



Alabama Department of Environmental Management  
adem.alabama.gov

JUNE 10, 2020  
1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

MR KYLE MILLER  
VICE PRESIDENT  
CONSOLIDATED FOREST PRODUCTS LLC  
155 COUNTY HIGHWAY 62  
BEAR CREEK ALABAMA 35543

RE: DRAFT PERMIT  
NPDES PERMIT NUMBER AL0079961

Dear Mr. Miller:

Transmitted herein is a 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 Theo Pinson by e-mail at [tpinson@adem.alabama.gov](mailto:tpinson@adem.alabama.gov) or by phone at (334) 274-4203.

Sincerely,

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

Enclosure: 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: CONSOLIDATED FOREST PRODUCTS, LLC

FACILITY LOCATION: 495 COUNTY ROAD 1  
LYNN, ALABAMA 35575

PERMIT NUMBER: AL0079961

RECEIVING WATERS: DSN001: UNNAMED TRIBUTARY TO BLACKWATER CREEK  
DSN002: UNNAMED TRIBUTARY TO BLACKWATER 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**

**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:

DSN001Q: Stormwater runoff associated with the lumber and wood products industry, including treating operations using Micronized Copper Azole (MCA) preservative 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 4/</u>	<u>Seasonal</u>
BOD, 5-Day (20 Deg. C)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
pH	-	-	REPORT S.U.	-	REPORT S.U.	Quarterly	Grab	-
Solids, Total Suspended 6/	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Oil & Grease	-	-	-	-	15.0 mg/l	Quarterly	Grab	-
Nitrogen, Ammonia Total (As N)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Chloride (As Cl)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Copper Total Recoverable 5/ 6/	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Flow, In Conduit or Thru Treatment Plant	-	REPORT MGD	-	-	-	Quarterly	Estimate	-
Chemical Oxygen Demand (COD) 6/	-	-	-	-	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/ For the purpose of demonstration of compliance with this parameter, "Total" and "Total Recoverable" shall be considered equivalent.
- 6/ See Part I.E.2 for Schedule of Compliance requirements for this parameter.

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:

DSN002Q: Stormwater runoff associated with the lumber and wood products industry, including treating operations using Micronized Copper Azole (MCA) preservative 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 4/</u>	<u>Seasonal</u>
BOD, 5-Day (20 Deg. C)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
pH	-	-	REPORT S.U.	-	REPORT S.U.	Quarterly	Grab	-
Solids, Total Suspended 6/	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Oil & Grease	-	-	-	-	15.0 mg/l	Quarterly	Grab	-
Nitrogen, Ammonia Total (As N)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Chloride (As Cl)	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Copper Total Recoverable 5/ 6/	-	-	-	-	REPORT mg/l	Quarterly	Grab	-
Flow, In Conduit or Thru Treatment Plant	-	REPORT MGD	-	-	-	Quarterly	Estimate	-
Chemical Oxygen Demand (COD) 6/	-	-	-	-	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/ For the purpose of demonstration of compliance with this parameter, "Total" and "Total Recoverable" shall be considered equivalent.
- 6/ See Part I.E.2 for Schedule of Compliance requirements for this parameter.

**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 (MONTH, YEAR)**. 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 [Month, Year]**. 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 335-6-6-.09 or a "duly authorized representative" of such official as defined in ADEM Administrative Code Rule 335-6-6-.09 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.C.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 Noncompliance Notification Form (ADEM Form 421) available on the Department's website (<http://adem.alabama.gov/DeptForms/Form421.pdf>) and 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 1. 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. Within 180 days from the effective date of this Permit, the Permittee shall submit to the Department a Minimization Plan prepared by an Alabama Licensed Professional Engineer which evaluates methods for decreasing levels of copper, total suspended solids (TSS), and chemical oxygen demand (COD) in the discharges from Outfalls DSN001 and DSN002. At a minimum, the Minimization Plan shall consider treatment alternatives, predicted treatability levels, pollutant source investigations, source control measure evaluations, corrective action plans, best management practices (BMP), cost benefit analyses, and implementation schedules for actions recommended by the Minimization Plan.
3. 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-dinitrophenol; 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 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:
- from which there is or may be a discharge of pollutants;
  - that did not commence the discharge of pollutants prior to August 13, 1979, and which is not a new source; and
  - 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:
- 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;
  - 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
  - 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;
- h.        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;



1. 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.

## ADEM PERMIT RATIONALE

PREPARED DATE: June 4, 2020

PREPARED BY: Theo Pinson

Permittee Name: Consolidated Forest Products, LLC

Facility Name: Consolidated Forest Products, LLC

Permit Number: AL0079961

PERMIT IS REISSUANCE DUE TO EXPIRATION

### DISCHARGE SERIAL NUMBERS & DESCRIPTIONS:

DSN001: Stormwater runoff associated with the lumber and wood products industry, including treating operations using Micronized Copper Azole (MCA) preservative

DSN002: Stormwater runoff associated with the lumber and wood products industry, including treating operations using Micronized Copper Azole (MCA) preservative

INDUSTRIAL CATEGORY: NON-CATEGORICAL – STORMWATER ONLY

MAJOR: No

### STREAM INFORMATION:

Receiving Stream: Unnamed Tributary to Blackwater Creek

Classification: Fish & Wildlife

River Basin: Black Warrior

7Q10: 0 cfs

303(d) List: No

Impairment: No

TMDL: No

### DISCUSSION:

The facility pressure treats lumber products with Micronized Copper Azole (MCA) preservative. Treatment processes take place under roof. Wood products are air dried under roof and then stored outside on the plant yard prior to being transported off site. 40 CFR 429 prohibits the discharge of categorical process wastewaters to navigable waters. This permit authorizes the discharge of stormwater only to a water of the state.

The Permittee has applied for an additional outfall to be included in the proposed permit due to expanded operations at the facility. 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 for a new or expanded discharge to a Tier II waterbody; therefore, the anti-degradation requirements apply. Please see the attached anti-degradation rationale.

EPA has not promulgated specific guidelines for stormwater discharges covered under the proposed permit. Proposed permit limits are based on Best Professional Judgment. The proposed frequencies are based on a review of site specific conditions and an evaluation of similar facilities.

001Q & 002Q:

<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>
BOD, 5-Day (20 Deg. C)	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
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
Nitrogen, Ammonia Total (As N)	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Chloride (As Cl)	-	-	-	-	REPORT mg/l	Quarterly	Grab	BPJ
Copper Total Recoverable	-	-	-	-	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

\*Basis for Permit Limitation

- BPJ – Best Professional Judgment

**Discussion:**

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 EPA Form 2F 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.

**Biochemical Oxygen Demand, Chemical Oxygen Demand, pH, Total Suspended Solids, Chloride**

Monitoring is proposed to measure the effectiveness of the BMP plan.

**Copper, Ammonia**

Monitoring is proposed based on the treatment chemicals utilized at the facility.

**Schedule of Compliance**

Based on the data submitted with the permit application, the following schedule of compliance has been proposed. Within 180 days from the effective date of this Permit, the Permittee shall submit to the Department a Minimization Plan prepared by an Alabama Licensed Professional Engineer which evaluates methods for decreasing levels of copper, total suspended solids (TSS), and chemical oxygen demand (COD) in the discharges from Outfalls DSN001 and DSN002. At a minimum, the Minimization Plan shall consider treatment alternatives, predicted treatability levels, pollutant source investigations, source control measure evaluations, corrective action plans, best management practices (BMP), cost benefit analyses, and implementation schedules for actions recommended by the Minimization Plan.

## **ANTIDEGRADATION RATIONALE**

**Permit Number:** AL0079961  
**Facility Name:** Consolidated Forest Products, LLC  
**Receiving water:** Unnamed Tributary to Blackwater Creek  
**Stream Category:** Tier 2 as defined by ADEM Admin. Code 335-6-10-.12  
**Discharge Description:** Stormwater runoff associated with the lumber and wood products industry, including treating operations using Micronized Copper Azole (MCA) preservative

**The following preliminary determination was prepared in accordance with ADEM Admin. Code 335-6-10-.12 (7) (c):**

The Department has reviewed the information submitted by applicant in accordance with ADEM Admin. Code 335-6-10-.12 (9). The applicant has demonstrated that there are no alternative options which are economically feasible or technically viable. In the case of technically viable options, the applicant has shown them to be cost prohibitive through the alternatives analysis required by the permit application.

The permit applicant has indicated that the following economic and/or social benefits will result from the issuance of this permit:

- The facility will avoid a 50% reduction in employment due to expanded operations,
- The facility is expected to generate approximately \$200,000 in state or local taxes, and
- The facility will provide wood products to the community for construction purposes.

The Department has determined that the discharge as proposed by the permit applicant is necessary for important economic and social development in the area in which the receiving water is located.

**Prepared By:** Scott Ramsey  
**Date:** June 4, 2020

**Reifenberg, Katherine T**

---

**From:** Xalyn Peek <XPeek@enersolv.com>  
**Sent:** Wednesday, June 3, 2020 10:54 AM  
**To:** Pinson, Theo  
**Cc:** Britney Green  
**Subject:** Anti-Deg Form Consolidated Forest  
**Attachments:** Consolidated Forest Products LLC Form 311 Signed.pdf

Theo, ..


The Form 311 for Consolidated Forest Products is attached. Let me know if you have any questions.

Thanks,

Xalyn Peek  
Senior Project Manager  
Work: (256) 280-2623  
Cell: (256) 606-8429



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# Attachment 1 to Supplementary Form ADEM Form 311

## Alternatives Analysis

*Applicant/Project:* Consolidated Forest Products LLC

All new or expanded discharges (except discharges eligible for coverage under general permits) covered by the NPDES permitting program are subject to the provisions of ADEM's antidegradation policy. Applicants for such discharges to Tier 2 waters are required to demonstrate "... that the proposed discharge is necessary for important economic or social development." As a part of this demonstration, the applicant must complete an evaluation of the discharge alternatives listed below, including a calculation of the total annualized project costs for each technically feasible alternative (using ADEM Form 312 for public-sector projects and ADEM Form 313 for private-sector projects). Alternatives with total annualized project costs that are less than 110% of the total annualized project costs for the Tier 2 discharge proposal are considered viable alternatives.

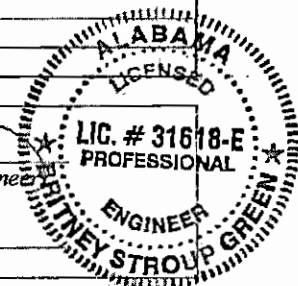
Alternative	Viable	Non-Viable	Comment
1 Land Application		X	Please see attachment A
2 Pretreatment/Discharge to POTW		X	Please see attachment A
3 Relocation of Discharge		X	Please see attachment A
4 Reuse/Recycle		X	Please see attachment A
5 Process/Treatment Alternatives		X	Please see attachment A
6 On-site/Sub-surface Disposal		X	Please see attachment A
(other project-specific alternatives considered by the applicant; attach additional sheets if necessary)			
7			
8			
9			

Pursuant to ADEM Administrative Code Rule 335-6-3-.04, I certify on behalf of the applicant that I have completed an evaluation of the discharge alternatives identified above, and reached the conclusions indicated.

Signature: Bertney Green

(Professional Engineer)

Date: 6/3/2020



(Supporting documentation to be attached, referenced, or otherwise handled as appropriate.)

Attachment A: ADEM Form 311 Comments

1. Land Application: This alternative is not viable due to insufficient land area to support application.
2. Pretreatment/ Discharge to POTW: This alternative is not a viable option due to the lack of a POTW in Lynn, AL.
3. Relocation of Discharge: This option is not viable due to the limited number of alternatives for discharge locations. Currently, the proposed outfall is the only location viable for discharge.
4. Reuse/ Recycle: The alternative solution is not viable due to the discharge being comprised of 100 percent storm water.
5. Process/ Treatment Alternatives: This alternative is not viable due to the makeup of the discharge. No treatment is available on site for storm water.
6. On-site/ Sub-surface Disposal: This option is not viable due to insufficient land area to support on-site or sub-surface disposal.

**Reifenberg, Katherine T**

---

**From:** Xalyn Peek <XPeek@enersolv.com>  
**Sent:** Wednesday, June 3, 2020 4:14 PM  
**To:** Pinson, Theo  
**Subject:** Form 187  
**Attachments:** Form187.pdf

Theo,


Section G has been updated on the Form 187. Let me know if you have any questions.

Thanks,

Xalyn Peek  
Senior Project Manager  
Work: (256) 280-2623  
Cell: (256) 606-8429



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- |   | <u>Yes</u>               | <u>No</u>                |
|---|--------------------------|--------------------------|
| 3. Does the project involve dredging and/or filling of a wetland area or water way? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, has the Corps of Engineers (COE) permit been received? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| COE Project No. ....  |                          |                          |
| 4. Does the project involve wetlands and/or submersed grassbeds? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Are oyster reefs located near the project site? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, include a map showing project and discharge location with respect to oyster reefs   |                          |                          |
| 6. Does the project involve the site development, construction and operation of an energy facility as defined in ADEM Admin. Code r. 335-8-1-.02(bb)? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Does the project involve mitigation of shoreline or coastal area erosion? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Does the project involve construction on beaches or dune areas? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the project interfere with public access to coastal waters? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Does the project lie within the 100-year floodplain? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Does the project involve the registration, sale, use, or application of pesticides? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Does the project propose or require construction of a new well or to alter an existing groundwater well to pump more than 50 gallons per day (GPD)? ..... | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, has the applicable permit for groundwater recovery or for groundwater well installation been obtained? .....  | <input type="checkbox"/> | <input type="checkbox"/> |

## SECTION G – ANTI-DEGRADATION EVALUATION

In accordance with 40 CFR §131.12 and the ADEM Admin. Code r. 335-6-10-.04 for anti-degradation, the following information must be provided, if applicable. It is the applicant's responsibility to demonstrate the social and economic importance of the proposed activity. If further information is required to make this demonstration, attach additional sheets to the application.

1. Is this a new or increased discharge that began after April 3, 1991?     ☐ Yes     ☒ No  
     If yes, complete G.2 below. If no, go to Section H.
2. Has an Anti-Degradation Analysis been previously conducted and submitted to the Department for the new or increased discharge referenced in G.1?     ☒ Yes     ☐ No

If yes, do not complete this section. If no, and the discharge is to a Tier II waterbody as defined in ADEM Admin. Code r. 335-6-10-.12(4), complete G.2.A – G.2.F below and ADEM Forms 311 and 313 (attached). ADEM Form 313 must be provided for each alternative considered technically viable.

Information required for new or increased discharges to high quality waters:

- A. What environmental or public health problem will the discharger be correcting?

The discharge will provide quarterly sampling to ensure no new environmental impacts are presented.

- B. How much will the discharger be increasing employment (at its existing facility or as the result of locating a new facility)?

The discharger increase employment by 100%. Before the new outfall was added, there were four full time employees and now there are eight.

- C. How much reduction in employment will the discharger be avoiding?

The discharger is avoiding a 50% reduction in employment by adding the new discharge.

- D. How much additional state or local taxes will the discharger be paying?

The discharger is paying approximately \$200,000 in additional state or local taxes. This is greater than 200% increase.

- E. What public service to the community will the discharger be providing?

The discharger will be providing wood products to the community for construction purposes.

- F. What economic or social benefit will the discharger be providing to the community?

Added taxes and wood products are being provided by Consolidated Forest Products as a result of the added discharge.

## Pinson, Theo

---

**Subject:** FW: Anti-Deg Form Consolidated Forest  
**Attachments:** Form 2F Analytical DSN002Q.pdf; Form 2F Analytical DSN001Q.pdf

---

**From:** Xalyn Peek <XPeek@enersolv.com>  
**Sent:** Friday, June 5, 2020 3:43 PM  
**To:** Pinson, Theo <tpinson@adem.alabama.gov>  
**Cc:** Britney Green <bgreen@enersolv.com>  
**Subject:** RE: Anti-Deg Form Consolidated Forest

Good afternoon Theo,

The pages with the analytical are attached for both outfalls. We did some extra parameters on there also that we felt were applicable for their process. I included these on section B. Let me know if there is anything else.

Thanks,

Xalyn Peek  
Senior Project Manager  
Work: (256) 280-2623  
Cell: (256) 606-8429



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Part A – You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

Part B – List each pollutant that is limited in an effluent guideline which the facility is subject to or any pollutant listed in the facility's NPDES permit for its process wastewater (if the facility is operating under an existing NPDES permit). Complete one table for each outfall. See the instructions for additional details and requirements.

Continue on Reverse

Continued from the Front

Part C - List each pollutant shown in Table 2F-2, 2F-3, and 2F-4 that you know or have reason to believe is present. See the instructions for additional details and requirements. Complete one table for each outfall.

[illegible]

Part D – Provide data for the storm event(s) which resulted in the maximum values for the flow weighted composite sample.

1. Date of Storm Event	2. Duration of Storm Event (in minutes)	3. Total rainfall during storm event (in inches)	4. Number of hours between beginning of storm measured and end of previous measurable rain event	5. Maximum flow rate during rain event (gallons/minute or specify units)	6. Total flow from rain event (gallons or specify units)
10/25/2019	380 min.	1.58 in	90	0.006 MGD	0.048 MGD

7. Provide a description of the method of flow measurement or estimate.

The rational method was used to estimate flow for DSN001.



Part A – You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

Part B – List each pollutant that is limited in an effluent guideline which the facility is subject to or any pollutant listed in the facility's NPDES permit for its process wastewater (if the facility is operating under an existing NPDES permit). Complete one table for each outfall. See the instructions for additional details and requirements.

Continue on Reverse

Continued from the Front

Part C - List each pollutant shown in Table 2F-2, 2F-3, and 2F-4 that you know or have reason to believe is present. See the instructions for additional details and requirements. Complete one table for each outfall.

[illegible]

Part D – Provide data for the storm event(s) which resulted in the maximum values for the flow weighted composite sample.

1. Date of Storm Event	2. Duration of Storm Event (in minutes)	3. Total rainfall during storm event (in inches)	4. Number of hours between beginning of storm measured and end of previous measurable rain event	5. Maximum flow rate during rain event (gallons/minute or specify units)	6. Total flow from rain event (gallons or specify units)
10/25/2019	380 min.	1.58 in	90	0.005 MGD	0.068 MGD

7. Provide a description of the method of flow measurement or estimate.

The rational method was used to estimate flow for DSN002.

September 11, 2019



Mr. Theo Pinson  
Water Division  
Alabama Department of Environmental Management  
1400 Colliseum Blvd  
Montgomery, AL 36110-2400

RE: Consolidated Forest Products LLC  
NPDES Permit AL0079961  
155 County Road 62  
Bear Creek, AL 35543

Dear Mr. Pinson:

This correspondence has been prepared to address the Electronic Notice of Violation (ENOV) Letter received on August 14, 2019 (A copy of the August 14, 2019 Electronic Notice of Violation Letter is included in Attachment I). The findings by ADEM along with the corrective action taken or scheduled to be taken is outlined below:

**1. Permit Condition II.E.2.a**

**Finding**

Permit Condition II.E.2.a requires the Permittee to 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. During the inspection it was observed that the permit did not appear to provide coverage for all stormwater outfalls from the facility.

**Corrective Action**

The facility has recognized the outfall at the northernmost property boundary. An updated EPA Form 2F (Attachment II) is attached that includes this outfall as DSN002. The updated Form 2F does not include analytical from a three-hour composite sampling event. The facility has planned to collect the composite samples during a future qualifying rain event. A berm will be constructed for the two suspected outfalls north and south of the treatment building so that stormwater does not discharge from those points.

## 2. Permit Condition IV.A.1

### Finding

Permit Condition IV.A.1 requires the Permittee to 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. The facility did not have a BMP Plan available for review at the time of the inspection.

### Corrective Action

The facility does currently have a Best Management Practices (BMP) Plan (A copy of the current BMP Plan can be found in Attachment III). However, the inspections were not being conducted according to the Plan. The location of the Plan and previous inspection records was not known at the time of the Compliance Inspection Evaluation. A review of the BMP Plan will be conducted and changes will be made to ensure that all areas of the Plan are current. Training will then be conducted to ensure management and employees understand the purpose of the BMP Plan and how to conduct inspections. The location of the Plan and Inspection Records will be made known to all employees responsible for the implementation of the BMP Plan.

