB-1254	YES	Bases	0	0	0	0	0	0	-
126	PCB-1260	YES	Bases	0	0	0	0	0	0	-
127	Phenanthrene		Bases	0	0	0	0	0	0	-
128	Pyrene		Bases	0	0	0	0	0	0	-
129	1, 2, 4-Trichlorobenzene		Bases	0	0	0	0	0	0	-

0.3502	Enter Q <sub>d</sub> = wastewater discharge flow from facility (MGD)
0.5418396	Q <sub>d</sub> = wastewater discharge flow (cfs) (this value is calculated from the MGD)
0	Enter flow from upstream discharge Q <sub>d2</sub> = background stream flow in MGD above point of discharge
0	Q <sub>d2</sub> = background stream flow from upstream source (cfs)
0	Enter 7Q10, Q <sub>s</sub> = background stream flow in cfs above point of discharge
0	Enter or estimated, 1Q10, Q <sub>s</sub> = background stream flow in cfs above point of discharge (1Q10 estimated at 75% of 7C10)
0	Enter Mean Annual Flow, Q <sub>s</sub> = background stream flow in cfs above point of discharge
0	Enter TQ2, Q <sub>s</sub> = background stream flow in cfs above point of discharge (For LWF class streams)
Enter to Left	Enter C <sub>s</sub> = background in-stream pollutant concentration in µg/l (assuming this is zero "0" unless there is data)
Q <sub>d</sub> + Q <sub>d2</sub> + Q <sub>s</sub>	Q <sub>s</sub> = resultant in-stream flow, after discharge
Calculated on other	C <sub>s</sub> = resultant in-stream pollutant concentration in µg/l in the stream (after complete mixing occurs)
183	Enter, Background Hardness above point of discharge (assumed 50 South of Birmingham and 100 North of Birmingham)
7.00 s.u.	Enter, Background pH above point of discharge
no	Enter, Is discharge to a stream? "YES" Other option would be to a Lake. (This changes the partition coefficients for the metals)

\*\* Using Partition Coefficients

March 14, 2019



Freshwater FWB classification		Carcinogen yes	Background from upstream source (G2) Daily Max	Max Daily Discharge as reported by Applicant (C <sub>max</sub> )	Freshwater Acute (µg/l) C <sub>a</sub> = 1010				Avg Daily Discharge as reported by Applicant (C <sub>avg</sub> )	Freshwater Chronic (µg/l) C <sub>c</sub> = 7Q10				Human Health Consumption Fish only (µg/l) Carcinogen C <sub>a</sub> = Annual Average Non-Carcinogen C <sub>c</sub> = 7Q10			
ID	Pollutant				RP7	Water Quality Criteria (C <sub>1</sub> )	Draft Permit Limit (C <sub>max</sub> )	20% of Draft Permit Limit		RP7	Background from upstream source (G2) Monthly Ave	Water Quality Criteria (C <sub>1</sub> )	Draft Permit Limit (C <sub>max</sub> )	20% of Draft Permit Limit	RP7	Water Quality Criteria (C <sub>1</sub> )	Draft Permit Limit (C <sub>max</sub> )
1	Antimony		0	0	-	-	0	0	-	-	-	1.73E+02	3.73E+02	7.47E+01	No		
2	Arsenic	YES	0	0	592.334	592.334	118.467	0	0	261.324	261.324	52.265	3.03E-01	3.03E-01	6.06E-02	No	
3	Beryllium		0	0	18.113	18.113	3.623	0	0	1.871	1.871	0.374	-	-	-	-	
4	Cadmium		0	0	18.113	18.113	3.623	0	0	1.871	1.871	0.374	-	-	-	-	
5	Chromium/ Chromium III		0	1.2	7477.050	7477.050	1495.416	0	1.2	972.615	972.615	194.523	-	-	-	-	
6	Chromium/ Chromium VI		0	0	16.000	16.000	3.200	0	0	11.000	11.000	2.200	-	-	-	-	
7	Copper		0	9.41	103.258	103.258	20.652	0	9.41	65.259	65.259	13.052	-	-	-	-	
8	Lead		0	0	601.291	601.291	120.258	0	0	23.431	23.431	4.686	-	-	-	-	
9	Mercury		0	0	2.400	2.400	0.480	0	0	0.012	0.012	0.002	4.24E-02	4.24E-02	8.48E-03	No	
10	Nickel		0	0	3322.235	3322.235	664.447	0	0	308.968	308.968	61.794	9.93E+02	9.93E+02	1.986E+02	No	
11	Selenium		0	0	30.600	30.600	6.120	0	0	5.600	5.600	1.120	2.43E+03	2.43E+03	4.86E+02	No	
12	Silver		0	0	9.098	9.098	1.819	0	0	-	-	-	-	-	-	-	
13	Thallium		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
14	Zinc		0	0	1296.431	1296.431	259.286	0	0	1296.954	1296.954	259.391	1.49E+04	1.49E+04	2.98E+03	No	
15	Cyanide		0	0	22.000	22.000	4.400	0	0	5.200	5.200	1.040	9.33E+03	9.33E+03	1.87E+03	No	
16	Total Phenolic Compounds		0	53	-	-	-	53	-	-	-	-	-	-	-	-	
17	Hardness (As CaCO3)		0	0	-	-	-	0	-	-	-	-	-	-	-	-	
18	Acrylonitrile	YES	0	0	-	-	-	0	-	-	-	-	5.43E+00	5.43E+00	1.09E+00	No	
20	Aldrin	YES	0	0	-	-	-	0	-	-	-	-	1.44E-01	1.44E-01	2.88E-02	No	
21	Benzene	YES	0	0	3.000	3.000	0.600	0	0	-	-	-	1.55E+01	1.55E+01	3.09E+00	No	
22	Bromoform	YES	0	0	-	-	-	0	0	-	-	-	7.88E+01	7.88E+01	1.58E+01	No	
23	Carbon Tetrachloride	YES	0	0	-	-	-	0	0	-	-	-	9.57E-01	9.57E-01	1.91E-01	No	
24	Chlordane	YES	0	0	2.400	2.400	0.480	0	0	0.0043	0.0043	0.00086	4.73E-04	4.73E-04	9.46E-05	No	
25	Chlorobenzene		0	0	-	-	-	0	0	-	-	-	9.06E+02	9.06E+02	1.81E+02	No	