## 3. Permit Condition I.B.2.a

### Finding

Permit Condition I.B.2.a requires the test procedures for the analysis of pollutants to conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). During the inspection it was noted that samples for pH appeared to be routinely analyzed outside of the maximum holding time for the sample to still be considered valid.

### Corrective Action

Personnel responsible for stormwater collection has been trained to analyze for pH within the fifteen (15) minute hold time required by 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h).

#### 4. Permit Condition 1.B.3.b

##### Finding

Permit Condition 1.B.3.b requires the Permittee to record the names of the person who obtained the samples or measurements taken pursuant to the requirements of the permit. During the inspection it was noted that the chain of custody forms did not always appear to indicate the individual whom collected the sample.

##### Corrective Action

Personnel responsible for stormwater collection has been trained to correctly fill out the chain of custody associated with stormwater samples.

#### 5. Permit Condition 1.A

##### Finding

Permit Condition 1.A requires that discharges be limited and monitored as specified in the permit. The DMR for the monitoring period of April – June 2019 indicates that the discharges from Outfall DSN001Q were not monitored as required by the permit. The Noncompliance Notification Form submitted with the DMR indicates that the Permittee failed to collect a sample during the quarterly monitoring period.

##### Corrective Action

Management at the Facility understands the importance of monitoring outfalls according to the NPDES permit. A reminder has been set to ensure samples are collected prior to the end of the monitoring period.

This correspondence has been prepared and submitted to ADEM in compliance with the August 14, 2019 Electronic Notice of Violation Letter from ADEM.

If you have any questions or would like additional information, please give me a call at (256) 280-1490 or you may email me at [bgreen@enersolv.com](mailto:bgreen@enersolv.com).

Sincerely,

*Britney Green*

Britney Green P.E.

ENERSOLV CORPORATION

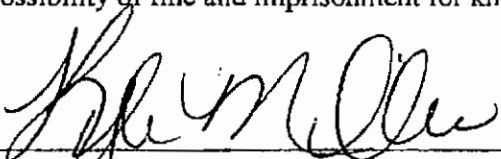
ATTACHMENTS AS INDICATED

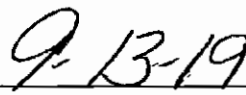
AUGUST 14, 2019 ELECTRONIC NOTICE OF VIOLATION LETTER

EPA FORM 2F

BEST MANAGEMENT PRACTICES (BMP) PLAN

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.

  
\_\_\_\_\_  
KYLE MILLER, President  
Consolidated Forest Products LLC

  
\_\_\_\_\_  
Date



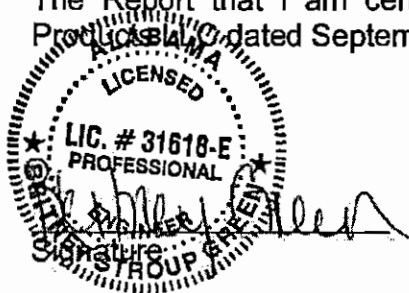
MID SOUTH TESTING, INC.  
A DIVISION OF ENERSOLV



CERTIFICATION PAGE

*I certify under penalty of law that I am a geologist or registered professional engineer experienced in hydrogeologic investigations. The investigation described in this report was performed by a geologist(s) or registered engineer(s) experienced in hydrogeologic investigations. The information submitted herein, to the best of my knowledge and belief, is true, accurate, and complete. I am aware that there are significant penalties for submitting false information.*

The Report that I am certifying is as follows: Engineering Report for Consolidated Forest Products, Inc. dated September 11, 2019.



Britney Green  
Name of Professional Engineer

AL 31618  
Certification Number

9/11/2019  
Date

**LANCE R. LEFLEUR**  
DIRECTOR



**KAY IVEY**  
GOVERNOR

Alabama Department of Environmental Management  
adem.alabama.gov

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

AUGUST 14, 2019

**CERTIFIED MAIL 91 7199 9991 7038 0641 7385**  
**RETURN RECEIPT REQUESTED**

MR KYLE MILLER  
VICE PRESIDENT  
CONSOLIDATED FOREST PRODUCTS LLC  
155 COUNTY HIGHWAY 62  
BEAR CREEK AL 35543

RE: Notice of Violation  
NPDES Permit No. AL0079961  
Consolidated Forest Products, LLC

Dear Mr. Miller:

The Department has completed a comprehensive evaluation of Consolidated Forest Products, LLC in an effort to determine its compliance with applicable rules and provisions of ADEM Admin Code chap. 335-6-6 and NPDES Permit No. AL0079961. This evaluation is based on all available sampling data, the July 16, 2019 Compliance Evaluation Inspection, discharge monitoring reports (DMRs), and other self-reported compliance information for the monitoring period between August 2017 and August 2019. The Department observed the following violations:

Permit Condition II.E.2.a. requires the Permittee to 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. During the inspection it was observed that the permit did not appear to provide coverage for all stormwater outfalls from the facility.

Permit Condition IV.A.1 requires the Permittee to 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. The facility did not have a BMP Plan available for review at the time of the inspection.

Permit Condition I.B.2.a requires the test procedures for the analysis of pollutants to conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). During the inspection it was noted that samples for pH appeared to be routinely analyzed outside of the maximum holding time for the sample to still be considered valid.

Permit Condition I.B.3.b requires the Permittee to record the names of the person who obtained the samples or measurements taken pursuant to the requirements of the permit. During the inspection it was noted that the chain of custody forms did not always appear to indicate the individual whom collected the sample.

Birmingham Branch  
110 Vulcan Road  
Birmingham, AL 35209-4702  
(205) 942-6168  
(205) 941-1603 (FAX)

Decatur Branch  
2715 Sandlin Road, S.W.  
Decatur, AL 35603-1333  
(256) 353-1713  
(256) 340-9359 (FAX)



Mobile Branch  
2204 Perimeter Road  
Mobile, AL 36615-1131  
(251) 450-3400  
(251) 479-2593 (FAX)

Mobile-Coastal  
3664 Dauphin Street, Suite B  
Mobile, AL 36608  
(251) 304-1176  
(251) 304-1189 (FAX)



Permit Condition I.A requires that discharges be limited and monitored as specified in the permit. The DMR for the monitoring period of April - June 2019 indicates that the discharges from Outfall DSN001Q were not monitored as required by the permit. The Noncompliance Notification Form submitted with the DMR indicates that the Permittee failed to collect a sample during the quarterly monitoring period.

This notice of violation is made pursuant to Ala. Code § 22-22-9(e) (2006 Rplc. Vol.). A BMP Plan and an updated permit application which reflect all operations of the facility and provides coverage for all discharges from the site must be submitted to the Department such that they are received within 30 days from the date of receipt of this notice. Additionally, a written report prepared by an engineer registered and authorized to practice in Alabama which describes the steps that have been or will be taken to correct these violations must be submitted to the Department such that it is received within 30 days from the date of receipt of this notice. Unless waived by the Department, the engineering report must include all available information regarding capital investments, one-time nondepreciable expenditures, and avoided annual recurring costs resulting from delayed compliance. Examples of costs that may have been avoided or delayed include, but are not limited to: monitoring and reporting costs, permitting costs, design costs, capital improvement or repair costs, and operating and maintenance expenses. The information that is provided should be related only to those portions of the costs which would be required for compliance. Please note all information submitted in response to this notice of violation will become a part of the public record, unless there is a satisfactory showing of confidentiality pursuant to ADEM Admin. Code r. 335-1-1-.06(2).

These submittals must be mailed or delivered to Theo Pinson at the Montgomery address listed above and must arrive at the Department's Montgomery Office by the required submittal date. Failure to submit the documents required by this notice is a violation of Ala. Code § 22-22-9(e) (2006 Rplc. Vol.) and ADEM Admin. Code r. 335-6-6-.12(h), for which civil penalties or criminal fines may be imposed. The Department encourages you to voluntarily consider pollution prevention strategies to resolve these present issues and prevent potential future issues.

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


Sincerely,



Jeffery W. Kitchens, Chief  
Water Division

File: ENOV/0000010016

EPA Identification Number	NPDES Permit Number AL0079961	Facility Name Consolidated Forest Products LLC	Form Approved 03/05/19 OMB No. 2040-0004
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Form 2F NPDES		<b>U.S Environmental Protection Agency</b> <b>Application for NPDES Permit to Discharge Wastewater</b> <b>STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY</b>
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**SECTION 1. OUTFALL LOCATION (40 CFR 122.21(g)(1))**

Outfall Location	1.1	Provide information on each of the facility's outfalls in the table below			
	Outfall Number	Receiving Water Name	Latitude		Longitude
	DSN001Q	Blackwater Creek	34°	2' 16.17" N	87° 32' 56.08" W
	DSN002Q	Blackwater Creek	34°	2' 21.71" N	87° 32' 52.94" W
			°	' "	° ' "
			°	' "	° ' "
			°	' "	° ' "
			°	' "	° ' "

**SECTION 2. IMPROVEMENTS (40 CFR 122.21(g)(6))**

Improvements	2.1	Are you presently required by any federal, state, or local authority to meet an implementation schedule for constructing, upgrading, or operating wastewater treatment equipment or practices or any other environmental programs that could affect the discharges described in this application?			
	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No → SKIP to Section 3.		
	2.2	Briefly identify each applicable project in the table below.			
	Brief Identification and Description of Project	Affected Outfalls (list outfall numbers)	Source(s) of Discharge	Final Compliance Dates	
				Required	Projected
2.3	Have you attached sheets describing any additional water pollution control programs (or other environmental projects that may affect your discharges) that you now have underway or planned? (Optional Item)				
<input type="checkbox"/> Yes		<input type="checkbox"/> No			

EPA Identification Number	NPDES Permit Number AL0079961	Facility Name Consolidated Forest Products LLC
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Form Approved 03/05/19  
OMB No. 2040-0004

### SECTION 3. SITE DRAINAGE MAP (40 CFR 122.26(c)(1)(i)(A))

Site Drainage Map	3.1	Have you attached a site drainage map containing all required information to this application? (See instructions for specific guidance.)
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

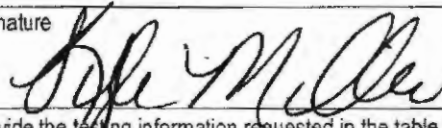
### SECTION 4. POLLUTANT SOURCES (40 CFR 122.26(c)(1)(i)(B))

Pollutant Sources	4.1	Provide information on the facility's pollutant sources in the table below.																											
		Outfall Number	Impervious Surface Area (within a mile radius of the facility)	Total Surface Area Drained (within a mile radius of the facility)																									
		DSN001Q	21,298	<i>specify units</i> Sq. Ft	<i>specify units</i> 94,174 Sq. Ft																								
		DSN002Q	35,609	<i>specify units</i> Sq. Ft	<i>specify units</i> 117,627 Sq. Ft																								
				<i>specify units</i>	<i>specify units</i>																								
				<i>specify units</i>	<i>specify units</i>																								
				<i>specify units</i>	<i>specify units</i>																								
				<i>specify units</i>	<i>specify units</i>																								
				<i>specify units</i>	<i>specify units</i>																								
		4.2	<p>Provide a narrative description of the facility's significant material in the space below. (See instructions for content requirements.)</p> <p>All stormwater from the property is discharged to the surface water through outfalls DSN001 and DSN002. Wood products are pressure treated inside the facility. All chemicals associated with pressure treatment are stored inside. The wood products are then put through a drying process. Once dried, the products are then stored outside before being loaded for distribution. Heavy trucks enter the facility for loading/unloading of wood products. Pesticides, herbicides, soil conditioners, and fertilizers are not utilized at the facility.</p>																										
	4.3	<p>Provide the location and a description of existing structural and non-structural control measures to reduce pollutants in stormwater runoff. (See instructions for specific guidance.)</p> <table border="1"> <thead> <tr> <th colspan="3">Stormwater Treatment</th> </tr> <tr> <th>Outfall Number</th> <th>Control Measures and Treatment</th> <th>Codes from Exhibit 2F-1 (list)</th> </tr> </thead> <tbody> <tr> <td>DSN001Q</td> <td>Discharged to Surface Water</td> <td>4-A</td> </tr> <tr> <td>DSN002Q</td> <td>Discharged to Surface Water</td> <td>4-A</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Stormwater Treatment			Outfall Number	Control Measures and Treatment	Codes from Exhibit 2F-1 (list)	DSN001Q	Discharged to Surface Water	4-A	DSN002Q	Discharged to Surface Water	4-A												
Stormwater Treatment																													
Outfall Number	Control Measures and Treatment	Codes from Exhibit 2F-1 (list)																											
DSN001Q	Discharged to Surface Water	4-A																											
DSN002Q	Discharged to Surface Water	4-A																											

EPA Identification Number	NPDES Permit Number AL0079961	Facility Name Consolidated Forest Products LLC
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Form Approved 03/05/19  
OMB No. 2040-0004

### SECTION 5. NON STORMWATER DISCHARGES (40 CFR 122.26(c)(1)(i)(C))

Non-Stormwater Discharges	5.1	I certify under penalty of law that the outfall(s) covered by this application have been tested or evaluated for the presence of non-stormwater discharges. Moreover, I certify that the outfalls identified as having non-stormwater discharges are described in either an accompanying NPDES Form 2C, 2D, or 2E application.																											
		Name (print or type first and last name)	Official title																										
		Kyle Miller	President																										
		Signature	Date signed																										
			09/11/2019																										
	5.2	Provide the testing information requested in the table below.																											
		<table border="1"> <thead> <tr> <th>Outfall Number</th> <th>Description of Testing Method Used</th> <th>Date(s) of Testing</th> <th>Onsite Drainage Points Directly Observed During Test</th> </tr> </thead> <tbody> <tr> <td>DSN001Q</td> <td>Visual Inspection of Outfall During a Dry Weather Event</td> <td>08/02/2019</td> <td>DSN001Q</td> </tr> <tr> <td>DSN002Q</td> <td>Visual Inspection of Outfall During a Dry Weather Event</td> <td>08/02/2019</td> <td>DSN002Q</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Outfall Number	Description of Testing Method Used	Date(s) of Testing	Onsite Drainage Points Directly Observed During Test	DSN001Q	Visual Inspection of Outfall During a Dry Weather Event	08/02/2019	DSN001Q	DSN002Q	Visual Inspection of Outfall During a Dry Weather Event	08/02/2019	DSN002Q															
Outfall Number	Description of Testing Method Used	Date(s) of Testing	Onsite Drainage Points Directly Observed During Test																										
DSN001Q	Visual Inspection of Outfall During a Dry Weather Event	08/02/2019	DSN001Q																										
DSN002Q	Visual Inspection of Outfall During a Dry Weather Event	08/02/2019	DSN002Q																										

### SECTION 6. SIGNIFICANT LEAKS OR SPILLS (40 CFR 122.26(c)(1)(i)(D))

Significant Leaks or Spills	6.1	Describe any significant leaks or spills of toxic or hazardous pollutants in the last three years. N/A
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### SECTION 7. DISCHARGE INFORMATION (40 CFR 122.26(c)(1)(i)(E))

Discharge Information	See the instructions to determine the pollutants and parameters you are required to monitor and, in turn, the tables you must complete. Not all applicants need to complete each table.	
	7.1	Is this a new source or new discharge? <input type="checkbox"/> Yes → See instructions regarding submission of estimated data. <input checked="" type="checkbox"/> No → See instructions regarding submission of actual data.
	Tables A, B, C, and D	
	7.2	Have you completed Table A for each outfall? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EPA Identification Number		NPDES Permit Number	Facility Name	Form Approved 03/05/19 OMB No. 2040-0004
		AL0079961	Consolidated Forest Products LLC	

Discharge Information Continued	7.3	Is the facility subject to an effluent limitation guideline (ELG) or effluent limitations in an NPDES permit for its process wastewater? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No → SKIP to Item 7.5.
	7.4	Have you completed Table B by providing quantitative data for those pollutants that are (1) limited either directly or indirectly in an ELG and/or (2) subject to effluent limitations in an NPDES permit for the facility's process wastewater? <input type="checkbox"/> Yes <input type="checkbox"/> No
	7.5	Do you know or have reason to believe any pollutants in Exhibit 2F-2 are present in the discharge? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No → SKIP to Item 7.7.
	7.6	Have you listed all pollutants in Exhibit 2F-2 that you know or have reason to believe are present in the discharge and provided quantitative data or an explanation for those pollutants in Table C? <input type="checkbox"/> Yes <input type="checkbox"/> No
	7.7	Do you qualify for a small business exemption under the criteria specified in the Instructions? <input type="checkbox"/> Yes → SKIP to Item 7.18. <input checked="" type="checkbox"/> No
	7.8	Do you know or have reason to believe any pollutants in Exhibit 2F-3 are present in the discharge? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No → SKIP to Item 7.10.
	7.9	Have you listed all pollutants in Exhibit 2F-3 that you know or have reason to believe are present in the discharge in Table C? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	7.10	Do you expect any of the pollutants in Exhibit 2F-3 to be discharged in concentrations of 10 ppb or greater? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No → SKIP to Item 7.12.
	7.11	Have you provided quantitative data in Table C for those pollutants in Exhibit 2F-3 that you expect to be discharged in concentrations of 10 ppb or greater? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	7.12	Do you expect acrolein, acrylonitrile, 2,4-dinitrophenol, or 2-methyl-4,6-dinitrophenol to be discharged in concentrations of 100 ppb or greater? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No → SKIP to Item 7.14.
	7.13	Have you provided quantitative data in Table C for the pollutants identified in Item 7.12 that you expect to be discharged in concentrations of 100 ppb or greater? <input type="checkbox"/> Yes <input type="checkbox"/> No
	7.14	Have you provided quantitative data or an explanation in Table C for pollutants you expect to be present in the discharge at concentrations less than 10 ppb (or less than 100 ppb for the pollutants identified in Item 7.12)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	7.15	Do you know or have reason to believe any pollutants in Exhibit 2F-4 are present in the discharge? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No → SKIP to Item 7.17.
	7.16	Have you listed pollutants in Exhibit 2F-4 that you know or believe to be present in the discharge and provided an explanation in Table C? <input type="checkbox"/> Yes <input type="checkbox"/> No
7.17	Have you provided information for the storm event(s) sampled in Table D? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

EPA Identification Number	NPDES Permit Number AL0079961	Facility Name Consolidated Forest Products LLC	Form Approved 03/05/19 OMB No. 2040-0004
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<b>Discharge Information Continued</b>	<b>Used or Manufactured Toxics</b>		
	7.18	Is any pollutant listed on Exhibits 2F-2 through 2F-4 a substance or a component of a substance used or manufactured as an intermediate or final product or byproduct? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No → SKIP to Section 8.	
	7.19	List the pollutants below, including TCDD if applicable.	
	1. Copper	4.	7.
	2.	5.	8.
	3.	6.	9.

SECTION 8. BIOLOGICAL TOXICITY TESTING DATA (40 CFR 122.21(g)(11))			
<b>Biological Toxicity Testing Data</b>	8.1	Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last three years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No → SKIP to Section 9. 09/11/2019	
	8.2	Identify the tests and their purposes below.	
	Test(s)	Purpose of Test(s)	Submitted to NPDES Permitting Authority?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	Date Submitted

SECTION 9. CONTRACT ANALYSIS INFORMATION (40 CFR 122.21(g)(12))				
<b>Contract Analysis Information</b>	9.1	Were any of the analyses reported in Section 7 (on Tables A through C) performed by a contract laboratory or consulting firm? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No → SKIP to Section 10.		
	9.2	Provide information for each contract laboratory or consulting firm below.		
		Laboratory Number 1	Laboratory Number 2	Laboratory Number 3
	Name of laboratory/firm	Pace National		
	Laboratory address	2220 Beltline Road SW Decatur, AL 35601		
	Phone number	(256) 350-0846		
	Pollutant(s) analyzed	Oil and Grease, Chloride, BOD, COD, NH3-N, TSS, Cu		



EPA Identification Number

NPDES Permit Number

Facility Name

Form Approved 03/05/19

AL0079961

Consolidated Forest Products LLC

OMB No. 2040-0004

**SECTION 10. CHECKLIST AND CERTIFICATION STATEMENT (40 CFR 122.22(a) and (d))**

Checklist and Certification Statement

10.1

In Column 1 below, mark the sections of Form 2F that you have completed and are submitting with your application. For each section, specify in Column 2 any attachments that you are enclosing to alert the permitting authority. Note that not all applicants are required to complete all sections or provide attachments.

Column 1	Column 2
<input checked="" type="checkbox"/> Section 1	<input type="checkbox"/> w/ attachments (e.g., responses for additional outfalls)
<input checked="" type="checkbox"/> Section 2	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 3	<input checked="" type="checkbox"/> w/ site drainage map
<input checked="" type="checkbox"/> Section 4	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 5	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 6	<input type="checkbox"/> w/ attachments
<input type="checkbox"/> Section 7	<input type="checkbox"/> Table A <input type="checkbox"/> w/ small business exemption request <input type="checkbox"/> Table B <input type="checkbox"/> w/ analytical results as an attachment <input type="checkbox"/> Table C <input type="checkbox"/> Table D
<input checked="" type="checkbox"/> Section 8	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 9	<input type="checkbox"/> w/ attachments (e.g., responses for additional contact laboratories or firms)
<input checked="" type="checkbox"/> Section 10	<input type="checkbox"/>

10.2

**Certification Statement**

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

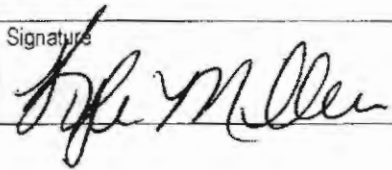
Name (print or type first and last name)

Kyle Miller

Official title

President

Signature



Date signed

9-13-19

EPA Identification Number	NPDES Permit Number AL0079961	Facility Name Consolidated Forest Products LLC	Outfall Number
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Form Approved 03/05/19  
OMB No. 2040-0004

**TABLE A. CONVENTIONAL AND NON CONVENTIONAL PARAMETERS (40 CFR 122.26(c)(1)(i)(E)(3))<sup>1</sup>**

You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details and requirements.

Pollutant or Parameter	Maximum Daily Discharge (specify units)		Average Daily Discharge (specify units)		Number of Storm Events Sampled	Source of Information (new source/new dischargers only; use codes in instructions)
	Grab Sample Taken During First 30 Minutes	Flow-Weighted Composite	Grab Sample Taken During First 30 Minutes	Flow-Weighted Composite		
1. Oil and grease						
2. Biochemical oxygen demand (BOD <sub>5</sub> )						
3. Chemical oxygen demand (COD)						
4. Total suspended solids (TSS)						
5. Total phosphorus						
6. Total Kjeldahl nitrogen (TKN)						
7. Total nitrogen (as N)						
8. pH (minimum)						
pH (maximum)						

<sup>1</sup> Sampling shall be conducted according to sufficiently sensitive test procedures (i.e., methods) approved under 40 CFR 136 for the analysis of pollutants or pollutant parameters or required under 40 CFR chapter I, subchapter N or O. See instructions and 40 CFR 122.21(e)(3).



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EPA Identification Number	NPDES Permit Number AL0079961	Facility name Consolidated Forest Products LLC	Outfall Number
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Form Approved 03/05/19  
OMB No. 2040-0004

**TABLE D. STORM EVENT INFORMATION (40 CFR 122.26(c)(1)(i)(E)(6))**

Provide data for the storm event(s) that resulted in the maximum daily discharges for the flow-weighted composite sample.

Date of Storm Event	Duration of Storm Event (in hours)	Total Rainfall During Storm Event (in inches)	Number of Hours Between Beginning of Storm Measured and End of Previous Measurable Rain Event	Maximum Flow Rate During Rain Event (in gpm or specify units)	Total Flow from Rain Event (in gallons or specify units)

Provide a description of the method of flow measurement or estimate.



**ENERSOLV** *a Solutions Company*

2220 Beltline Road S.W. Decatur, AL 35601

Title **DRAINAGE MAP**

Scale: 1" = 100'

Project No: 14333

Project **CONSOLIDATED FOREST**

Date: 16 AUG 19

Cad name: CONSOLIDATED FOREST

Drawn By: SMR

File: X-DRIVE-19

# Best Management Practice (BMP) Plan

Consolidated Forest Products LLC  
495 County Road 1  
Lynn, AL 35575  
General NPDES Permit Number: AL0079961

Prepared By:



Enersolv Corporation  
2220 Beltline Road SW  
Decatur, Alabama 35601  
(256) 350-0846

March 27, 2015



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## 1.0 INTRODUCTION

The Clean Water Act (CWA) requires industrial facilities to reduce, minimize, or eliminate sources of pollution exposed to stormwater runoff. The goal of the CWA is to make rivers, lakes and streams fishable, swimmable and drinkable. To achieve this, the CWA requires that industrial facilities obtain a stormwater National Pollutant Discharge Elimination System (NPDES) permit and implement a Stormwater Pollution Prevention Plan. It is the environmental compliance policy of **Consolidate Forest Products, LLC (The Facility or Consolidated)** in Lynn, Alabama to comply with all applicable laws and regulations. Therefore, an NPDES permit has been obtained by this facility. As a requirement of the NPDES permit, the facility has developed and implemented this BMP Plan as an integral part of the Stormwater Pollution Prevention Plan.

The purposes of the Storm Water Pollution Prevention Plan, hereafter referred to as the "Plan", are to identify potential sources of storm water pollution and to develop and implement Best Management Practices to prevent, or minimize, pollution in storm water discharges. The Plan has been prepared in accordance with sound engineering practices and is designed to limit the potential for 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 waste disposal areas, to waters of the United States. It has been developed to assist the facility in the management of storm water, as required in 40 CFR 122.44 and ADEM NPDES Permit No. AL0079961.

The Facility will amend the Plan whenever there is a change in design, construction, operation, or maintenance which has an effect on the potential for discharge of pollutants to waters of the United States.

A written copy of this Plan and associated documents will remain at the facility. The Plan will be reviewed and updated annually by the President/Owner. Upon request, the Plan will be made available for review by the EPA, ADEM or regional storm water management representatives.

## **2.0 REGULATORY BACKGROUND AND FRAMEWORK**

### **2.1 Federal Stormwater Program**

In 1972 the United States Congress passed the Federal Water Pollution Control Act (FWPCA) Amendments to restore and maintain the chemical, physical and biological integrity of the nation's waterways. This Act established the National Pollutant Discharge Elimination System (NPDES) program, which requires industries and municipalities to obtain permits and meet criteria for discharging water into waterways.

### **2.2 Regulatory Involvement**

Regulators monitor the compliance status of permitted facilities in order to ensure compliance. They become familiar with compliance status by reviewing citizen lawsuits, complaints from employees and/or affected or concerned individuals, audits, self-reporting by the installations, and compliance inspections by other regulators. State inspections are generally performed once per year. The frequency of inspections varies and is usually conducted by engineers and/or field personnel from ADEM. Regulators are not required to give any advance notice for inspections, and facilities are obligated to provide access to inspectors during working hours. Regulators gather data by reviewing facility records, conducting visual inspections of facilities, interviewing operations personnel, and taking samples as deemed appropriate.

Records to be reviewed may include:

- Discharge monitoring reports,
- Operating log books,
- Inspection reports by installation personnel,
- Permits,
- Plans,
- Procedures,
- Notifications and reports to regulators, and
- Investigation reports of spills.

All records should be kept accurate and up-to-date and any erroneous or out-of-date material should be removed or corrected. Records must be available on site for a period of at least 3 years from the date of generation.

### **3.0 STORMWATER PROGRAM MANAGEMENT**

#### **3.1 Implementation of Best Management Practices Plan**

The Vice President or designee has the primary responsibility for the implementation and maintenance of the BMP. The BMP requires qualified individuals to be responsible for developing and assisting with its implementation. The Vice President for Consolidated Forest Products is listed in Table 3-1 along with additional facility contact information.

**Table 3-1**  
**24 hour Telephone Numbers**

<b>Name</b>	<b>Title</b>	<b>Phone Number</b>
Kyle Miller	Vice President	(205) 300-1176 (Cell)
Lonnie Jones	Treating/Yard Manager	(205) 893-5117(Cell)

##### **3.1.1 Management Roles and Responsibility**

The Vice President is the Responsible Official (RO) who certifies the BMP. The Treating/Yard Manager will implement, modify, and review the BMP, supports the goals of the Plan and is responsible for the overall compliance with the stormwater permit provisions. The Treating/Yard Manager will ensure that other employees are knowledgeable of the Plan to ensure that their operations comply with the provisions of the stormwater permit and that they are aware of permit requirements.

##### **3.1.2 Responsibilities of the Treating/Yard Manager**

The Treating/Yard Manager plays the lead role in the successful implementation of the Plan. Duties include:

- acting as the coordinator of all stormwater-related activities,
- interfacing with other employees in determining their need for training or equipment to implement BMP's,
- arranging for training,
- contracting for needed services,

- assuring that stormwater permit requirements are complied with at all times,
- keeping records and assuring that all documentation is complete and current,
- and functioning as manager and coordinator of the Plan.

In the event the facility receives a Notice of Violation (NOV), the Vice President or designee has the primary responsibility for communicating with ADEM or EPA to ensure the violations are corrected.

### 3.1.3 Potential Sources of Contamination

A facility-wide survey was conducted to identify potential sources of stormwater contamination. Table 3-1 identifies each potential source of contamination and its location.

**Table 3-1 Potential Sources of Stormwater Contamination**

Source	Site Location
MCA Treatment Area	Southeast corner of property
Lumber Storage Areas	Throughout Facility
Diesel Tank	Treatment Building
Operational Equipment	Throughout Facility
Vehicle Parking	Throughout Facility
Loading/Unloading Areas	Throughout Facility

The Facility currently has one listed outfall and has installed hay bale check dams to minimize suspended solids from leaving the site in stormwater runoff. Other practices the facility has implemented includes relocating the 1000 gallon diesel tank to a concrete containment under cover away from precipitation. All fueling activities will be conducted in containment. The MCA Drip area is designed so all dripping will drain back to a sump by the treatment area where it is pumped back to the mix tanks to be reused. There is no wastewater associated with this process. All treated lumber is allowed to fully dry prior to being stored on the lumber yard.

### 3.1.4 Past Spill Events

There have been no reportable spills at this facility within the last three years.

### **3.1.5 Materials Disposed**

All materials requiring disposal will be disposed of by either a licensed waste petroleum company or transported to a sanitary landfill depending upon regulatory requirements. All waste is disposed of in accordance with state and federal regulations. If a Micronized Copper Azole (MCA) were to be discovered in the containment, it would be pumped back in to the Mix tank to be utilized. The containment will be cleaned and all water will be either utilized as mix water or will be disposed of based upon regulatory requirements. No wash water will be released to the surface.

### **3.1.6 Housekeeping and BMPs**

Good housekeeping standards are emphasized at the facility and are used to maintain a clean and orderly work environment. This type of work environment facilitates the implementation of the plan and preventing stormwater pollution. The following practices are incorporated into the good housekeeping program:

- Dry and clean floors and ground surfaces maintained by using brooms, shovels, vacuum cleaners, or cleaning machines,
- Store containers, drums, and bags in designated areas for the materials being stored to prevent accidental spills,
- Inventory of spill absorbent material kept to clean up small spills (properly disposed of when used),
- Regular pickup and disposal of waste material,
- Regularly remove scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, packaging, etc. from the facility grounds
- Properly functioning equipment,
- Oil and chemicals are stored inside buildings wherever practical,
- Routine inspections for leaks or conditions that could lead to stormwater pollution,
- Ensure that spill cleanup procedures are understood by facility personnel,
- Provide adequate aisle space in storage areas,
- Storage of drums, containers, bags and other pollutants away from direct traffic routes and inside wash and maintenance bays to minimize stormwater contact, and
- Containers stacked according to manufacturer's instructions.

## **3.2 Best Management Practices Plan Management**

This Plan has two major objectives: (1) to help identify the sources of pollution that affect the quality of industrial area stormwater discharges, and (2) to describe and ensure the implementation of practices to reduce pollutants in industrial area stormwater discharges. A BMP is defined as a device, practice, or method for removing, reducing, retarding, or preventing targeted stormwater runoff constituents, pollutants, and contaminants from reaching receiving waters.

### **3.2.1 Inspections**

The NPDES permit on page 18 Part IV A.2 requires the facility to 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. The facility will perform at minimum one inspection per month, on workdays, of any structure that functions to prevent stormwater pollution or to remove pollutants from the stormwater and the facility in general to ensure that the BMP program is continually implemented and effective. The Treating/Yard Manager, or designee, is responsible for performing these routine inspections, which are required to implement and maintain the BMP program.

### **3.2.2 Frequency of Inspections**

The Facility conducts at minimum once per month inspections, on days during which the facility is manned, which are focused on potential sources of stormwater pollution. A copy of the inspection form is included in Appendix D. The Treating/Yard Manager, or designee, will review the inspection forms to ensure that the BMP Plan is continually implemented and effective.

Areas to be included on the inspections are indicated on the inspection form found in Appendix D. Significant deficiencies noted during the inspection will be remedied immediately or as soon as practical.

### **3.2.3 Record Keeping**

To effectively manage the BMP program, record keeping requirements are maintained.



Records related to the Plan are kept with the Plan which is kept in the office located at the Lynn, Alabama Facility. The inspection notebook includes all inspections for the previous three years.

The Facility should keep records to document permit compliance efforts for the entire life of the permit. However, the permit only requires that permit-related documents be maintained onsite, or at an approved alternate location, for a period of three years after document generation (unless otherwise instructed by ADEM or EPA).

The following items require continuing oversight to ensure compliance with the Plan:

### **3.2.4 Analytical Results from Sampling**

The Treating/Yard Manager, or designee, is responsible for conducting stormwater sampling in accordance with ADEM and/or EPA procedures. Sampling procedures for permit compliance are established to ensure that analytical results are reviewed by competent authority. The results must be transferred onto the appropriate Discharge Monitoring Reports (DMR) and these DMRs must be submitted as designated in the permit. The Facility must enroll in the E-DMR system within 180 days of coverage under this NPDES Permit. The E-DMR system is the electronic submittal of the DMRs which is mandatory unless otherwise approved by ADEM.

### **3.2.5 Permit Re-application**

The current application deadline for the Individual NPDES permit renewal in Alabama is 180 days. The expiration date on Consolidated Forest Products permit is December 31, 2019. It is important to allow adequate lead time to prepare and process the required documents for permit renewal. The permit application is due to ADEM by June 24, 2019.

The Treating/Yard Manager reviews the stormwater permit requirements for reporting quarterly monitoring results for all active and inactive outfall monitoring locations. He/she ensures that reports are submitted in accordance with permit requirements.

### **3.2.4 Training**

It is the responsibility of the Treating/Yard Manager to determine the type of training required for all affected personnel. He/she will schedule and perform this training.

All personnel required to participate in the BMP Program will receive appropriate training, which will allow them to complete their responsibilities under the Plan.

### **3.2.5 Regulatory Contacts**

Appendix B provides an ADEM contact. Additionally, records should be established which document telephone/written correspondence regarding good faith activities by the facility to meet permit requirements. These records should be easily accessible and should provide documentation for program reviews, regulatory visits, and environmental compliance audits performed by the Facility.

### **3.2.6 Notification and Reporting**

The Treating/Yard Manager has the responsibility to ensure that all reports and notifications are submitted in a timely manner. Reporting requirements are specified in the permit. The following items are generally required to be submitted to the appropriate regulatory agency:

- Releases of hazardous substances in an amount equal to or exceeding reportable quantities must be reported to ADEM no later than 24 hours after there is knowledge of the spill event. The Plan must be modified to reflect in detail the circumstances of the event and the preventive measures taken.
- If applicable, a signature designation letter from the Facility Official's (Vice President or Higher) designating other facility personnel (by title) who have the authority to sign correspondence, reports, applications, certifications, plans, or any other written information of an official nature concerning compliance with the permit.
- Serious problems which are causing non-compliance and efforts to remedy such problems should be reported. Although this is not a regulatory requirement, it will assist in avoiding citations for permit violations.
- Any other documentation concerning the Plan or amendments to the Plan must be provided if requested by the regulatory agency.

### **3.2.7 Sampling and Analysis**

Monitoring is a program, or a set of activities, conducted to measure the effects of a facility's operations on the environment and/or the effectiveness of pollution abatement measures that are conducted to diminish environmental impacts. A monitoring program can include site inspections, flow calculations, and sampling. The program stipulates where to sample, how to sample, sampling frequency, and which pollutants are to be monitored. The stormwater permit will require monitoring for certain industrial activities. Sampling and analysis is one method of determining the quantitative impact of regulated activities on stormwater runoff.

The parameters that must be monitored and analyzed are cited in Part I A of the NPDES permit and are outlined in Table 4-3 of this Plan. Analysis for these parameters using grab samples is required on a quarterly basis.

### **3.2.8 Monitoring**

It is the responsibility of the Treating/Yard Manager to ensure that all required monitoring is completed as per the permit. If a violation occurs, an immediate investigation to determine the cause will ensue. Corrective action will be taken to ensure that the violation is not repeated.

### **3.2.9 Best Management Practices (BMPs)**

A BMP is a measure or control that a facility must implement wherever stormwater contamination exists. BMPs act as a means to prevent pollution from being discharged into stormwater during wet weather events. These practices may be procedural, such as training in spill response procedures; structural, such as silt fences or oil/water separators; or administrative, such as record keeping. The BMPs must be reviewed by the facility during the inspections. The review must evaluate each BMP and determine if it is effective in preventing pollution. If the BMP is not effective, a revision must be produced and documented in the Plan. The EPA manual for BMPs is called *Stormwater Management for Industrial Activities Developing Pollution Prevention Plans and Best Management Practices*, EPA 832-R-92-006, September 1992. Another guide is *Guidance Manual for Developing Best Management Practices*, EPA 833-B-93-004.

The BMP Plan will be modified whenever changes at the facility increase the potential for a

significant release of toxic or hazardous pollutants or where actual releases indicate the plan is inadequate.

### **3.2.10 BMP Program Evaluation and Modification**

The BMP should be reviewed and updated annually during a Comprehensive Site Compliance Inspection. Any significant changes, deficiencies, or new activities should be noted in the BMP within 30 days of the inspection.

Facility changes and personnel turnover are inevitable. The Plan must provide continuity and sustain the program through these changes. Timely maintenance of this Plan is an effective method of ensuring the required continuity.

As situations change, polluting events occur, or existing conditions affecting stormwater are discovered at the facility, the Plan will be updated to reflect these changes. Such items within the Plan that could require revision include, but are not limited to:

- Location and/or type source pollutants
- Outfall map
- Site-specific BMPs
- Spill history
- Training

Upon completion of and following updates to the Plan, the Treating/Yard Manager will communicate the changes to employees and appropriate regulatory agencies (if necessary).

## **3.3 Receiving Waters**

Consolidated Forest Products has one physical location where storm water leaves the property, as listed in the NPDES Permit Number AL0079961. The facility's storm water is received by an unnamed tributary of Blackwater Creek which is not considered as an Outstanding National Resources Water, Outstanding Alabama Waters, Treasured Alabama Lake, or as a Public Water Supply. Blackwater Creek is not listed on the 2014 303(d) list as having a Total Maximum Daily Load. The 303(d) report is updated every other year and the next update will be in 2016.

## **4.0 TECHNICAL IMPLEMENTATION**

### **4.1 Technical Review**

The previous sections described what stormwater management entails and how to manage the Plan. This section gives the technical details necessary to implement the program; from reviewing projects with impacts on stormwater runoff, to inspecting the facility, to conducting stormwater sampling.

The Treating/Yard Manager must be very familiar with new projects coming to the facility. He should be involved in all the steps of project execution, from programming through construction, and should also review projects for compliance with the permit requirements.

### **4.2 BMP Plan Maintenance**

#### **4.2.1 Inspections**

Inspections are the ongoing process for determining the effectiveness and efficiency of the BMP. The stormwater management program is a dynamic program, and changes to the BMP should be expected. Inspections are a means for periodic review of the effectiveness of BMPs. They can determine the facility's permit compliance. Inspections can also determine permit compliance at construction sites. An inspector should be familiar with the conditions of the permit and with site-specific BMPs.