26	Chlorodibromo-Methane	YES	0	0	-	-	-	0	0	-	-	-	7.41E+00	7.41E+00	1.48E+00	No	
27	Chloroethane		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
28	2-Chloro-Ethylvinyl Ether		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
29	Chloroform	YES	0	0	-	-	-	0	0	-	-	-	1.02E+03	1.02E+02	2.04E+01	No	
30	4,4'-DDD	YES	0	0	-	-	-	0	0	-	-	-	1.81E-04	1.81E-04	3.62E-05	No	
31	4,4'-DDE	YES	0	0	-	-	-	0	0	-	-	-	1.28E-04	1.28E-04	2.56E-05	No	
32	4,4'-DDT	YES	0	0	-	-	-	0	0	-	-	-	1.28E-04	1.28E-04	2.56E-05	No	
33	Dichlorobromo-Methane	YES	0	0	1.100	1.100	0.220	0	0	0.001	0.001	0.0002	1.00E+01	1.00E+01	2.01E+00	No	
34	1, 1-Dichloroethane		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
35	1, 2-Dichloroethane	YES	0	0	-	-	-	0	0	-	-	-	2.14E+01	2.14E+01	4.27E+00	No	
36	Trans-1, 2-Dichloro-Ethylene		0	0	-	-	-	0	0	-	-	-	5.91E+03	5.91E+03	1.18E+03	No	
37	1, 1-Dichloroethylene	YES	0	0	-	-	-	0	0	-	-	-	4.17E+03	4.17E+03	8.33E+02	No	
38	1, 2-Dichloropropane		0	0	-	-	-	0	0	-	-	-	6.48E+00	6.48E+00	1.29E+00	No	
39	1, 3-Dichloro-Proplylene		0	0	-	-	-	0	0	-	-	-	1.23E+01	1.23E+01	2.46E+00	No	
40	Dieldrin	YES	0	0	0.240	0.240	0.048	0	0	0.006	0.006	0.0012	3.12E-05	3.12E-05	6.25E-06	No	
41	Ethylbenzene		0	0	-	-	-	0	0	-	-	-	1.24E+03	1.24E+03	2.49E+02	No	
42	Methyl Bromide		0	0	-	-	-	0	0	-	-	-	6.71E+02	6.71E+02	1.34E+02	No	
43	Methyl Chloride		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
44	Methylene Chloride	YES	0	0	-	-	-	0	0	-	-	-	3.46E+02	3.46E+02	6.91E+01	No	
45	1, 1, 2, 2-Tetrachloro-Ethane	YES	0	0	-	-	-	0	0	-	-	-	2.33E+03	2.33E+03	4.67E+02	No	
46	Tetrachloro-Ethylene	YES	0	0	-	-	-	0	0	-	-	-	1.92E+02	1.92E+02	3.85E+01	No	
47	Toluene		0	0	-	-	-	0	0	-	-	-	6.72E+03	6.72E+03	1.34E+03	No	
48	Toxaphene	YES	0	0	0.730	0.730	0.146	0	0	0.0002	0.0002	0.00004	1.62E-04	1.62E-04	3.24E-05	No	
49	Tributyltin (TBT)	YES	0	0	0.460	0.460	0.092	0	0	0.072	0.072	0.0144	-	-	-	-	
50	1, 1, 1-Trichloroethane		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
51	1, 1, 2-Trichloroethane	YES	0	0	-	-	-	0	0	-	-	-	9.10E+00	9.10E+00	1.82E+00	No	
52	Trichloroethylene	YES	0	0	-	-	-	0	0	-	-	-	1.75E+01	1.75E+01	3.49E+00	No	
53	Vinyl Chloride	YES	0	0	-	-	-	0	0	-	-	-	1.42E+00	1.42E+00	2.85E-01	No	
54	p-Chloro-M-Cresol		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
55	2-Chlorophenol		0	0	-	-	-	0	0	-	-	-	8.71E+01	8.71E+01	1.74E+01	No	
56	2, 4-Dichlorophenol		0	0	-	-	-	0	0	-	-	-	1.72E+02	1.72E+02	3.44E+01	No	
57	2, 4-Dimethylphenol		0	0	-	-	-	0	0	-	-	-	4.98E+02	4.98E+02	9.95E+01	No	
58	4, 6-Dinitro-O-Cresol		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
59	2, 4-Dinitrophenol		0	0	-	-	-	0	0	-	-	-	3.11E+03	3.11E+03	6.22E+02	No	
60	4, 6-Dinitro-2-methylphenol	YES	0	0	-	-	-	0	0	-	-	-	1.65E+02	1.65E+02	3.31E+01	No	