#### **4.2.2 Evaluations**

There are four specific things that the inspector should look for when evaluating a pollution prevention measure.

- Has the measure been installed or performed correctly?
- Have there been adverse impacts on measures previously accomplished?
- What should be done to correct observed problems with a measure?
- Is the BMP the correct one?

The Treating/Yard Manager should review all areas of the facility that can impact stormwater runoff. Such a review should include (if they are currently onsite or ever added onsite):

- hazardous material storage areas,
- fuel storage areas,
- fueling areas,
- chemical storage areas,
- equipment maintenance and cleaning areas,
- drainage areas where erosion is possible,
- washing of building exteriors using detergents or other chemical cleaning compounds,
- pavement wash waters in which spills or leaks of toxic or hazardous materials have occurred and in which detergents are used,
- air conditioning condensate, and
- any other areas which could potentially impact stormwater.

#### **4.2.3 Documentation**

The inspector is responsible for documenting and keeping records of findings, for requesting the physical facility changes, and for requesting corrections to the BMP.

#### **4.2.4 Best Management Practices for Industrial Areas**

The following table provides an overview of BMPs that may be applied to specific sources of stormwater pollution in industrial areas from a Timber Product Facilities. (Reference: EPA 833-F-06-016)

**Table 4-1: Best Management Practices for Industrial Stormwater**

Pollutant Source	BMP
Lumber and Wood Product Storage Area	<ul style="list-style-type: none"> <li>• Divert stormwater around storage areas with vegetated swales, and/or berms. A properly designed vegetated swale can also provide infiltration benefits.</li> <li>• Locate storage areas on stable, well-drained soils with slopes of 2–5 percent to prevent ponding and to convey stormwater leachate to treatment. Sloping should be limited to prevent erosion. Slopes should be stabilized.</li> <li>• Line storage areas with crushed rock or gravel or porous pavement to promote infiltration, minimize discharge, and provide sediment and erosion control.</li> <li>• Practice good housekeeping measures such as frequent removal of debris, bark, and wood waste. Cleanup methods may include mobile sweepers, scrapers, brow logs, or scoops.</li> <li>• Use properly designed basins for collection, containment, and recycling of log spraying materials.</li> <li>• Use sedimentation measures such as silt fence to control sediment from leaving storage area.</li> <li>• Cover piles to prevent contact with stormwater (use roofs, canopies, soils, sheds, etc.).</li> <li>• For solid wastes use covered containers such as dumpsters or garbage cans that are durable, corrosion resistant, non-absorbent, and/or non-leaking.</li> </ul>
Loading and Unloading Areas; Material Handling Area	<ul style="list-style-type: none"> <li>• Provide diversion berms, dikes or grassed swales around the perimeter of the area to limit run-on.</li> <li>• Slope the impervious concrete floor or pad to collect spills and leaks and convey them to proper containment and treatment.</li> <li>• Cover loading and unloading areas and perform these activities on an impervious pad at a dock with a door skirt.</li> <li>• Enclose material handling systems for wood wastes.</li> <li>• Cover materials entering and leaving areas.</li> <li>• Provide good housekeeping measures to limit debris.</li> <li>• Provide dust control. When controlling dust, sweep and/or apply water or materials which will not impact surface or ground water. Provide paving in spill-prone areas to enable easy collection of spilled materials.</li> <li>• Train employees in spill prevention and control.</li> </ul>

Pollutant Source	BMP
Chemical Storage Area	<ul style="list-style-type: none"> <li>• Provide secondary containment around chemical storage areas. If containment structures have drains, ensure that the drains have valves, and that valves are maintained in the closed position. Institute protocols for checking/testing stormwater in containment areas prior to discharge.</li> <li>• Properly dispose of chemicals that are no longer in use.</li> <li>• Provide fluid level indicators.</li> <li>• Inventory fluids to identify leakage.</li> <li>• Locate storage areas away from high traffic areas and surface waters.</li> <li>• Cover and/or enclose chemical storage areas.</li> <li>• Provide drip pads/pans to allow for recycling of spills and leaks.</li> <li>• Store and handle reactive, ignitable, or flammable liquids in compliance with applicable local fire codes, local zoning codes, and the National Electric Code.</li> <li>• Train employees in spill prevention and control.</li> </ul>
Liquid Fuel Storage Areas	<ul style="list-style-type: none"> <li>• If area is uncovered, connect sump outlet to sanitary sewer (if possible) or an oil/water separator, catch basin filter, etc. If connecting to a sanitary sewer check with the system operator to ensure that the discharge is acceptable. If implementing separator or filter technologies ensure that regular inspections and maintenance procedures are in place.</li> </ul> <p>Above ground tanks:</p> <ul style="list-style-type: none"> <li>• Use secondary containment, such as dikes, with a height sufficient to contain a spill (the greater of 10 percent of the total enclosed tank volume or 110 percent of the volume contained in the largest tank). If containment structures have drains, ensure that the drains have valves, and that valves are maintained in the closed position. Institute protocols for checking/testing stormwater in containment areas prior to discharge.</li> <li>• Use double-walled tanks.</li> <li>• Keep liquid transfer nozzles/hoses in secondary containment area.</li> <li>• Include overflow protection.</li> <li>• Store drums indoors when possible.</li> <li>• Store drums, including empty or used drums, in secondary containment with a roof or cover (including temporary cover such as a tarp that prevents contact with stormwater).</li> <li>• Clearly label drum with its contents.</li> </ul>



Pollutant Source	BMP
Wood Surface Protection and Preserving Activities	<ul style="list-style-type: none"> <li>• Extend drip time in process areas before moving to storage areas.</li> <li>• Pave and berm areas used by equipment that has come in contact with treatment chemicals.</li> <li>• Dedicate equipment that is used for treatment activities to that specific purpose to prevent the tracking of treatment chemicals to other areas on the site.</li> <li>• Locate treatment chemical loading and unloading areas away from high traffic areas where tracking of the chemical may occur.</li> <li>• Provide drip pads under conveyance equipment from treatment process areas.</li> <li>• Provide frequent visual inspections of treatment chemical loading and unloading areas during and after activities occur to identify any spills or leaks needing cleanup.</li> <li>• Cover and/or enclose treatment areas or apply log treating chemicals on impervious containment pad.</li> <li>• Provide containment in treated wood storage areas.</li> <li>• Cover storage areas to prevent contact of treated wood products with precipitation.</li> <li>• Elevate stored, treated wood products to prevent contact with run-on/runoff.</li> <li>• Store freshly treated logs on impervious containment pad, in a building or under a roof.</li> <li>• Do not vent volatile or mist-laden exhaust containing log treating chemicals to the outside without proper collection or filtration.</li> <li>• Inspect processing areas, transport areas, and treated wood storage areas monthly to assess usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils and in areas that will come in contact with stormwater discharges.</li> </ul>
Vehicle and Equipment Maintenance, Storage, and repair areas	<p>Good Housekeeping:</p> <ul style="list-style-type: none"> <li>• Eliminate floor drains that are connected to the storm or sanitary sewer; if necessary, install a sump that is pumped regularly. Collected wastes should be properly treated or disposed of by a licensed waste hauler.</li> <li>• Prevent and contain spills and drips.</li> <li>• Use drip pans, drain boards, and drying racks to direct drips back into a fluid holding tank for reuse.</li> <li>• Promptly transfer used fluids to the proper container; do not leave full drip pans or other open containers around the shop. Empty and clean drip pans and containers.</li> <li>• Dispose of greasy rags, oil filters, air filters, batteries, spent coolant, and degreasers properly.</li> <li>• Store batteries and other significant materials inside.</li> <li>• Label and track the recycling of waste material (e.g., used oil, spent solvents,</li> </ul>

	<p>batteries).</p> <ul style="list-style-type: none"> <li>• Maintain an organized inventory of materials.</li> <li>• Eliminate or reduce the number and amount of hazardous materials and waste by substituting non-hazardous or less hazardous materials.</li> <li>• Clean up leaks, drips, and other spills without using large amounts of water. Use absorbents for dry cleanup whenever possible.</li> <li>• Prohibit the practice of hosing down an area where the practice would result in the discharge of pollutants to a stormwater system.</li> <li>• Clean without using liquid cleaners whenever possible.</li> <li>• Conduct all cleaning at a centralized station so the solvents stay in one area.</li> <li>• If parts are dipped in liquid, remove them slowly to avoid spills.</li> <li>• Do not pour liquid waste into floor drains, sinks, outdoor storm drain inlets, or other storm drains or sewer connections.</li> </ul> <p>Minimizing Exposure:</p> <ul style="list-style-type: none"> <li>• Perform all cleaning operations indoors or under covering when possible. Conduct the cleaning operations in an area with a concrete floor with no floor drainage other than to sanitary sewers or treatment facilities.</li> <li>• If operations are uncovered, perform them on a concrete pad that is impervious and contained.</li> <li>• Park vehicles and equipment indoors or under a roof whenever possible and maintain proper control of oil leaks/spills.</li> <li>• Check vehicles closely for leaks and use pans to collect fluid when leaks occur.</li> </ul> <p>Management of Runoff:</p> <ul style="list-style-type: none"> <li>• Use berms, curbs, or other diversion measures to ensure that stormwater runoff from other parts of the facility do not flow over the maintenance area.</li> <li>• Collect the stormwater runoff from the cleaning area and provide treatment or recycling. Discharge vehicle wash or rinse water to the sanitary sewer (if allowed by sewer authority), wastewater treatment, a land application site, or recycle on-site. DO NOT discharge washwater to a storm drain or to surface water.</li> </ul> <p>Inspections and Training:</p> <ul style="list-style-type: none"> <li>• Inspect the maintenance area regularly for proper implementation of control measures.</li> <li>• Train employees on proper waste control and disposal procedures.</li> </ul>
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#### 4.2.5 BMPs for Drainage Areas

The following table is a list of good practices for stormwater drainage areas that can be used as an inspection guide. (Ref.- EPA 832-R-92-006)

**Table 4-2: Best Management Practices for Drainage Areas**

BMP	Inspection Area
Good Housekeeping	<ul style="list-style-type: none"> <li>• Outside areas neat and orderly</li> <li>• Evidence of drips or leaks from operating equipment machinery</li> <li>• Drainage conveyances clear of debris and trash</li> <li>• Dumpster pads clean and trash free</li> <li>• Evidence of fugitive dust</li> <li>• Evidence of waste disposal from industrial activities</li> <li>• Spill containment and clean-up plan in place and functional</li> </ul>
Preventive Maintenance	<ul style="list-style-type: none"> <li>• Maintenance of stormwater management devices (e.g., oil/water separators, retention/detention areas, inlets and catch basins)</li> <li>• Inspection and testing of equipment or mechanical systems used for stormwater management</li> <li>• Stormwater structures intact and free of cracks, erosion, or damage</li> </ul>
Spill Prevention and Response	<ul style="list-style-type: none"> <li>• Verify that spill prevention plans identify areas where spills can occur</li> <li>• Verify that spill prevention plans identify procedures for cleaning up spills</li> <li>• Ensure that people designated to perform spill containment and clean-up are trained</li> <li>• Ensure that materials or equipment required for spill containment and clean-up are in adequate supply and serviceable</li> <li>• Verify that spill plans include provisions for monitoring underground storage and transfer facilities</li> </ul>
Sediment and Erosion Control (Reference Chapter 3, EPA 832-R-92-005, Sept. 92)	<ul style="list-style-type: none"> <li>• Ensure that stormwater flow diversions have been installed and are being maintained</li> <li>• Ensure that Federal- and state-mandated sediment and erosion prevention practices are being followed</li> <li>• Ensure that dust is being controlled and that the site maintains a log of when dust suppression methods, i.e. watering, are utilized.</li> </ul>
Outfall Evaluations (Reference EPA 600-R-92-238)	<ul style="list-style-type: none"> <li>• Look for presence of sheens, floatables, color, odor</li> <li>• Observe dry weather flows for color, turbidity, temperature variations</li> <li>• Look for deposits and stains in area of outfall</li> <li>• Look for vegetative changes (overgrowth or dead and decaying vegetation)</li> <li>• Observe damage to outfalls (Physical)</li> </ul>

## **4.3 Sampling and Analysis**

### **4.3.1 Permit Requirements**

Requirements for sampling and analysis are detailed in the Facility's NPDES Permit. The key to a successful and effective sampling and analysis program is to review and follow the requirements of this permit. If the permit language is ambiguous or the requirements are difficult to understand, the appropriate personnel at ADEM should be contacted for further clarification.

### **4.3.2 Sampling**

The following sections give general permit-required sampling procedures for stormwater runoff. Extensive information about sampling is contained in the NPDES Stormwater Sampling Guidance Document, EPA 833-B-92-001 and in 40 CFR 136.

#### **4.3.2.1 Representative Storm Event**

A representative storm event is defined as one when at least 0.1 inch of precipitation falls and at least 72 hours has elapsed since the previous measurable storm event.

#### **4.3.2.2 Sampling Containers**

Specific container types are required for various parameters. The required containers are listed in 40 CFR 136.3(e), Table II and in EPA 833-B-92-001, "NPDES Storm Water Sampling Guidance Document." There are specific requirements for cleaning and preparing a container prior to sampling and these are also listed in 40 CFR 136. The correct type of container must be used in the collection of samples to ensure the compatibility between the parameter in question and the container type.

#### **4.3.2.3 Documentation and Chains-of-Custody**

The final step in sampling is completing the paperwork and shipping the sample to the laboratory. The sample containers must be labeled, the chain-of-custody form must be filled out, and the samples must then be shipped to the laboratory.

A chain-of-custody form establishes a history of the sample(s). As each person accepts and

relinquishes the samples, they sign the form. The chain-of-custody form includes the names of the persons collecting the sample; sample numbers; date and time of sample collection; location of sample collection; and names and signatures of all personnel handling the samples during transport, receipt at laboratory, and analyses.

### 4.3.3 Analysis

#### 4.3.3.1 Required Analyses

The NPDES Permit for the facility contains the specific required analyses. The table on the following page summarizes the sampling requirements; including the frequency of sampling, type of sampling and reporting requirements.

The Facility's NPDES Permit states that the facility has one outfall. DSN001 is designated as the Facility's outfall location for the stormwater runoff associated with the lumber and wood products industry, including treating operations using a Micronized Copper Azole (MCA) preservative. The location of the outfall can be seen on the inspection location map.

**Table 4-3: Required Stormwater Analyses**

<b>Outfall</b>	<b>Type of Discharge</b>	<b>Parameters/Requirements</b>	<b>Frequency</b>
DSN001	Stormwater runoff associated with the lumber and wood products industry, including treating operations using a Micronized Copper Azole (MCA) preservative	<ul style="list-style-type: none"> <li>• BOD, 5-Day</li> <li>• pH</li> <li>• Total Suspended Solids</li> <li>• Oil and Grease</li> <li>• Total Ammonium Nitrogen</li> <li>• Chloride</li> <li>• Total Recoverable Copper</li> <li>• Flow</li> <li>• Chemical Oxygen Demand</li> </ul>	<ul style="list-style-type: none"> <li>• 1/Quarter</li> <li>• 1/Quarter</li> <li>• 1/Quarter</li> <li>• 1/Quarter</li> <li>• 1/Quarter</li> <li>• 1/Quarter</li> <li>• 1/Quarter</li> <li>• 1/Quarter</li> <li>• 1/Quarter</li> </ul>

#### 4.3.3.2 Required Test Methods

Test procedures required to be used are outlined in the permit in Part I.B.2.

#### **4.3.4 Reporting and Record Keeping**

The Reporting and Record Keeping requirements of the NPDES Permit are outlined in the Permit in Part I.C.1. Reports are due to ADEM on the 28<sup>th</sup> of the month following the monitoring period.

## 5.0 REFERENCES

- Final NPDES General Permits for Stormwater Discharges Associated with Industrial Activities, Federal Register, Vol. 57, No. 175, Wednesday, September 9, 1992.
- Guidance on Evaluation, Resolution, and Documentation of Analytical Problems Associated with Compliance Monitoring, Engineering and Analysis Division, EPA 821-B-93-001, USEPA, 1993.
- Guidelines Establishing Test Procedures of Analysis of Pollutants Under Clean Water Act, 40 CFR 136, 1994.
- Investigation of Inappropriate Pollutant Entries into Storm Drainage Systems: A User's Guide, Office of Research and Development, EPA/600/R-92/238, USEPA, 1993.
- Methods for Chemical Analysis of Water and Wastes, Office of Research and Development, Environmental Monitoring and Support Laboratory, EPA 600/4-79-020, revised March 1983, USEPA, 1983.
- The NPDES Program, 40 CFR 122-124.
- NPDES Stormwater Sampling Guidance Document, Office of Wastewater Enforcement and Compliance, EPA 833-B-92-001, USEPA, 1992.
- Standard Methods for Examination of Water and Wastewater, 1992, 18th Ed., APHA, AWWA and WPCF eds.
- Stormwater Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices, Office of Water, EPA 832-R-92-005, USEPA, 1992.
- Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices, Office of Water, EPA 832-R-92-006, USEPA, 1992.
- Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices, Summary Guidance, Office of Water, EPA 833-R-92-002, USEPA, 1992.
- Stormwater Permit Manual, Volumes 1 & 2, Thompson Publishing Group, Washington, D.C., 1995.
- Installation Stormwater Program Management Guide, Headquarters Air Force Center for Environmental Excellence, Brooks AFB, TX.
- Guidance Manual for Developing Best Management Practices, Office Of Water, EPA 833-B-93-004, USEPA, 1993.

## **Appendix A - ABBREVIATIONS AND ACRONYMS**

ADEM -- Alabama Department of Environmental Management

BMP -- Best Management Practice(s)

CWA -- Clean Water Act

DSN -- Discharge Serial Number

EPA -- (U. S.) Environmental Protection Agency

FWPCA -- Federal Water Pollution Control Act

NOV -- Notice of Violation

NPDES -- National Pollutant Discharge Elimination System

POTW -- Publicly Owned Treatment Works

SPCC -- Spill Prevention, Control and Countermeasures

TSD -- Treatment, Storage and Disposal



## Appendix B - Regulatory Agency Contact

State	Point of Contact	Telephone
Alabama	Theo Pinson-Northwest Industrial Branch – Water Division Alabama Department of Environmental Management 1400 Coliseum Blvd. Montgomery, Alabama 36110-2059 <a href="mailto:tpinson@adem.state.al.us">tpinson@adem.state.al.us</a>	(334) 274-4202

## **Appendix C - Best Management Practices (BMPs)**

This section contains General BMPs for industrial operations. The following BMPs are included:

- BMPs for Storage of Liquid Chemicals, Waste Oils, Solvents, or Petroleum Products in Portable Containers
- BMPs for Storage of Products That Can Leach Pollutants
- BMPs for Storage of Solid Wastes
- BMPs for Storage of Scrap and Recycling Materials
- BMPs for Vehicle and Equipment Parking and Storage

## **BMPs for Storage of Liquid Chemicals, Oils, Waste Oils, Solvents, or Petroleum Products in Portable Containers**

The storage of liquid chemicals, oils, waste oils, solvents, or petroleum products in portable containers, such as drums can create a risk for pollutants reaching stormwater. Stormwater runoff from areas where these materials are stored can become polluted with a variety of contaminants such as toxic organic compounds, oils and greases, heavy metals, pH, nutrients, and chemicals oxygen demand (COD). These and other harmful substances in stormwater can enter water bodies through storm drains or through small streams where they can harm fish and wildlife.