61	Dioxin (2,3,7,8-TCDD)	YES	0	0	-	-	-	0	0	-	-	-	2.67E-06	2.67E-06	5.33E-09	No	
62	Nitrophenol		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
63	4-Nitrophenol		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
64	Pentachlorophenol	YES	0	0	8.723	8.723	1.745	0	0	6.893	6.893	1.378	1.77E+00	1.77E+00	3.54E+01	No	
65	Phenol		0	0	-	-	-	0	0	-	-	-	5.00E+05	5.00E+05	1.00E+05	No	
66	2, 4, 6-Trichlorophenol	YES	0	0	-	-	-	0	0	-	-	-	1.41E+00	1.41E+00	2.83E-01	No	
67	Acenaphthene		0	0	-	-	-	0	0	-	-	-	5.79E+02	5.79E+02	1.16E+02	No	
68	Acenaphthylene		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
69	Anthracene		0	0	-	-	-	0	0	-	-	-	2.33E+04	2.33E+04	4.67E+03	No	
70	Benidine		0	0	-	-	-	0	0	-	-	-	1.16E-04	1.16E-04	2.32E-05	No	
71	Benzo(A)Anthracene	YES	0	0	-	-	-	0	0	-	-	-	1.07E-02	1.07E-02	2.13E-03	No	
72	Benzo(A)Pyrene	YES	0	0	-	-	-	0	0	-	-	-	1.07E-02	1.07E-02	2.13E-03	No	
73	Benzo(B)Fluoranthene		0	0	-	-	-	0	0	-	-	-	1.07E-02	1.07E-02	2.13E-03	No	
74	Benzo(GHI)Perylene		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
75	Benzo(K)Fluoranthene		0	0	-	-	-	0	0	-	-	-	1.07E-02	1.07E-02	2.13E-03	No	
76	Bis (2-Chloroethoxy) Methane		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
77	Bis (2-Chloroethyl)-Ether	YES	0	0	-	-	-	0	0	-	-	-	3.07E-01	3.07E-01	6.15E-02	No	
78	Bis (2-Chloroisopropyl) Ether		0	0	-	-	-	0	0	-	-	-	3.78E+04	3.78E+04	7.56E+03	No	
79	Bis (2-Ethylhexyl) Phthalate	YES	0	0	-	-	-	0	0	-	-	-	1.28E+00	1.28E+00	2.56E-01	No	
80	4-Bromophenyl Phenyl Ether		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
81	Butyl Benzyl Phthalate		0	0	-	-	-	0	0	-	-	-	1.13E+03	1.13E+03	2.25E+02	No	
82	2-Chloronaphthalene		0	0	-	-	-	0	0	-	-	-	9.24E+02	9.24E+02	1.85E+02	No	
83	4-Chlorophenyl Phenyl Ether		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
84	Chrysene	YES	0	0	-	-	-	0	0	-	-	-	1.07E-02	1.07E-02	2.13E-03	No	
85	Di-N-Butyl Phthalate		0	0	-	-	-	0	0	-	-	-	2.62E+03	2.62E+03	5.24E+02	No	
86	Di-N-Octyl Phthalate		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
87	Dibenz(A,H)Anthracene	YES	0	0	-	-	-	0	0	-	-	-	1.07E-02	1.07E-02	2.13E-03	No	
88	1, 2-Dichlorobenzene		0	0	-	-	-	0	0	-	-	-	7.55E+02	7.55E+02	1.51E+02	No	
89	1, 3-Dichlorobenzene		0	0	-	-	-	0	0	-	-	-	5.62E+02	5.62E+02	1.12E+02	No	
90	1, 4-Dichlorobenzene		0	0	-	-	-	0	0	-	-	-	1.12E+02	1.12E+02	2.25E+01	No	
91	3, 3-Dichlorobenzidine	YES	0	0	-	-	-	0	0	-	-	-	1.66E-02	1.66E-02	3.32E-03	No	
92	Diethyl Phthalate		0	0	-	-	-	0	0	-	-	-	2.56E+04	2.56E+04	5.11E+03	No	
93	Dimethyl Phthalate		0	0	-	-	-	0	0	-	-	-	6.48E+05	6.48E+05	1.30E+05	No	
94	2, 4-Dinitrotoluene	YES	0	0	-	-	-	0	0	-	-	-	1.98E+00	1.98E+00	3.96E-01	No	
95	2, 6-Dinitrotoluene		0	0	-	-	-	0	0	-	-	-	-	-	-	-	
96	1, 2-Diphenylhydrazine		0	0	-	-											