The following are BMPs or equivalent measures that can reduce pollutants in stormwater runoff from areas where liquid chemicals, oils, waste oils, solvents, or petroleum products are stored in portable containers:

- Liquid chemicals, waste oils, and petroleum products shall be stored in such a manner and location that if the container is ruptured or toppled the contents will not discharge, flow, be washed or fall into the storm drainage system, surface waters or groundwater. This may be accomplished by designating a container storage area and providing portable or stationary containment berms or dikes, providing a spill containment sump, secondary containment or other similarly effective measure.
- Do not store containers in direct contact with the ground
- Leaking, cracked, corroded or otherwise deteriorating storage containers must be replaced with containers in good condition. If the liquid chemicals are corrosive, containers made of compatible materials must be used instead of metal drums.
- Employees must be trained to check for leaks and spills, and trained in safe handling techniques.
- Appropriate cleanup materials must be available in a plainly labeled location near the container storage area, and employees must be trained in proper spill cleanup procedures.
- Tight-fitting lids must be present on all storage containers. Containers in active use (such as a used oil barrel with a funnel) must be protected from rain.
- If stormwater drains could potentially be impacted, use storm drain covers or equivalent containment devices during filling or removal of containers. Collect and recycle, or dispose of properly, all liquids that accumulate before removing the storm drain cover.
- Cover the designated storage area.
- Drip pans or absorbent materials should be used beneath all mounted container taps, and also at all potential drip and spill locations during filling and unloading of containers. Any collected liquids or soiled absorbent materials must be recycled or properly disposed of.
- To minimize spills, use funnels to pour liquids into storage containers.
- Separate funnels should be designated and labeled for different liquids, if applicable.
- The storage area should be swept and cleaned on a regular frequency, but never hosed down to a storm drain.
- If a sump or holding tank is used for spill containment, sump drains must be inspected weekly to determine if spilled materials need to be pumped.
- In addition to covering, the designated areas should be paved and sloped to a drain, and a sump or holding tank provided to capture all the drainage.
- Reuse and recycle waste oils and excess liquids.

### **BMPs for Storage of Products That Can Leach Pollutants**

The storage of a variety of products, such as treated lumber, metal building material, and metal tools, that have the potential to leach pollutants can create a risk for stormwater pollution. Stormwater runoff from areas where these types of materials are stored can become polluted with a variety of contaminants such as toxic organic compounds, oils, heavy metals, chemical oxygen demand (COD), and suspended solids.

The following BMPs will reduce or potentially eliminate the risk of pollutants entering stormwater runoff from areas where products are stored:

- Employees must be trained on the proper storage, handling, and application and disposal of the stored material.
- Contained storage areas should drain to a sump or a holding tank.
- Storage areas for finished products that can leach pollutants should be covered.
- Paved storage areas for finished products should be swept weekly and collected materials disposed of properly.
- Store less finished product, so that the size of the designated storage areas can be smaller and stormwater containment potential is reduced.

## **BMPs for Storage of Solid Wastes**

The activity of storing solid wastes, including ordinary garbage, outdoors can lead to the risk of stormwater pollution. Stormwater runoff from areas that store solid wastes can be polluted with toxic organic compounds, oils and greases, heavy metals, nutrients, suspended solids, chemical oxygen demand (COD), and biochemical oxygen demand (BOD).

The following BMPs will reduce or potentially eliminate the risk of pollutants entering stormwater runoff from areas where products are stored:

- All solid wastes must be stored in suitable containers. Piling of wastes without any cover is not acceptable.
- Storage containers must be checked for leaks and replaced if they are leaking, corroded, or otherwise deteriorating.
- Storage containers must have leak-proof lids, or else be covered by some other means. Lids must be kept closed at all times. This is especially important for dumpsters, as birds can pick out garbage and drop it, promoting rodent, health, and stormwater problems. If lids cannot be provided for the waste containers, or they cannot otherwise be covered, there is another option: a designated waste storage area must be provided with a containment berm, dike or curb, and the designated areas must drain to a sanitary sewer or holding tank for further treatment.
- Employees must be trained to frequently check storage containers for leaks and to ensure that the lids are on tightly.
- The waste storage area must be swept or otherwise cleaned frequently to collect all loose solids for proper disposal in a storage container. Do not hose the area to collect or clean solids.
- If you clean your containers, all rinse water from cleaning must be disposed of in a sanitary sewer or septic system.
- Clean out catch basins on your property that receive drainage from your waste storage areas.
- If the amount of waste accumulated appears to frequently exceed the capacity of the storage containers, then another storage container should be obtained and utilized.
- Store containers such that wind will not be able to knock them over
- Designate a storage area, pave the area, and slope the drainage to a holding tank or sanitary sewer drain. If a holding tank is used, the contents must be pumped out before the tank is full and properly disposed of.
- Recycle your solid wastes.

## **BMPs for Storage of Scrap and Recycling Materials**

The storage of materials such as scrap metal, scrap equipment, empty metal drums, and recyclable metal products can lead to risk of stormwater pollution. Stormwater runoff from these types of storage areas can be contaminated with toxic hydrocarbons, polychlorinated biphenyls (PCBs), other toxic organic compounds, heavy metals, oils and greases, suspended solids, biochemical oxygen demand (BOD), and chemical oxygen demand (COD).

The following BMPs will reduce the risk of stormwater pollution from storage areas of scrap and recycling materials:

- Employees must be educated about the need for stormwater pollution protection, and proper maintenance of BMPs. They must also have training in spill cleanup procedures, and appropriate cleanup materials must be stocked nearby.
- Catch basins on the property must be cleaned as needed.
- If the storage area is small, the scrap or recycling materials must be covered. If the storage area cannot be covered, a stormwater treatment system consisting of a wet pond/vault, infiltration basin with under drains, filtration system, or vegetated biofilter preceded by an oil/water separator must be provided to treat runoff from the entire material storage area.
- The material storage area can be paved and sloped to a drain and holding tank.
- Use of a containment dike, curb, or berm can help prevent contaminated runoff from leaving the site.
- Recycle, reuse, or let others use your scrap material.

## **BMPs for Vehicle and Equipment Parking and Storage**

These BMPs apply to all types of parking lots. Parking areas have a high risk of stormwater pollution due to the nature of the storage and the number of potential leaks from vehicles and equipment. The possible stormwater pollutants include toxic hydrocarbons, toxic organics, oils and greases, heavy metals, nutrients, suspended solids, and pH.

Due to the difficulty of managing parking areas in terms of pollution control, the following BMPs when used across the facility will provide large benefits in terms of pollution protection:

- The use of soaps or detergents to wash vehicles or equipment in any area that drains to a storm drain, ditch, stream, or other water body is not allowed. Soapy water must discharge to the sanitary sewer or suitable treatment system.
- Parking areas, storage areas, and driveways shall be swept (not hosed to a storm drain) on a regular frequency to collect dirt, litter and debris. Make sure to dispose of these materials properly.
- Gutters, drains, and catch basins must be checked frequently for evidence of dirt and debris, and cleaned as needed. Storm drain inlets and gutters on the property must be cleaned on a regular frequency, without hosing sediments and other debris into the storm drain. Catch basins should be cleaned at a minimum of twice per year, and more frequently if needed.
- An oil/water separator or oil absorbent pillow insert for catch basins or other treatment BMP must be installed for treatment of runoff if other measures do not sufficiently reduce the problem of contaminated runoff.
- Garbage cans with lids should be provided to reduce parking lot litter.
- Divert runoff to vegetated areas near the parking lot.

## Consolidated Forest Products LLC BMP Inspection Form

Further description and comments, if needed, should be provided on a separate sheet of paper and attached to this sheet. Any item answered with a "Yes" needs to be promptly reported, repaired, and/or replaced, as it may result in non-compliance with regulatory requirements. Records are maintained with the BMP Plan at Consolidated Forest Products LLC in Lynn, Alabama.

\_\_\_\_\_  
Printed Name

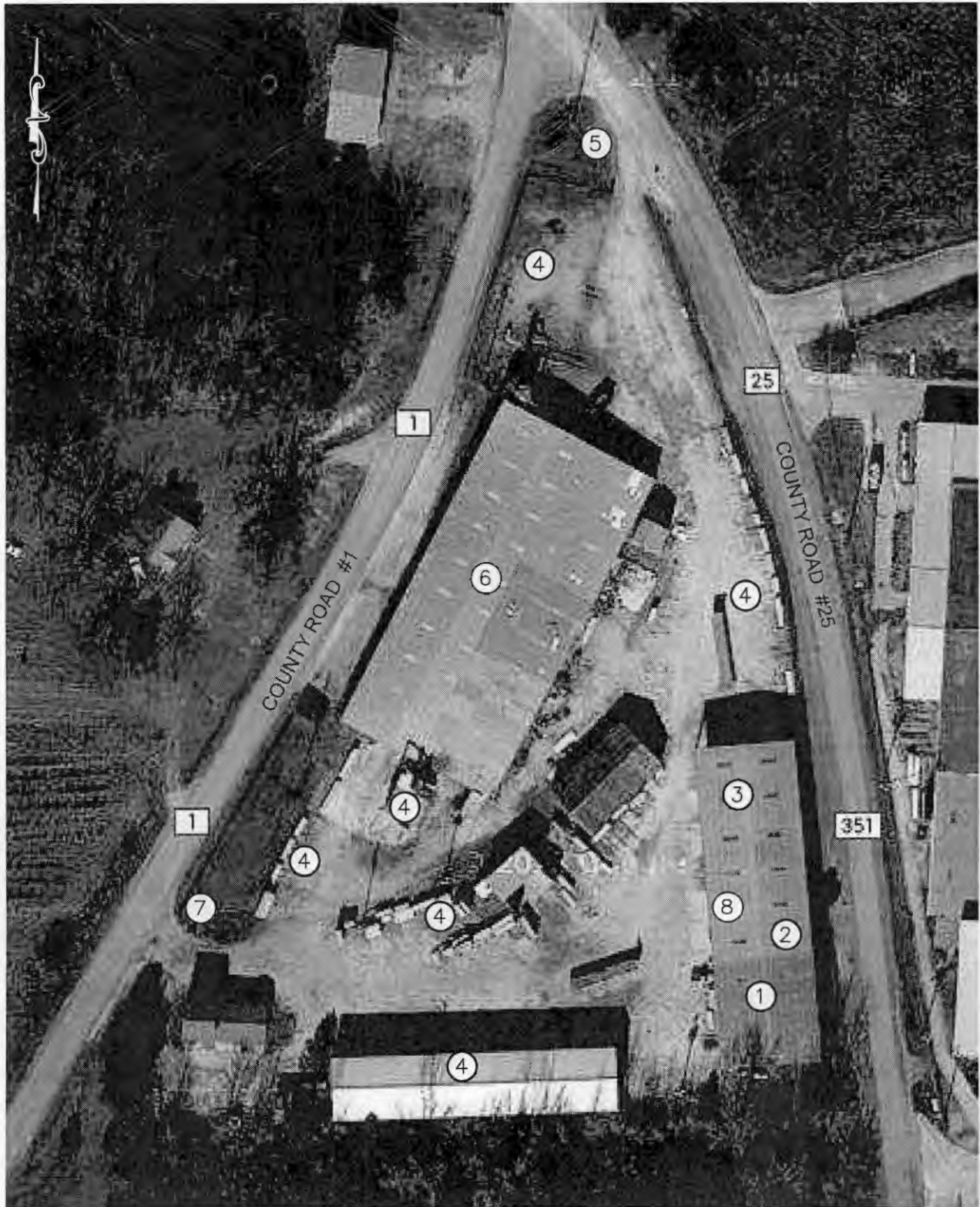
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Area Location	Description	Observations			Corrective Action	
		Inspection Criteria	Yes	No	Yes	No
1	Treatment Building Area	Evidence of Spills, Tanks/drums in poor condition				
2	Drip Pad, Recirculation pump, Equipment Service Area	Containment in poor conditions, MCA Leaving Containment, Sump Overflowing				
3	Half Pack Area	Evidence of Leaks, Spills, or Staining				
4	Lumber Storage (Treated/Untreated)	Evidence of Leaks, Spills, or Staining				
5	Stormwater Drainage	Evidence of Leaks, Spills, or Staining				
6	Lumber Storage (White Lumber)	Evidence of Leaks, Spills, or Staining				
7	DSN001, Hay bale Check Dam	Evidence of Leaks, Spills, or Staining, Hale bale failing				
8	1000 gallon Diesel Tank	Evidence of Spills, Tank in poor condition				
Other						

Comments:





**ENERSOLV** *a Solutions Company*

2220 Beltline Road S.W. Decatur, AL 35601

Title  
**BMP INSPECTION LOCATION MAP**

Project  
**CONSOLIDATED FOREST PRODUCTS LLC**

Scale: 1" = 100'  
Date: 23 MARCH 15  
Drawn By: SMR

Project No: 12547  
Cad name: CONSOL. FOREST  
File: X-DRIVE

## Appendix G - BMP Certification

I certify under the 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 gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Kyle Miller  
Name

Member  
Title

Kyle Miller  
Signature

3-27-15  
Date

## **Appendix F - Facility Policy for the Minimization of Stormwater with Petroleum/Chemicals**

Consolidated Forest Products is committed to the minimization of stormwater pollution from petroleum and chemical substances. The facility is maintained and operated in a manner that emphasizes good housekeeping and proper storage of petroleum products and chemicals. If leaks or spills do occur from the petroleum and chemical storage areas or vehicles, prompt cleanup will be completed to prevent stormwater pollution.



July 2, 2019

Mr. Theo Pinson  
Industrial Section/ Water Division  
Alabama Department of Environmental Management  
1400 Coliseum Blvd  
Montgomery, AL 36110

RE: NPDES Permit Renewal Application  
Consolidated Forest Products, LLC  
495 County Road 1  
Lynn, Alabama  
AL0079961

Mr. Pinson:

Enersolv Corporation (Enersolv) has completed the NPDES Permit Renewal Application for Consolidated Forest Products, LLC in Lynn, Alabama. The Consolidated Forest Products site has one outfall on the southwest corner of the property. Enersolv is submitting the application on behalf of Consolidated Forest Products for your review. Enersolv is prepared to collect the grab and three hour composite samples for EPA Form 2F during a future qualifying rain event. Enersolv will submit an addendum to this application with the analytical data as soon as it is available. Should you have any questions or need any additional information, Please contact me at (256) 280-2623, or by email at [xpeek@enersolv.com](mailto:xpeek@enersolv.com).

Sincerely,

*Xalyn Peek*

Xalyn Peek  
Enersolv Corporation



# **National Pollutant Discharge Elimination System (NPDES) Permit Application**

Consolidated Forest Products, LLC  
495 County Road 1  
Lynn, Winston County, Alabama  
NPDES Permit Number AL0079961

Mailing Address:  
155 County Highway 62  
Bear Creek, Alabama 35543

**Prepared By:**



July 1, 2019

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)**  
**NPDES INDIVIDUAL PERMIT APPLICATION**  
**SUPPLEMENTARY INFORMATION FOR INDUSTRIAL FACILITIES**

**Instructions:** This form should be used to submit the required supplementary information for an application for an NPDES individual permit for industrial facilities. The completed application should be submitted to ADEM in duplicate. If insufficient space is available to address any item, please continue on an attached sheet of paper. Please mark "N/A" in the appropriate box when an item is not applicable to the applicant. Please type or print legibly in blue or black ink. Mail the completed application to:

ADEM-Water Division  
Industrial Section  
P O Box 301463  
Montgomery, AL 36130-1463

**PURPOSE OF THIS APPLICATION**

- ☐ Initial Permit Application for New Facility\*  
☐ Modification of Existing Permit  
☐ Revocation & Reissuance of Existing Permit

- ☐ Initial Permit Application for Existing Facility\*  
☒ Reissuance of Existing Permit

\* An application for participation in the ADEM's Electronic Environmental (E2) Reporting must be submitted to allow permittee to electronically submit reports as required.

**SECTION A - GENERAL INFORMATION**

1. Facility Name: Consolidated Forest Products, LLC
- a. Operator Name: Consolidated Forest Products, LLC
- b. Is the operator identified in A.1.a, the owner of the facility? ☒ Yes ☐ No  
If no, provide name and address of the operator and submit information indicating the operator's scope of responsibility for the facility.  
\_\_\_\_\_  
\_\_\_\_\_
2. NPDES Permit Number: AL 0 0 7 9 9 6 1 (not applicable if initial permit application)
3. SID Permit Number (if applicable): IU \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
4. NPDES General Permit Number (if applicable): ALG \_\_\_\_\_
5. Facility Physical Location: (Attach a map with location marked; street, route no. or other specific identifier)  
Street: 495 County Road 1  
City: Lynn County: Winston State: AL Zip: 35575  
Facility Location (Front Gate): Latitude: 34.039227 Longitude: -87.547886
6. Facility Mailing Address: 155 County Highway 62  
City: Bear Creek County: Marion State: Alabama Zip: 35543
7. Responsible Official (as described on the last page of this application):  
Name and Title: Kyle Miller, Vice President  
Address: 155 County Highway 62  
City: Bear Creek State: Alabama Zip: 35543  
Phone Number: (205) 486-3445 Email Address: kylecmiller@yahoo.com
8. Designated Facility Contact:  
Name and Title: Kyle Miller, Vice President  
Phone Number: (205) 486-3445 Email Address: kylecmiller@yahoo.com

9. Designated Discharge Monitoring Report (DMR) Contact:

Name and Title: Kyle Miller, Vice President

Phone Number: (205) 486-3445

Email Address: kylecmiller@yahoo.com

10. Type of Business Entity:

- ☐ Corporation   ☐ General Partnership   ☐ Limited Partnership   ☒ Limited Liability Company   ☐ Sole Proprietorship  
☐ Other (Please Specify) \_\_\_\_\_

11. Complete this section if the Applicant's business entity is a Corporation

a) Location of Incorporation:

Address: 155 County Highway 62

City: Bear Creek County: Marion State: Alabama Zip: 35543

b) Parent Corporation of Applicant:

Name: NA

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

c) Subsidiary Corporation(s) of Applicant:

Name: NA

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

d) Corporate Officers:

Name: Kyle Miller, Vice President

Address: 155 County Highway 62

City: Bear Creek State: Alabama Zip: 35543

Name: O'Neal Miller

Address: 155 County Highway 62

City: Bear Creek State: Alabama Zip: 35543

e) Agent designated by the corporation for purposes of service:

Name: NA

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

12. If the Applicant's business entity is a Partnership, please list the general partners.

Name: NA

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

13. If the Applicant's business entity is a Proprietorship, please enter the proprietor's information.

Name: NA

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

14. Permit numbers for Applicant's previously issued NPDES Permits and identification of any other State of Alabama Environmental Permits presently held by the Applicant, its parent corporation, or subsidiary corporations within the State of Alabama:

<u>Permit Name</u>	<u>Permit Number</u>	<u>Held By</u>
None		

15. Identify all Administrative Complaints, Notices of Violation, Directives, Administrative Orders, or Litigation concerning water pollution, if any, against the Applicant, its parent corporation or subsidiary corporations within the State of Alabama within the past five years (attach additional sheets if necessary):

<u>Facility Name</u>	<u>Permit Number</u>	<u>Type of Action</u>	<u>Date of Action</u>
Consolidated Forest Products, LLC	AL0079961	Warning Letter	November 12, 2015
Consolidated Forest Products, LLC	AL0079961	Noncompliance Notification	July 27, 2015

## SECTION B – BUSINESS ACTIVITY

1. Indicate applicable Standard Industrial Classification (SIC) Codes for all processes. If more than one applies, list in order of importance:

- a. 2491-MCA Wood Preserving
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_
- f. \_\_\_\_\_



2. If your facility conducts or will be conducting any of the processes listed below (regardless of whether they generate wastewater, waste sludge, or hazardous waste), place a check beside the category of business activity (check all that apply):

#### Industrial Categories

- |   |  |
|---|--|
| <input type="checkbox"/> Aluminum Forming                                 | <input type="checkbox"/> Metal Molding and Casting                 |
| <input type="checkbox"/> Asbestos Manufacturing                           | <input type="checkbox"/> Metal Products                            |
| <input type="checkbox"/> Battery Manufacturing                            | <input type="checkbox"/> Nonferrous Metals Forming                 |
| <input type="checkbox"/> Can Making                                       | <input type="checkbox"/> Nonferrous Metals Manufacturing           |
| <input type="checkbox"/> Canned and Preserved Fruit and Vegetables        | <input type="checkbox"/> Oil and Gas Extraction                    |
| <input type="checkbox"/> Canned and Preserved Seafood                     | <input type="checkbox"/> Organic Chemicals Manufacturing           |
| <input type="checkbox"/> Cement Manufacturing                             | <input type="checkbox"/> Paint and Ink Formulating                 |
| <input type="checkbox"/> Centralized Waste Treatment                      | <input type="checkbox"/> Paving and Roofing Manufacturing          |
| <input type="checkbox"/> Carbon Black                                     | <input type="checkbox"/> Pesticides Manufacturing                  |
| <input type="checkbox"/> Coal Mining                                      | <input type="checkbox"/> Petroleum Refining                        |
| <input type="checkbox"/> Coil Coating                                     | <input type="checkbox"/> Phosphate Manufacturing                   |
| <input type="checkbox"/> Copper Forming                                   | <input type="checkbox"/> Photographic                              |
| <input type="checkbox"/> Electric and Electronic Components Manufacturing | <input type="checkbox"/> Pharmaceutical                            |
| <input type="checkbox"/> Electroplating                                   | <input type="checkbox"/> Plastic & Synthetic Materials             |
| <input type="checkbox"/> Explosives Manufacturing                         | <input type="checkbox"/> Plastics Processing Manufacturing         |
| <input type="checkbox"/> Feedlots   | <input type="checkbox"/> Porcelain Enamel                          |
| <input type="checkbox"/> Ferroalloy Manufacturing                         | <input type="checkbox"/> Pulp, Paper, and Fiberboard Manufacturing |
| <input type="checkbox"/> Fertilizer Manufacturing                         | <input type="checkbox"/> Rubber                                    |
| <input type="checkbox"/> Foundries (Metal Molding and Casting)            | <input type="checkbox"/> Soap and Detergent Manufacturing          |
| <input type="checkbox"/> Glass Manufacturing                              | <input type="checkbox"/> Steam and Electric                        |
| <input type="checkbox"/> Grain Mills                                      | <input type="checkbox"/> Sugar Processing                          |
| <input type="checkbox"/> Gum and Wood Chemicals Manufacturing             | <input type="checkbox"/> Textile Mills                             |
| <input type="checkbox"/> Inorganic Chemicals                              | <input type="checkbox"/> Timber Products                           |
| <input type="checkbox"/> Iron and Steel                                   | <input type="checkbox"/> Transportation Equipment Cleaning         |
| <input type="checkbox"/> Leather Tanning and Finishing                    | <input type="checkbox"/> Waste Combustion                          |
| <input type="checkbox"/> Metal Finishing                                  | <input type="checkbox"/> Other (specify) _____                     |
| <input type="checkbox"/> Meat Products                                    |  |

A facility with processes inclusive in these business areas may be covered by Environmental Protection (EPA) categorical standards. These facilities are termed "categorical users" and should skip to question 2 of Section C.