P.O. Box 3241  
Florence, Alabama 35630  
256.284.2043  
www.sec-env.com

January 30, 2019

ADEM  
Industrial Section  
Industrial/Municipal Branch  
Water Division  
Attn: Mr. Theo Pinson

Reference: Comments regarding Robbins, LLC, Revised Draft  
NPDES Permit #AL0069931

Dear Mr. Pinson:

Southern Environmental Engineering, Inc. (SEE) and Robbins, LLC have reviewed the Robbins revised draft permit dated September 5, 2018. We would like to request ADEM to re-evaluate the toxicity criteria for copper based on a hardness of 183 mg/l as CaCO<sub>3</sub>

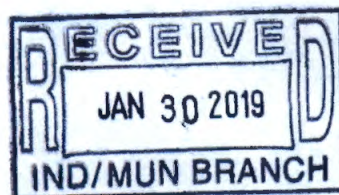
The water quality standard 23.08 mg/L (chronic) and 34.60 mg/L (acute) assumes a hardness of 100 mg/l as CaCO<sub>3</sub>. Composite (24-Hour) samples of the discharge were collected on January 8, January 15, and January 22, 2019. Those results were 187 mg/L, 193 mg/L and 169 mg/L respectively for an average of 183 mg/L. This is representative of the receiving stream as the facility discharges to a zero-flow stream (UT of Spring Creek).

We have no comments on any other sections of the revised draft permit. Please feel free to contact me at 256-443-8306 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Eric Curtis".

Eric Curtis  
Vice President





# SOUTHERN ENVIRONMENTAL TESTING

P.O. Box 487  
3103 Northington Court  
Florence, Alabama 35630

(256) 740-5532  
Fax (256) 740-5529

## TEST RESULTS

Eric Curtis  
Southern Environmental Engineering  
3003A Cloverdale Rd.  
Florence, AL 35633

Project:	Robbins	Lab Number:	1900076
Project Number:		Sample Number:	001
Sample Location:	Tuscumbia, AL	Sample Type:	Wastewater
Sampled By:	S. Satterfield	Date Received:	1/8/19 14:14
Date/Time Collected:	1/8/19 7:40	Date Reported:	1/12/2019
Client Sample ID:	001		

Parameter	Result	Qual	Units	Report Limit	Date	Method	Analyst
Total Hardness as CaCO <sub>3</sub>	187		mg/L	25	1/11/19 15:50	2340B(2)	FLY

Report Approved By:

Allison Dixon

### ~METHOD REFERENCES~

- (1) Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, revised March 1993, August 1993, May 1994
- (2) Standard Methods for the Examination of Water and Waste Water, 18th Edition, 1992.
- (3) Test Methods for Evaluating Solid Wastes Physical Chemical Method SW-846, 3rd Edition, Update IV December 1996.
- (4) HACH Handbook of Water Analysis, HACH Chemical Company, 1979.
- (5) Methods for the Determination of Organic Compounds in Drinking Water, EPA-600/4-88/039, Revised July, 1991, August 1995.



# SOUTHERN ENVIRONMENTAL TESTING, INC.

3103 Northington Court  
 Florence, AL 35630

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 Fax: (256)740-5529

## CHAIN-OF-CUSTODY RECORD

### ANALYSIS REQUESTED

<b>SEE</b>	REFERRING CLIENT:		PROJECT NAME: Robbins			PROJECT #:			
	SAMPLE SITE: Tuscumbia, AL			REQUESTOR:					
	SAMPLED BY: <i>Seth Satterfield</i>			P.O. #:					
	TURNAROUND: <input type="checkbox"/> NORMAL <input checked="" type="checkbox"/> RUSH <u>1 week</u>			SPECIAL INSTRUCTIONS:					