3. Give a brief description of all operations at this facility including primary products or services (attach additional sheets if necessary):

The facility pressure treats lumber products with a Micronized Copper Azole (MCA) preservative. The facility will not discharge any process wastewater associated with the lumber and wood treating operations as required in 40 CFR 429.71.

#### **SECTION C – WASTEWATER DISCHARGE INFORMATION**

Facilities that checked activities in B.2 and are considered Categorical Industrial Users should skip to C.2 of this section.

1. **For Non-Categorical Users Only:** Provide wastewater flows for each of the processes or proposed processes. Using the process flow schematic (Figure 1), enter the description that corresponds to each process. (The flow schematic should include all treatment units as well as monitoring and discharge points). [New facilities should provide estimates for each discharge.]

Process Description	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow	Discharge Type (batch, continuous, intermittent)
NA			

If batch discharge occurs or will occur, indicate: [new facilities may estimate.]

- a. Number of batch discharges: \_\_\_\_\_ per day
- b. Average discharge per batch: \_\_\_\_\_ (GPD)
- c. Time of batch discharges \_\_\_\_\_ at \_\_\_\_\_  
(days of week) (hours of day)
- d. Flow rate: \_\_\_\_\_ gallons/minute
- e. Percent of total discharge: \_\_\_\_\_

Non-Process Discharges (e.g. non-contact cooling water)	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow
_____	_____	_____
_____	_____	_____

**2. Complete this Section only if you are subject to Categorical Standards and plan to directly discharge the associated wastewater to a water of the State.** If Categorical wastewater is discharged exclusively via an indirect discharge to a public or privately-owned treatment works, check "Yes" in the appropriate space below and proceed directly to part 2.c .

☐ Yes

For Categorical Users: Provide the wastewater discharge flows or production (whichever is applicable by the effluent guidelines) for each of your processes or proposed processes. Using the process flow schematic (Figure 1, pg 14), enter the description that corresponds to each process. [New facilities should provide estimates for each discharge.]

2a.

Regulated Process	Applicable Category	Applicable Subpart	Type of Discharge Flow (batch, continuous, intermittent)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2b.

Process Description	Last 12 Months (gals/day), (lbs/day), etc. Highest Month Average*	Highest Flow Year of Last 5 (gals/day), (lbs/day), etc. Monthly Average*	Discharge Type (batch, continuous, intermittent)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\* Reported values should be expressed in units of the applicable Federal production-based standard. For example, flow (MGD), production (pounds per day), etc.

If batch discharge occurs or will occur, indicate: [new facilities may estimate.]

- a. Number of batch discharges: \_\_\_\_\_ per day
- b. Average discharge per batch: \_\_\_\_\_ (GPD)
- c. Time of batch discharges \_\_\_\_\_ at \_\_\_\_\_  
(days of week) (hours of day)
- d. Flow rate: \_\_\_\_\_ gallons/minute
- e. Percent of total discharge: \_\_\_\_\_

2c.

Non categorical Process Description	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow	Discharge Type (batch, continuous, intermittent)
NA			

If batch discharge occurs or will occur, indicate: [new facilities may estimate.]

- a. Number of batch discharges: \_\_\_\_\_ per day
- b. Average discharge per batch: \_\_\_\_\_ (GPD)
- c. Time of batch discharges \_\_\_\_\_ at \_\_\_\_\_  
(days of week) (hours of day)
- d. Flow rate: \_\_\_\_\_ gallons/minute
- e. Percent of total discharge: \_\_\_\_\_

2d.

Non-Process Discharges (e.g. non-contact cooling water)	Last 12 Months (gals/day) Highest Month Avg. Flow	Highest Flow Year of Last 5 (gals/day) Monthly Avg. Flow
NA		

All Applicants must complete C.3 – C.6.

3. Do you share an outfall with another facility? ☐ Yes ☒ No (If no, continue to C.4)

For each shared outfall, provide the following:

Applicant's Outfall No.	Name of Other Permittee/Facility	NPDES Permit No.	Where is sample collected by Applicant?

4. Do you have, or plan to have, automatic sampling equipment or continuous wastewater flow metering equipment at this facility?

**Current:** Flow Metering ☐ Yes ☐ No ☒ N/A  
 Sampling Equipment ☐ Yes ☐ No ☒ N/A

**Planned:** Flow Metering ☐ Yes ☐ No ☒ N/A  
 Sampling Equipment ☐ Yes ☐ No ☒ N/A

If so, please attach a schematic diagram of the sewer system indicating the present or future location of this equipment and describe the equipment below:

5. Are any process changes or expansions planned during the next three years that could alter wastewater volumes or characteristics?  
☐ Yes ☒ No (If no, continue to C.6)

Briefly describe these changes and their anticipated effects on the wastewater volume and characteristics:

6. List the trade name and chemical composition of all biocides and corrosion inhibitors used:

Trade Name	Chemical Composition
See Appendix C	

For each biocide and/or corrosion inhibitor used, please include the following information:

- (1) 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
- (5) EPA registration number, if applicable

#### SECTION D – WATER SUPPLY

Water Sources (check as many as are applicable):

- ☒ Private Well ☐ Surface Water  
☒ Municipal Water Utility (Specify City): City of Lynn ☐ Other (Specify): \_\_\_\_\_

**IF MORE THAN ONE WELL OR SURFACE INTAKE, PROVIDE DATA FOR EACH ON AN ATTACHMENT**

City: 0.0005 MGD\* Well: 0.005 MGD\* Well Depth: 220 Ft. Latitude: 34.037537 Longitude: -87.547548

Surface Intake Volume: \_\_\_\_\_ MGD\* Intake Elevation in Relation to Bottom: \_\_\_\_\_ Ft.

Intake Elevation: \_\_\_\_\_ Ft. Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Name of Surface Water Source: \_\_\_\_\_

\* MGD – Million Gallons per Day

#### Cooling Water Intake Structure Information

Complete D.1 and D.2 if your water supply is provided by an outside source and not by an onsite water intake structure? (e.g., another industry, municipality, etc....)

1. Does the provider of your source water operate a surface water intake? Yes ☐ No ☒  
(If yes, continue, if no, go to Section E.)

a) Name of Provider: \_\_\_\_\_ b) Location of Provider: \_\_\_\_\_

c) Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

2. Is the provider a public water system (defined as a system which provides water to the public for human consumption or which provides only treated water, not raw water)? ☐ Yes ☐ No (If yes, go to Section E, if no, continue.)

**Only to be completed if you have a cooling water intake structure or the provider of your water supply uses an intake structure and does not treat the raw water.**

3. Is any water withdrawn from the source water used for cooling? ☐ Yes ☐ No
4. Using the average monthly measurements over any 12-month period, approximately what percentage of water withdrawn is used exclusively for cooling purposes? \_\_\_\_\_ %
5. Does the cooling water consist of treated effluent that would otherwise be discharged? ☐ Yes ☐ No  
(If yes, go to Section E, if no, complete D.6 – D.17)
6. a. Is the cooling water used in a once-through cooling system? ☐ Yes ☐ No  
b. Is the cooling water used in a closed cycle cooling system? ☐ Yes ☐ No

7. When was the intake installed? \_\_\_\_\_  
(Please provide dates for all major construction/installation of intake components including screens)
8. What is the maximum intake volume? \_\_\_\_\_  
(maximum pumping capacity in gallons per day)
9. What is the average intake volume? \_\_\_\_\_  
(average intake pump rate in gallons per day average in any 30-day period)
10. What is the actual intake flow (AIF) as defined in 40 CFR §125.92(a)? \_\_\_\_\_ MGD
11. How is the intake operated? (e.g., continuously, intermittently, batch) \_\_\_\_\_
12. What is the mesh size of the screen on your intake? \_\_\_\_\_
13. What is the intake screen flow-through area? \_\_\_\_\_
14. What is the through-screen design intake flow velocity? \_\_\_\_\_ ft/sec
15. What is the through-screen actual velocity (in ft/sec)? \_\_\_\_\_ ft/sec
16. What is the mechanism for cleaning the screen? (e.g., does it rotate for cleaning) \_\_\_\_\_
17. Do you have any additional fish detraction technology on your intake? ☐ Yes ☐ No
18. Have there been any studies to determine the impact of the intake on aquatic organisms? ☐ Yes ☐ No (If yes, please provide.)
19. Attach a site map showing the location of the water intake in relation to the facility, shoreline, water depth, etc.

#### SECTION E – WASTE STORAGE AND DISPOSAL INFORMATION

Provide a description of the location of all sites involved in the storage of solids or liquids that could be accidentally discharged to a water of the state, either directly or indirectly via such avenues as storm water drainage, municipal wastewater systems, etc., which are located at the facility for which the NPDES application is being made. Where possible, the location should be noted on a map and included with this application:

Description of Waste	Description of Storage Location
None	

Provide a description of the location of the ultimate disposal sites of solid or liquid waste by-products (such as sludges) from any wastewater treatment system located at the facility.

Description of Waste	Quantity (lbs/day)	Disposal Method*
None		

\*Indicate which wastes identified above are disposed of at an off-site treatment facility and which are disposed of on-site. If any wastes are sent to an off-site centralized waste treatment facility, identify the waste and the facility.

#### SECTION F – COASTAL ZONE INFORMATION

Is the discharge(s) located within the 10-foot elevation contour and within the limits of Mobile or Baldwin County? ☐ Yes ☒ No  
If yes, complete items F.1 – F.12:

- |   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| 1. Does the project require new construction? .....         | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the project be a source of new air emissions? ..... | <input type="checkbox"/> | <input type="checkbox"/> |

- |   | <u>Yes</u>               | <u>No</u>                |
|---|--------------------------|--------------------------|
| 3. Does the project involve dredging and/or filling of a wetland area or water way? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, has the Corps of Engineers (COE) permit been received? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| COE Project No. ....  |                          |                          |
| 4. Does the project involve wetlands and/or submersed grassbeds? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Are oyster reefs located near the project site? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, include a map showing project and discharge location with respect to oyster reefs   |                          |                          |
| 6. Does the project involve the site development, construction and operation of an energy facility as defined in ADEM Admin. Code r. 335-8-1-.02(bb)? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Does the project involve mitigation of shoreline or coastal area erosion? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Does the project involve construction on beaches or dune areas? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the project interfere with public access to coastal waters? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Does the project lie within the 100-year floodplain? .....  | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Does the project involve the registration, sale, use, or application of pesticides? .....   | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Does the project propose or require construction of a new well or to alter an existing groundwater well to pump more than 50 gallons per day (GPD)? ..... | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, has the applicable permit for groundwater recovery or for groundwater well installation been obtained? .....  | <input type="checkbox"/> | <input type="checkbox"/> |

#### SECTION G – ANTI-DEGRADATION EVALUATION

In accordance with 40 CFR §131.12 and the ADEM Admin. Code r. 335-6-10-.04 for anti-degradation, the following information must be provided, if applicable. It is the applicant's responsibility to demonstrate the social and economic importance of the proposed activity. If further information is required to make this demonstration, attach additional sheets to the application.

1. Is this a new or increased discharge that began after April 3, 1991?    ☐ Yes    ☒ No  
     If yes, complete G.2 below. If no, go to Section H.
2. Has an Anti-Degradation Analysis been previously conducted and submitted to the Department for the new or increased discharge referenced in G.1?    ☒ Yes    ☐ No

If yes, do not complete this section. If no, and the discharge is to a Tier II waterbody as defined in ADEM Admin. Code r. 335-6-10-.12(4), complete G.2.A – G.2.F below and ADEM Forms 311 and 313 (attached). ADEM Form 313 must be provided for each alternative considered technically viable.

Information required for new or increased discharges to high quality waters:

A. What environmental or public health problem will the discharger be correcting?

\_\_\_\_\_

B. How much will the discharger be increasing employment (at its existing facility or as the result of locating a new facility)?

\_\_\_\_\_

C. How much reduction in employment will the discharger be avoiding?

\_\_\_\_\_

D. How much additional state or local taxes will the discharger be paying?

\_\_\_\_\_

E. What public service to the community will the discharger be providing?

\_\_\_\_\_

F. What economic or social benefit will the discharger be providing to the community?

\_\_\_\_\_

## SECTION H – EPA Application Forms

All Applicants must submit EPA permit application forms. More than one application form may be required from a facility depending on the number and types of discharges or outfalls found. The EPA application forms are found on the Department's website at <http://www.adem.alabama.gov/programs/water/waterforms.cnt>. The EPA application forms must be submitted in duplicate as follows:

1. All applicants must submit Form 1.
2. Applicants for existing industrial facilities (including manufacturing facilities, commercial facilities, mining activities, and silvicultural activities) which discharge process wastewater must submit Form 2C.
3. Applicants for new industrial facilities which propose to discharge process wastewater must submit Form 2D.
4. Applicants for new and existing industrial facilities which discharge only non-process wastewater (i.e., non-contact cooling water and/or sanitary wastewater) must submit Form 2E.
5. Applicants for new and existing facilities whose discharge is composed entirely of storm water associated with industrial activity must submit Form 2F, unless exempted by § 122.26(c)(1)(ii). If the discharge is composed of storm water and non-storm water, the applicant must also submit Forms 2C, 2D, and/or 2E, as appropriate (in addition to Form 2F).

## SECTION I – ENGINEERING REPORT/BMP PLAN REQUIREMENTS

See ADEM 335-6-6-.08(i) & (j)

## SECTION J – RECEIVING WATERS

Outfall No.	Receiving Water(s)	303(d) Segment?		Included in TMDL?*	
DSN001	Blackwater Creek	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

\*If a TMDL Compliance Schedule is requested, the following should be attached as supporting documentation:

- (1) Justification for the requested Compliance Schedule (e.g. time for design and installation of control equipment, etc.);
- (2) Monitoring results for the pollutant(s) of concern which have not previously been submitted to the Department (sample collection dates, analytical results (mass and concentration), methods utilized, MDL/ML, etc. should be submitted as available);
- (3) Requested interim limitations, if applicable;
- (4) Date of final compliance with the TMDL limitations; and,
- (5) Any other additional information available to support requested compliance schedule.

## SECTION K - APPLICATION CERTIFICATION

The information contained in this form must be certified by a responsible official as defined in ADEM Administrative Code r. 335-6-6-.09 "signatories to permit applications and reports" (see below).

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

Signature of Responsible Official: Kyle Miller

Date Signed: 7-2-19

Name and Title: Kyle Miller, Vice President

If the Responsible Official signing this application is not identified in Section A.7, provide the following information:

Mailing Address: 155 County Highway 62

City: Bear Creek

State: Alabama

Zip: 35543

Phone Number: (205) 486-3445

Email Address: kylecmiller@yahoo.com

### 335-6-6-.09 SIGNATORIES TO PERMIT APPLICATIONS AND REPORTS.

(1) The application for an NPDES permit shall be signed by a responsible official, as indicated below:

- (a) In the case of a corporation, by a principal executive officer of at least the level of vice president, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;
- (b) In the case of a partnership, by a general partner;
- (c) In the case of a sole proprietorship, by the proprietor; or
- (d) In the case of a municipal, state, federal, or other public entity, by either a principal executive officer, or ranking elected official.