LAB USE ONLY SAMPLE #	SAMPLE IDENTIFICATION	DATE	TIME	SAMPLE TYPE	GRAB	COMP	CONTAINER TYPE	# OF CONTAINERS	SAMPLE PRESERVATION	Hardness						
1900076-01	001	1/8/2019	07:40	WW		X	P	1	HNO3	X						

RELINQUISHED BY: <i>S. Satterfield</i>	DATE 1/8/2019	TIME 1414	RECEIVED BY:	DATE	TIME	RECEIVED FOR LAB BY: <i>Johnny Peck</i>	DATE 1/8/19	TIME 1414
RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME	COMMENTS:		
RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME			
RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME			
RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME			



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(256) 740-5532  
Fax (256) 740-5529

## TEST RESULTS

Eric Curtis  
Southern Environmental Engineering  
3003A Cloverdale Rd.  
Florence, AL 35633

Project: Robbins  
Project Number:  
Sample Location: Tuscumbia, AL  
Sampled By: S. Satterfield  
Date/Time Collected: 1/15/19 13:10  
Client Sample ID: 001

Lab Number: 1900189  
Sample Number: 001  
Sample Type: Wastewater  
Date Received: 1/16/19 14:49  
Date Reported: 1/23/2019

Parameter	Result	Qual	Units	Report Limit	Date	Method	Analyst
Copper, Total	0.00952		mg/L	0.005	1/23/19 10:39	200.7 (1)	FLY

Report Approved By:

Allison Dixon

### ~METHOD REFERENCES~

- (1) Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, revised March 1993, August 1993, May 1994.
- (2) Standard Methods for the Examination of Water and Waste Water, 18th Edition, 1992.
- (3) Test Methods for Evaluating Solid Wastes Physical Chemical Method SW-846, 3rd Edition, Update IV December 1996.
- (4) HACH Handbook of Water Analysis, HACH Chemical Company, 1979.
- (5) Methods for the Determination of Organic Compounds in Drinking Water, EPA-600/4-88/039, Revised July, 1991, August 1995.





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(256) 740-5532  
Fax (256) 740-5529

### TEST RESULTS

Eric Curtis  
Southern Environmental Engineering  
3003A Cloverdale Rd.  
Florence, AL 35633

Project:	Robbins	Lab Number:	1900189
Project Number:		Sample Number:	002
Sample Location:	Tuseumbia, AL	Sample Type:	Wastewater
Sampled By:	S. Satterfield	Date Received:	1/16/19 14:49
Date/Time Collected:	1/15/19 13:10	Date Reported:	1/23/2019
Client Sample ID:	001		

Parameter	Result	Qual	Units	Report Limit	Date	Method	Analyst
Total Hardness as CaCO <sub>3</sub>	193		mg/L	25	1/23/19 11:15	2340B(2)	FLY

Report Approved By:

Allison Dixon

#### ~METHOD REFERENCES~

- (1) Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, revised March 1993, August 1993, May 1994.
- (2) Standard Methods for the Examination of Water and Waste Water, 18th Edition, 1992.
- (3) Test Methods for Evaluating Solid Wastes Physical Chemical Method SW-846, 3rd Edition, Update IV December 1996.
- (4) HACH Handbook of Water Analysis, HACH Chemical Company, 1979.
- (5) Methods for the Determination of Organic Compounds in Drinking Water, EPA-600/4-88/039, Revised July, 1991, August 1995.

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### CHAIN-OF-CUSTODY RECORD

ANALYSIS REQUESTED						
Total Recoverable Copper						
Hardness						

SEE	REFERRING CLIENT:			PROJECT NAME: Robbins			PROJECT #:		
	SAMPLE SITE: Tuscumbia, AL			REQUESTOR:					
	SAMPLED BY: S. Satterfield			P.O. #					
	TURNAROUND: <input type="checkbox"/> NORMAL <input checked="" type="checkbox"/> RUSH <i>1 week</i>			SPECIAL INSTRUCTIONS:					