<b>FORM</b> <b>1</b> <b>GENERAL</b>		<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> <b>GENERAL INFORMATION</b> <i>Consolidated Permits Program</i> <i>(Read the "General Instructions" before starting.)</i>	<b>I. EPA I.D. NUMBER</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">B</td> <td style="width:70%;"></td> <td style="width:10%; text-align: center;">1A</td> <td style="width:10%; text-align: center;">C</td> </tr> <tr> <td style="text-align: center;">F</td> <td>AL0079961</td> <td></td> <td style="text-align: center;">D</td> </tr> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">13</td> <td style="text-align: center;">14</td> </tr> <tr> <td style="text-align: center;">15</td> <td style="text-align: center;">16</td> <td style="text-align: center;">17</td> <td style="text-align: center;">18</td> </tr> </table>	B		1A	C	F	AL0079961		D	1	2	13	14	15	16	17	18																																																																																																				
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<b>II. POLLUTANT CHARACTERISTICS</b> INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.																																																																																																																							
<b>SPECIFIC QUESTIONS</b>		<b>Mark "X"</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">YES</td> <td style="width:10%; text-align: center;">NO</td> <td style="width:10%; text-align: center;">FORM ATTACHED</td> </tr> </table>	YES	NO	FORM ATTACHED	<b>SPECIFIC QUESTIONS</b>	<b>Mark "X"</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">YES</td> <td style="width:10%; text-align: center;">NO</td> <td style="width:10%; text-align: center;">FORM ATTACHED</td> </tr> </table>	YES	NO	FORM ATTACHED																																																																																																													
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A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">15</td> <td style="width:10%; text-align: center;">17</td> <td style="width:10%; text-align: center;">18</td> </tr> </table>	15	17	18	B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">19</td> <td style="width:10%; text-align: center;">20</td> <td style="width:10%; text-align: center;">21</td> </tr> </table>	19	20	21																																																																																																												
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C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">22</td> <td style="width:10%; text-align: center;">23</td> <td style="width:10%; text-align: center;">24</td> </tr> </table>	22	23	24	D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">25</td> <td style="width:10%; text-align: center;">26</td> <td style="width:10%; text-align: center;">27</td> </tr> </table>	25	26	27																																																																																																												
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E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">28</td> <td style="width:10%; text-align: center;">29</td> <td style="width:10%; text-align: center;">30</td> </tr> </table>	28	29	30	F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">31</td> <td style="width:10%; text-align: center;">32</td> <td style="width:10%; text-align: center;">33</td> </tr> </table>	31	32	33																																																																																																												
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G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">34</td> <td style="width:10%; text-align: center;">35</td> <td style="width:10%; text-align: center;">36</td> </tr> </table>	34	35	36	H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">37</td> <td style="width:10%; text-align: center;">38</td> <td style="width:10%; text-align: center;">39</td> </tr> </table>	37	38	39																																																																																																												
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<b>V. FACILITY MAILING ADDRESS</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="30" style="text-align: center;">A. STREET OR P.O. BOX</td> <td colspan="10"></td> </tr> <tr> <td style="width:5%; text-align: center;">C</td> <td style="width:5%; text-align: center;">3</td> <td colspan="30">155 County Highway 62</td> <td style="width:5%; text-align: center;">45</td> </tr> <tr> <td style="text-align: center;">15</td> <td style="text-align: center;">16</td> <td style="text-align: center;">17</td> <td style="text-align: center;">18</td> <td style="text-align: center;">19</td> <td style="text-align: center;">20</td> <td style="text-align: center;">21</td> <td style="text-align: center;">22</td> <td style="text-align: center;">23</td> <td style="text-align: center;">24</td> <td style="text-align: center;">25</td> <td style="text-align: center;">26</td> <td style="text-align: center;">27</td> <td style="text-align: center;">28</td> <td style="text-align: center;">29</td> <td style="text-align: center;">30</td> <td style="text-align: center;">31</td> <td style="text-align: center;">32</td> <td style="text-align: center;">33</td> <td style="text-align: center;">34</td> <td style="text-align: center;">35</td> <td style="text-align: center;">36</td> <td style="text-align: center;">37</td> <td style="text-align: center;">38</td> <td style="text-align: center;">39</td> <td style="text-align: center;">40</td> <td style="text-align: center;">41</td> <td style="text-align: center;">42</td> <td style="text-align: center;">43</td> <td style="text-align: center;">44</td> <td style="text-align: center;">45</td> </tr> </table>						A. STREET OR P.O. BOX																																								C	3	155 County Highway 62																														45	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45										
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<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="20" style="text-align: center;">C. CITY OR TOWN</td> <td style="width:10%; text-align: center;">D. STATE</td> <td colspan="10" style="text-align: center;">E. ZIP CODE</td> <td colspan="10" style="text-align: center;">F. COUNTY CODE (if known)</td> </tr> <tr> <td style="width:5%; text-align: center;">C</td> <td style="width:5%; text-align: center;">6</td> <td colspan="20">Lynn</td> <td style="width:5%; text-align: center;">45</td> <td style="width:5%; text-align: center;">46</td> <td style="width:5%; text-align: center;">47</td> <td style="width:5%; text-align: center;">48</td> <td style="width:5%; text-align: center;">49</td> <td style="width:5%; text-align: center;">50</td> <td style="width:5%; text-align: center;">51</td> <td style="width:5%; text-align: center;">52</td> <td style="width:5%; text-align: center;">53</td> <td style="width:5%; text-align: center;">54</td> <td style="width:5%; text-align: center;">55</td> </tr> <tr> <td style="text-align: center;">15</td> <td style="text-align: center;">16</td> <td style="text-align: center;">17</td> <td style="text-align: center;">18</td> <td style="text-align: center;">19</td> <td style="text-align: center;">20</td> <td style="text-align: center;">21</td> <td style="text-align: center;">22</td> <td style="text-align: center;">23</td> <td style="text-align: center;">24</td> <td style="text-align: center;">25</td> <td style="text-align: center;">26</td> <td style="text-align: center;">27</td> <td style="text-align: center;">28</td> <td style="text-align: center;">29</td> <td style="text-align: center;">30</td> <td style="text-align: center;">31</td> <td style="text-align: center;">32</td> <td style="text-align: center;">33</td> <td style="text-align: center;">34</td> <td style="text-align: center;">35</td> <td style="text-align: center;">36</td> <td style="text-align: center;">37</td> <td style="text-align: center;">38</td> <td style="text-align: center;">39</td> <td style="text-align: center;">40</td> <td style="text-align: center;">41</td> <td style="text-align: center;">42</td> <td style="text-align: center;">43</td> <td style="text-align: center;">44</td> <td style="text-align: center;">45</td> </tr> </table>						C. CITY OR TOWN																				D. STATE	E. ZIP CODE										F. COUNTY CODE (if known)										C	6	Lynn																				45	46	47	48	49	50	51	52	53	54	55	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45									
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CONTINUED FROM THE FRONT

## VII. SIC CODES (4-digit, in order of priority)

A. FIRST				B. SECOND			
7	2	4	91	(specify) MCA Wood Preserving	7		(specify)
C. THIRD				D. FOURTH			
7				(specify)	7		(specify)

## VIII. OPERATOR INFORMATION

A. NAME				B. Is the name listed in Item VIII-A also the owner?			
Consolidated Forest Products, LLC				<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box: If "Other," specify)				D. PHONE (area code & no.)			
F = FEDERAL	M = PUBLIC (other than federal or state)	P	(specify)	A (205) 486-3445			
S = STATE	O = OTHER (specify)						
P = PRIVATE							

E. STREET OR P.O. BOX				F. CITY OR TOWN				G. STATE	H. ZIP CODE	I. INDIAN LAND
155 county Highway 62				Bear Creek				AL	35543	Is the facility located on Indian lands?
										<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

## X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)				D. PSD (Air Emissions from Proposed Sources)			
9	N	AL0079961		9	P		
B. UIC (Underground Injection of Fluids)				E. OTHER (specify)			
9	U			(specify)			
C. RCRA (Hazardous Wastes)				E. OTHER (specify)			
9	R			(specify)			

## XI. MAP

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers, and other surface water bodies in the map area. See instructions for precise requirements.

## XII. NATURE OF BUSINESS (provide a brief description)

Wood products are pressure treated inside the facility. All chemicals associated with pressure treatment are stored inside. The wood products are then put through a drying process. Once dried, the products are then stored outside before being loaded for distribution. Heavy trucks enter the facility for loading/unloading of wood products. Pesticides, herbicides, soil conditioners, and fertilizers are not utilized at the facility.


## XIII. CERTIFICATION (see instructions)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print)	B. SIGNATURE	C. DATE SIGNED
Kyle Miller, Vice President	<i>Kyle Miller</i>	7-2-19

## COMMENTS FOR OFFICIAL USE ONLY

C	
C	

EPA Identification Number		NPDES Permit Number AL0079961		Facility Name Consolidated Forest Products LLC		Form Approved 03/05/19 OMB No. 2040-0004	
Form 2F NPDES		<b>U.S Environmental Protection Agency</b> <b>Application for NPDES Permit to Discharge Wastewater</b> <b>STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY</b>					
<b>SECTION 1. OUTFALL LOCATION (40 CFR 122.21(g)(1))</b>							
Outfall Location	1.1	Provide information on each of the facility's outfalls in the table below					
	Outfall Number	Receiving Water Name	Latitude		Longitude		
	DSN001Q	Blackwater Creek	34°	2'	16.17" N	87°	32' 56.08" W
	DSN002Q	Blackwater Creek	34°	2'	21.71" N	87°	32' 52.94" W
			°	'	"	°	' "
			°	'	"	°	' "
			°	'	"	°	' "
			°	'	"	°	' "
<b>SECTION 2. IMPROVEMENTS (40 CFR 122.21(g)(6))</b>							
Improvements	2.1	Are you presently required by any federal, state, or local authority to meet an implementation schedule for constructing, upgrading, or operating wastewater treatment equipment or practices or any other environmental programs that could affect the discharges described in this application? <input type="checkbox"/> Yes <span style="margin-left: 100px;"><input checked="" type="checkbox"/> No → SKIP to Section 3.</span>					
	2.2	Briefly identify each applicable project in the table below.					
	Brief Identification and Description of Project	Affected Outfalls (list outfall numbers)	Source(s) of Discharge		Final Compliance Dates		
				Required	Projected		
			<div style="border: 2px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <b>RECEIVED</b>  <b>SEP 13 2019</b>  <b>IND / MUN BRANCH</b> </div>				
2.3	Have you attached sheets describing any additional water pollution control programs (or other environmental projects that may affect your discharges) that you now have underway or planned? (Optional Item) <input type="checkbox"/> Yes <span style="margin-left: 100px;"><input type="checkbox"/> No</span>						

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### SECTION 3. SITE DRAINAGE MAP (40 CFR 122.26(c)(1)(i)(A))

Site Drainage Map	3.1	Have you attached a site drainage map containing all required information to this application? (See instructions for specific guidance.)
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

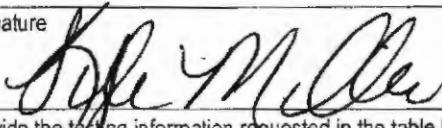
### SECTION 4. POLLUTANT SOURCES (40 CFR 122.26(c)(1)(i)(B))

Pollutant Sources	4.1	Provide information on the facility's pollutant sources in the table below.																											
		Outfall Number	Impervious Surface Area (within a mile radius of the facility)	Total Surface Area Drained (within a mile radius of the facility)																									
		DSN001Q	21,298	specify units Sq. Ft	94,174 specify units Sq. Ft																								
		DSN002Q	35,609	specify units Sq. Ft	117,627 specify units Sq. Ft																								
				specify units	specify units																								
				specify units	specify units																								
				specify units	specify units																								
				specify units	specify units																								
				specify units	specify units																								
		4.2	<p>Provide a narrative description of the facility's significant material in the space below. (See instructions for content requirements.)</p> <p>All stormwater from the property is discharged to the surface water through outfalls DSN001 and DSN002. Wood products are pressure treated inside the facility. All chemicals associated with pressure treatment are stored inside. The wood products are then put through a drying process. Once dried, the products are then stored outside before being loaded for distribution. Heavy trucks enter the facility for loading/unloading of wood products. Pesticides, herbicides, soil conditioners, and fertilizers are not utilized at the facility.</p>																										
	4.3	<p>Provide the location and a description of existing structural and non-structural control measures to reduce pollutants in stormwater runoff. (See instructions for specific guidance.)</p> <table border="1"> <tr> <th colspan="3">Stormwater Treatment</th> </tr> <tr> <th>Outfall Number</th> <th>Control Measures and Treatment</th> <th>Codes from Exhibit 2F-1 (list)</th> </tr> <tr> <td>DSN001Q</td> <td>Discharged to Surface Water</td> <td>4-A</td> </tr> <tr> <td>DSN002Q</td> <td>Discharged to Surface Water</td> <td>4-A</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>				Stormwater Treatment			Outfall Number	Control Measures and Treatment	Codes from Exhibit 2F-1 (list)	DSN001Q	Discharged to Surface Water	4-A	DSN002Q	Discharged to Surface Water	4-A												
Stormwater Treatment																													
Outfall Number	Control Measures and Treatment	Codes from Exhibit 2F-1 (list)																											
DSN001Q	Discharged to Surface Water	4-A																											
DSN002Q	Discharged to Surface Water	4-A																											

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### SECTION 5. NON STORMWATER DISCHARGES (40 CFR 122.26(c)(1)(i)(C))

Non-Stormwater Discharges	5.1	I certify under penalty of law that the outfall(s) covered by this application have been tested or evaluated for the presence of non-stormwater discharges. Moreover, I certify that the outfalls identified as having non-stormwater discharges are described in either an accompanying NPDES Form 2C, 2D, or 2E application.		
		Name (print or type first and last name)	Official title	
		Kyle Miller	President	
		Signature	Date signed	
			09/11/2019	
	5.2	Provide the testing information requested in the table below.		
		Outfall Number	Description of Testing Method Used	Date(s) of Testing
	DSN001Q	Visual Inspection of Outfall During a Dry Weather Event	08/02/2019	DSN001Q
	DSN002Q	Visual Inspection of Outfall During a Dry Weather Event	08/02/2019	DSN002Q

### SECTION 6. SIGNIFICANT LEAKS OR SPILLS (40 CFR 122.26(c)(1)(i)(D))

Significant Leaks or Spills	6.1	Describe any significant leaks or spills of toxic or hazardous pollutants in the last three years. N/A
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### SECTION 7. DISCHARGE INFORMATION (40 CFR 122.26(c)(1)(i)(E))

Discharge Information	See the instructions to determine the pollutants and parameters you are required to monitor and, in turn, the tables you must complete. Not all applicants need to complete each table.	
	7.1	Is this a new source or new discharge?  <input type="checkbox"/> Yes → See instructions regarding submission of estimated data. <input checked="" type="checkbox"/> No → See instructions regarding submission of actual data.
	Tables A, B, C, and D	
	7.2	Have you completed Table A for each outfall?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



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		AL0079961	Consolidated Forest Products LLC	

Discharge Information Continued	7.3	Is the facility subject to an effluent limitation guideline (ELG) or effluent limitations in an NPDES permit for its process wastewater?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No → SKIP to Item 7.5.
	7.4	Have you completed Table B by providing quantitative data for those pollutants that are (1) limited either directly or indirectly in an ELG and/or (2) subject to effluent limitations in an NPDES permit for the facility's process wastewater?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	7.5	Do you know or have reason to believe any pollutants in Exhibit 2F-2 are present in the discharge?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No → SKIP to Item 7.7.
	7.6	Have you listed all pollutants in Exhibit 2F-2 that you know or have reason to believe are present in the discharge and provided quantitative data or an explanation for those pollutants in Table C?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	7.7	Do you qualify for a small business exemption under the criteria specified in the Instructions?	<input type="checkbox"/> Yes → SKIP to Item 7.18.	<input checked="" type="checkbox"/> No
	7.8	Do you know or have reason to believe any pollutants in Exhibit 2F-3 are present in the discharge?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No → SKIP to Item 7.10.
	7.9	Have you listed all pollutants in Exhibit 2F-3 that you know or have reason to believe are present in the discharge in Table C?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	7.10	Do you expect any of the pollutants in Exhibit 2F-3 to be discharged in concentrations of 10 ppb or greater?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No → SKIP to Item 7.12.
	7.11	Have you provided quantitative data in Table C for those pollutants in Exhibit 2F-3 that you expect to be discharged in concentrations of 10 ppb or greater?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	7.12	Do you expect acrolein, acrylonitrile, 2,4-dinitrophenol, or 2-methyl-4,6-dinitrophenol to be discharged in concentrations of 100 ppb or greater?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No → SKIP to Item 7.14.
	7.13	Have you provided quantitative data in Table C for the pollutants identified in Item 7.12 that you expect to be discharged in concentrations of 100 ppb or greater?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	7.14	Have you provided quantitative data or an explanation in Table C for pollutants you expect to be present in the discharge at concentrations less than 10 ppb (or less than 100 ppb for the pollutants identified in Item 7.12)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	7.15	Do you know or have reason to believe any pollutants in Exhibit 2F-4 are present in the discharge?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No → SKIP to Item 7.17.
	7.16	Have you listed pollutants in Exhibit 2F-4 that you know or believe to be present in the discharge and provided an explanation in Table C?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7.17	Have you provided information for the storm event(s) sampled in Table D?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

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<b>Discharge Information Continued</b>	<b>Used or Manufactured Toxics</b>		
	7.18	Is any pollutant listed on Exhibits 2F-2 through 2F-4 a substance or a component of a substance used or manufactured as an intermediate or final product or byproduct?  <input checked="" type="checkbox"/> Yes <span style="margin-left: 100px;"><input type="checkbox"/> No → SKIP to Section 8.</span>	
	7.19	List the pollutants below, including TCDD if applicable.	
	1. Copper	4.	7.
	2.	5.	8.
	3.	6.	9.

SECTION 8. BIOLOGICAL TOXICITY TESTING DATA (40 CFR 122.21(g)(11))				
<b>Biological Toxicity Testing Data</b>	8.1	Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last three years?  <input type="checkbox"/> Yes <span style="margin-left: 100px;"><input checked="" type="checkbox"/> No → SKIP to Section 9.</span> <span style="float: right;">09/11/2019</span>		
	8.2	Identify the tests and their purposes below.		
		Test(s)	Purpose of Test(s)	Submitted to NPDES Permitting Authority?
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 9. CONTRACT ANALYSIS INFORMATION (40 CFR 122.21(g)(12))				
<b>Contract Analysis Information</b>	9.1	Were any of the analyses reported in Section 7 (on Tables A through C) performed by a contract laboratory or consulting firm?  <input checked="" type="checkbox"/> Yes <span style="margin-left: 100px;"><input type="checkbox"/> No → SKIP to Section 10.</span>		
	9.2	Provide information for each contract laboratory or consulting firm below.		
		Laboratory Number 1	Laboratory Number 2	Laboratory Number 3
	Name of laboratory/firm	Pace National		
	Laboratory address	2220 Beltline Road SW Decatur, AL 35601		
	Phone number	(256) 350-0846		
	Pollutant(s) analyzed	Oil and Grease, Chloride, BOD, COD, NH3-N, TSS, Cu		

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**SECTION 10. CHECKLIST AND CERTIFICATION STATEMENT (40 CFR 122.22(a) and (d))**

Checklist and Certification Statement

10.1 In Column 1 below, mark the sections of Form 2F that you have completed and are submitting with your application. For each section, specify in Column 2 any attachments that you are enclosing to alert the permitting authority. Note that not all applicants are required to complete all sections or provide attachments.

Column 1	Column 2
<input checked="" type="checkbox"/> Section 1	<input type="checkbox"/> w/ attachments (e.g., responses for additional outfalls)
<input checked="" type="checkbox"/> Section 2	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 3	<input checked="" type="checkbox"/> w/ site drainage map
<input checked="" type="checkbox"/> Section 4	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 5	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 6	<input type="checkbox"/> w/ attachments
<input type="checkbox"/> Section 7	<input type="checkbox"/> Table A <input type="checkbox"/> w/ small business exemption request <input type="checkbox"/> Table B <input type="checkbox"/> w/ analytical results as an attachment <input type="checkbox"/> Table C <input type="checkbox"/> Table D
<input checked="" type="checkbox"/> Section 8	<input type="checkbox"/> w/ attachments
<input checked="" type="checkbox"/> Section 9	<input type="checkbox"/> w/ attachments (e.g., responses for additional contact laboratories or firms)
<input checked="" type="checkbox"/> Section 10	<input type="checkbox"/>

10.2 **Certification Statement**

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

Name (print or type first and last name)

Kyle Miller

Official title

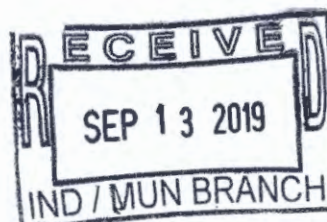
President

Signature

*Kyle Miller*

Date signed

9-13-19





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**TABLE A. CONVENTIONAL AND NON CONVENTIONAL PARAMETERS (40 CFR 122.26(c)(1)(i)(E)(3))<sup>1</sup>**

You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details and requirements.

Pollutant or Parameter	Maximum Daily Discharge (specify units)		Average Daily Discharge (specify units)		Number of Storm Events Sampled	Source of Information (new source/new dischargers only; use codes in instructions)
	Grab Sample Taken During First 30 Minutes	Flow-Weighted Composite	Grab Sample Taken During First 30 Minutes	Flow-Weighted Composite		
1. Oil and grease						
2. Biochemical oxygen demand (BOD <sub>5</sub> )						
3. Chemical oxygen demand (COD)						
4. Total suspended solids (TSS)						
5. Total phosphorus						
6. Total Kjeldahl nitrogen (TKN)						
7. Total nitrogen (as N)						
8. pH (minimum)						
pH (maximum)						

<sup>1</sup> Sampling shall be conducted according to sufficiently sensitive test procedures (i.e., methods) approved under 40 CFR 136 for the analysis of pollutants or pollutant parameters or required under 40 CFR chapter I, subchapter N or O. See instructions and 40 CFR 122.21(e)(3).





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**TABLE D. STORM EVENT INFORMATION (40 CFR 122.26(c)(1)(i)(E)(6))**

Provide data for the storm event(s) that resulted in the maximum daily discharges for the flow-weighted composite sample.

Date of Storm Event	Duration of Storm Event (in hours)	Total Rainfall During Storm Event (in inches)	Number of Hours Between Beginning of Storm Measured and End of Previous Measurable Rain Event	Maximum Flow Rate During Rain Event (in gpm or specify units)	Total Flow from Rain Event (in gallons or specify units)

Provide a description of the method of flow measurement or estimate.