LAB USE ONLY SAMPLE #	SAMPLE IDENTIFICATION	DATE	TIME	SAMPLE TYPE	GRAB	COMP	CONTAINER TYPE	# OF CONTAINERS	SAMPLE PRESERVATION
<i>1900189-01</i>	001	1/15/19	13:10	WW		X	P	1	HNO3
<i>-02</i>	001	1/15/19	13:10	WW		X	P	1	HNO3

RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME	RECEIVED FOR LAB BY:	DATE	TIME
<i>S. Satterfield</i>	1/16/2019	1449				<i>Johny Deal</i>	1/16/19	1449
RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME	COMMENTS:		
RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME			
RELINQUISHED BY:	DATE	TIME	RECEIVED BY:	DATE	TIME			





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### TEST RESULTS

Eric Curtis  
Southern Environmental Engineering  
3003A Cloverdale Rd.  
Florence, AL 35633

Project:	Robbins	Lab Number:	1900267
Project Number:		Sample Number:	001
Sample Location:	Florence, AL	Sample Type:	Wastewater
Sampled By:	E. Curtis	Date Received:	1/22/19 9:56
Date/Time Collected:	1/22/19 7:40	Date Reported:	
Client Sample ID:	DSN-001		

Parameter	Result	Qual	Units	Report Limit	Date	Method	Analyst
Total Hardness as CaCO <sub>3</sub>	169		mg/L	25	1/28/19 13:32	2340B(2)	FLY

Report Approved By:

Allison Dixon

#### ~METHOD REFERENCES~

- (1) Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, revised March 1993, August 1993, May 1994.
- (2) Standard Methods for the Examination of Water and Waste Water, 18th Edition, 1992.
- (3) Test Methods for Evaluating Solid Wastes Physical Chemical Method SW-846, 3rd Edition, Update IV December 1996.
- (4) HACH Handbook of Water Analysis, HACH Chemical Company, 1979.
- (5) Methods for the Determination of Organic Compounds in Drinking Water, EPA-600/4-88/039, Revised July, 1991, August 1995.

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Florence, AL 35630

Ph: (256)740-5532  
Fax: (256)740-5529

## CHAIN-OF-CUSTODY RECORD

SEE			PROJECT NAME: <i>Robbins</i>				PROJECT #:											
			SAMPLE SITE: <i>Tuscumbia, AL</i>				REQUESTOR:											
			SAMPLED BY: <i>E. Curtis</i>				P.O. #:											
			TURNAROUND: <i>1-week</i> <input type="checkbox"/> NORMAL <input checked="" type="checkbox"/> RUSH				SPECIAL INSTRUCTIONS:											
LAB USE ONLY SAMPLE #	SAMPLE IDENTIFICATION	DATE	TIME	SAMPLE TYPE	GRAB	COMP	CONTAINER TYPE	# OF CONTAINERS	SAMPLE PRESERVATION	Herein...								
<i>1900267-01</i>	<i>DSW-001</i>	<i>01/22/19</i>	<i>0740</i>	<i>LW</i>		<i>X</i>	<i>P</i>	<i>1</i>	<i>HNO<sub>3</sub></i>					<i>X</i>				
RELINQUISHED BY: <i>E. Curtis</i>		DATE <i>1/22/19</i>	TIME <i>0956</i>	RECEIVED BY:		DATE	TIME	RECEIVED FOR LAB BY: <i>Johnny Peck</i>		DATE <i>1/22/19</i>	TIME <i>0956</i>	COMMENTS:						
RELINQUISHED BY:		DATE	TIME	RECEIVED BY:		DATE	TIME	RECEIVED FOR LAB BY:		DATE	TIME							
RELINQUISHED BY:		DATE	TIME	RECEIVED BY:		DATE	TIME	RECEIVED FOR LAB BY:		DATE	TIME							
RELINQUISHED BY:		DATE	TIME	RECEIVED BY:		DATE	TIME	RECEIVED FOR LAB BY:		DATE	TIME							