**ENERSOLV** *a Solutions Company*

2220 Beltline Road S.W. Decatur, AL 35601

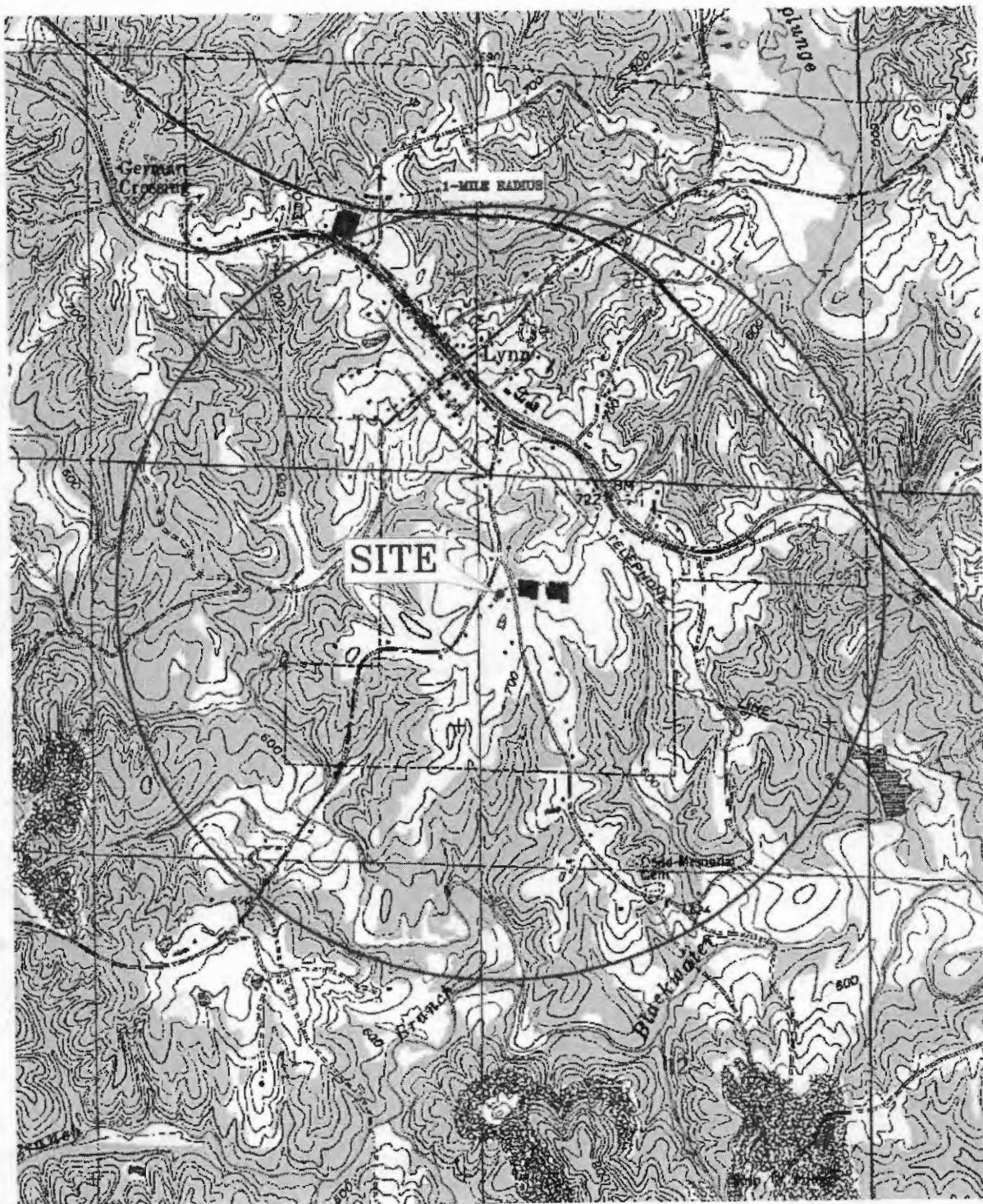
Title **DRAINAGE MAP**

Scale: 1" = 100' Project No: 14333

Project **CONSOLIDATED FOREST**

Date: 16 AUG 19 Cad name: CONSOLIDATED FOREST

Drawn By: SMR File: X-DRIVE-19



**ENERSOLV** *a Solutions Company*

2220 Beltline Road S.W. Decatur, AL 35601

Title **USGS TOPOGRAPHIC MAP**  
 Project **CONSOLIDATED FOREST PRODUCTS LLC**

Scale: 1"=2000'	Project No: 14333
Date: 1 JULY 19	Cad name: CONSOL. FOREST
Drawn By: SMR	File: X-DRIVE

**1. IDENTIFICATION****Product identifier**

Product Name

**Wolman® E (μCA-C)****Other means of identification**

Product Code

23821

UN/ID no

UN3082

Synonyms

No information available

Registration Number(s)

75506-12

**Recommended use of the chemical and restrictions on use**

Recommended Use

Wood Preservative.

**Details of the supplier of the safety data sheet****Supplier Address**

Arch Treatment Technologies, Inc - A Lonza Company

3941 Bonsal Road

Conley, GA 30288

**Emergency telephone number**

Company Phone Number

1-800-511-MSDS (Outside USA: 1-423-780-2347)

24 Hour Emergency Phone Number

1-800-654-6911 (Outside USA: 1-423-780-2970)

Emergency Telephone

For all transportation accidents call Chemtrec 1-800-424-9300 (Outside USA: 1-703-527-3887)

**2. HAZARDS IDENTIFICATION****Classification****OSHA Regulatory Status**

This chemical is considered hazardous by the 2012 OSHA Hazard Communication Standard (29 CFR 1910.1200)

Acute toxicity - Oral	Category 4
Serious eye damage/eye irritation	Category 1
Reproductive toxicity	Category 2

**Label elements****Emergency Overview****Danger****Hazard statements**

Suspected of damaging fertility or the unborn child

Causes serious eye damage

Harmful if swallowed



**Physical state** Liquid**Odor** Slight**Precautionary Statements - Prevention**

Obtain special instructions before use  
Do not handle until all safety precautions have been read and understood  
Use personal protective equipment as required  
Wash face, hands and any exposed skin thoroughly after handling  
Do not eat, drink or smoke when using this product  
Avoid breathing dust/fume/gas/mist/vapors/spray  
Use only outdoors or in a well-ventilated area  
Contaminated work clothing should not be allowed out of the workplace  
Wear protective gloves

**Precautionary Statements - Response**

IF exposed or concerned: Get medical advice/attention  
Specific treatment (see First Aid on this label)  
IF ON SKIN: Wash with plenty of soap and water  
If skin irritation or rash occurs: Get medical advice/attention  
Wash contaminated clothing before reuse  
IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing  
IF SWALLOWED: Call a POISON CENTER or doctor/physician if you feel unwell  
Rinse mouth

**Precautionary Statements - Storage**

Store locked up

**Precautionary Statements - Disposal**

Dispose of contents/container to an approved waste disposal plant

**Hazards not otherwise classified (HNOC)**

Not applicable

**Other Information**

May be harmful in contact with skin Very toxic to aquatic life with long lasting effects

Unknown acute toxicity

No information available

**3. COMPOSITION/INFORMATION ON INGREDIENTS****Substance**

This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200).

**Synonyms**

No information available.

Chemical Name	CAS No.	Weight-%	Trade Secret
(Copper (II) carbonate--copper(II) hydroxide (1:1))	12069-69-1	43.4	
sodium nitrite	7632-00-0	1 - 5	*
Propiconazole	60207-90-1	0.5	
Tebuconazole	107534-96-3	0.5	
Copper sulfate	7758-98-7	0.1 - 1	*

\*The exact percentage (concentration) of composition has been withheld as a trade secret

**4. FIRST AID MEASURES****Description of first aid measures****General advice**

If symptoms persist, call a physician. Do not breathe dust/mist/vapors/spray. Do not get in eyes, on skin, or on clothing.



<b>Eye contact</b>	Immediately flush with plenty of water. After initial flushing, remove any contact lenses and continue flushing for at least 15 minutes. Keep eye wide open while rinsing. If symptoms persist, call a physician.
<b>Skin contact</b>	Consult a physician if necessary. Wash off immediately with soap and plenty of water while removing all contaminated clothes and shoes.
<b>Inhalation</b>	Remove to fresh air. Call a physician. If breathing is irregular or stopped, administer artificial respiration. Avoid direct contact with skin. Use barrier to give mouth-to-mouth resuscitation.
<b>Ingestion</b>	Rinse mouth. Drink plenty of water. If symptoms persist, call a physician. Do NOT induce vomiting.
<b>Self-protection of the first aider</b>	Use personal protective equipment as required.

**Most important symptoms and effects, both acute and delayed**

**Symptoms** See Section 11: TOXICOLOGICAL INFORMATION.

**Indication of any immediate medical attention and special treatment needed**

**Note to physicians** Treat symptomatically.

## 5. FIRE-FIGHTING MEASURES

**Suitable extinguishing media**

Use extinguishing measures that are appropriate to local circumstances and the surrounding environment. Carbon dioxide (CO<sub>2</sub>). Water spray or fog.

**Unsuitable extinguishing media** Do not use a solid water stream as it may scatter and spread fire.

**Specific hazards arising from the chemical**

No information available.

**Hazardous combustion products** Carbon monoxide. Carbon dioxide (CO<sub>2</sub>). Toxic gas. Nitrogen oxides (NO<sub>x</sub>).

**Explosion data**

**Sensitivity to Mechanical Impact** None.

**Sensitivity to Static Discharge** None.

**Protective equipment and precautions for firefighters**

As in any fire, wear self-contained breathing apparatus pressure-demand, MSHA/NIOSH (approved or equivalent) and full protective gear.

## 6. ACCIDENTAL RELEASE MEASURES

**Personal precautions, protective equipment and emergency procedures**

**Personal precautions** Use personal protective equipment as required.

**For emergency responders** Use personal protection recommended in Section 8.

**Environmental precautions**

**Environmental precautions** Prevent entry into waterways, sewers, basements or confined areas. Do not flush into surface water or sanitary sewer system. See Section 12: ECOLOGICAL INFORMATION.

**Methods and material for containment and cleaning up**

<b>Methods for containment</b>	Prevent further leakage or spillage if safe to do so.
<b>Methods for cleaning up</b>	Cover liquid spill with sand, earth or other non-combustible absorbent material. Use personal protective equipment as required. Dam up. Take up mechanically, placing in appropriate containers for disposal. Clean contaminated surface thoroughly.

## 7. HANDLING AND STORAGE

### Precautions for safe handling

<b>Advice on safe handling</b>	Use personal protective equipment as required. Avoid contact with skin, eyes or clothing. Wash contaminated clothing before reuse. Do not breathe dust/mist/vapors/spray. Do not eat, drink or smoke when using this product.
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### Conditions for safe storage, including any incompatibilities

<b>Storage Conditions</b>	Keep container tightly closed in a dry and well-ventilated place. Keep out of the reach of children.
<b>Incompatible materials</b>	None known based on information supplied.

## 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

### Control parameters

#### Exposure Guidelines

Chemical Name	ACGIH TLV	OSHA PEL	NIOSH IDLH
(Copper (II) carbonate--copper(II) hydroxide (1:1)) 12069-69-1	TWA: 1 mg/m <sup>3</sup> Cu dust and mist	-	IDLH: 100 mg/m <sup>3</sup> Cu dust and mist TWA: 1 mg/m <sup>3</sup> Cu dust and mist
Copper sulfate 7758-98-7	TWA: 1 mg/m <sup>3</sup> Cu dust and mist	-	IDLH: 100 mg/m <sup>3</sup> Cu dust and mist TWA: 1 mg/m <sup>3</sup> Cu dust and mist

NIOSH IDLH *Immediately Dangerous to Life or Health*

<b>Other Information</b>	Vacated limits revoked by the Court of Appeals decision in AFL-CIO v. OSHA, 965 F.2d 962 (11th Cir., 1992).
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### Appropriate engineering controls

<b>Engineering Controls</b>	Showers Eyewash stations Ventilation systems.
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### Individual protection measures, such as personal protective equipment

<b>Eye/face protection</b>	Tight sealing safety goggles.
<b>Skin and body protection</b>	Wear impervious protective clothing, including boots, gloves, lab coat, apron or coveralls, as appropriate, to prevent skin contact.
<b>Respiratory protection</b>	If exposure limits are exceeded or irritation is experienced, NIOSH/MSHA approved respiratory protection should be worn. Positive-pressure supplied air respirators may be required for high airborne contaminant concentrations. Respiratory protection must be provided in accordance with current local regulations.
<b>General Hygiene Considerations</b>	When using do not eat, drink or smoke. Wash contaminated clothing before reuse.

## 9. PHYSICAL AND CHEMICAL PROPERTIES

### Information on basic physical and chemical properties

Physical state	Liquid	Odor	Slight
Appearance	No information available	Odor threshold	No information available
Color	green		

<u>Property</u>	<u>Values</u>	<u>Remarks • Method</u>
pH	8.8	
Melting point / freezing point	-15 °C / 5 °F	
Boiling point / boiling range	No information available	
Flash point	> 94 °C / > 201 °F	
Evaporation rate	No information available	
Flammability (solid, gas)	No information available	
Flammability Limit in Air		
Upper flammability limit:	No information available	
Lower flammability limit:	No information available	
Vapor pressure	No information available	
Vapor density	No information available	
Relative density	1.52	
Water solubility	Soluble in water	
Solubility in other solvents	No information available	
Partition coefficient	No information available	
Autoignition temperature	No information available	
Decomposition temperature	No information available	
Kinematic viscosity	No information available	
Dynamic viscosity	348 CPS	
Explosive properties	No information available	
Oxidizing properties	No information available	

Other Information

Softening point	No information available
Molecular weight	No information available
VOC Content (%)	Not applicable
Density	12.68
Bulk density	No information available

**10. STABILITY AND REACTIVITY**Reactivity

No data available

Chemical stability

Stable under recommended storage conditions.

Possibility of Hazardous Reactions

None under normal processing.

Conditions to avoid

Extremes of temperature and direct sunlight.

Incompatible materials

None known based on information supplied.

Hazardous Decomposition Products

None known based on information supplied.

**11. TOXICOLOGICAL INFORMATION**Information on likely routes of exposureProduct Information

<b>Inhalation</b>	Avoid breathing vapors or mists.
<b>Eye contact</b>	Causes serious eye damage.
<b>Skin contact</b>	Avoid contact with skin and clothing.
<b>Ingestion</b>	Harmful if swallowed. Contains a known or suspected reproductive toxin.

Chemical Name	Oral LD50	Dermal LD50	Inhalation LC50
(Copper (II) carbonate--copper(II) hydroxide (1:1)) 12069-89-1	= 1350 mg/kg (RT)	>2000 mg/kg (RT)	1.03 - 5.2 mg/L (RT) 4h
sodium nitrite 7632-00-0	180 mg/kg (RT)	-	-
Propiconazole 60207-90-1	= 1517 mg/kg (RT)	> 4000 mg/kg (RT)	>5.8 mg/L (RT) 4h
Tebuconazole 107534-96-3	>1700 mg/kg (RT)	> 2000 mg/kg (RT)	> 5.0 mg/L (RT) 4h
Copper sulfate 7758-98-7	481 mg/kg (RT)	>2000 mg/kg (RBT)	-

Note:  
RT = Rat  
RBT = Rabbit  
MSE = Mouse  
GP = Guinea Pig  
V = Vapour

#### Information on toxicological effects

**Symptoms** No information available.

#### Delayed and immediate effects as well as chronic effects from short and long-term exposure

**Serious eye damage/eye irritation** Risk of serious damage to eyes.

Chemical Name	ACGIH	IARC	NTP	OSHA
sodium nitrite 7632-00-0	-	Group 2A	-	X

**Developmental Toxicity** Contains ingredients that have suspected developmental hazards.  
**Chronic toxicity** May cause adverse liver effects.  
**Target Organ Effects** Eyes, kidney, liver, Respiratory system, Skin.

#### Numerical measures of toxicity - Product Information

The following values are calculated based on chapter 3.1 of the GHS document .

ATEmix (oral) 1 759.00 mg/kg  
 ATEmix (dermal) 4 613.00 mg/kg  
 ATEmix (inhalation-gas)  
 ATEmix (inhalation-dust/mist) 2.37 mg/l  
 ATEmix (inhalation-vapor)

#### Numerical measures of toxicity

Oral LD50 1030 mg/kg (rat)  
 Dermal LD50 > 5050 mg/kg (rat)  
 Inhalation LC50 5.17 mg/l rat

## 12. ECOLOGICAL INFORMATION

#### Ecotoxicity

Very toxic to aquatic life with long lasting effects

Chemical Name	Algae/aquatic plants	Fish	Crustacea
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(Copper (II) carbonate--copper(II) hydroxide (1:1)) 12069-69-1	0.043 mg/L EC50 96h (Desmodesmus subspicatus)	0.087 mg/L LC50 96h (Oncorhynchus mykiss)	0.042 mg/L EC50 48h (Daphnia magna)
sodium nitrite 7632-00-0	>100 mg/L EC50 72h (Desmodesmus subspicatus)	0.54 mg/L LC50 96h (Oncorhynchus mykiss)	15.4 mg/L EC50 48h (Daphnia magna)
Propiconazole 60207-90-1	0.76 mg/L EC50 (Desmodesmus subspicatus)	4.3 mg/L LC50 96h (Oncorhynchus mykiss)	10.2 mg/L EC50 48h (Daphnia magna)
Tebuconazole 107534-96-3	3.8 mg/L EC50 72h (Pseudokirchneriella subcapitata)	4.4 mg/L LC50 48h (Oncorhynchus mykiss)	2.79 mg/L EC50 48h (Daphnia magna)
Copper sulfate 7758-98-7	0.0165 mg/L EC50 72h (Pseudokirchneriella subcapitata)	0.1 mg/L LC50 96 h (Oncorhynchus mykiss)	0.007 mg/L EC50 48 h (Daphnia magna)

**Persistence and degradability**

No information available.

**Bioaccumulation**

No information available.

Chemical Name	Partition coefficient
sodium nitrite 7632-00-0	-3.7

**Other adverse effects**

No information available

**13. DISPOSAL CONSIDERATIONS****Waste treatment methods****Disposal of wastes**

This material, as supplied, is not a hazardous waste according to state and federal regulations (40 CFR 261).

**Contaminated packaging**

Do not reuse container. Empty containers must be triple rinsed prior to disposal.

This product contains one or more substances that are listed with the State of California as a hazardous waste.

Chemical Name	California Hazardous Waste Status
(Copper (II) carbonate--copper(II) hydroxide (1:1)) 12069-69-1	Toxic
sodium nitrite 7632-00-0	Toxic Ignitable Reactive
Copper sulfate 7758-98-7	Toxic

**14. TRANSPORT INFORMATION****DOT**

UN/ID no	UN3082
Proper shipping name	Environmentally hazardous substance, liquid, n.o.s.
Hazard Class	9
Packing Group	III
Special Provisions	8, 146, 173, 335, IB3, T4, TP1, TP29
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate--copper(II) hydroxide (1:1), Propiconazole), 9, III
Emergency Response Guide Number	171

**TDG**

UN/ID no	UN3082
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Proper shipping name	Environmentally hazardous substances, liquid, n.o.s.
Hazard Class	9
Packing Group	III
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole), 9, III

**MEX**

UN/ID no	UN3082
Proper shipping name	Environmentally hazardous substances, liquid, n.o.s.
Hazard Class	9
Packing Group	III
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole), 9, III

**ICAO (air)**

UN/ID no	UN3082
Proper shipping name	Environmentally hazardous substances, liquid, n.o.s.
Hazard Class	9
Packing Group	III
Special Provisions	A97, A158, A197
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole), 9, III

**IATA**

UN/ID no	UN3082
Proper shipping name	Environmentally hazardous substances, liquid, n.o.s.
Hazard Class	9
Packing Group	III
ERG Code	9L
Special Provisions	A97, A158, A197
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole), 9, III

**IMDG**

UN/ID no	UN3082
Proper shipping name	Environmentally hazardous substances, liquid, n.o.s.
Hazard Class	9
Packing Group	III
EmS-No	F-A, S-F
Special Provisions	274, 335
Marine pollutant	This material meets the definition of a marine pollutant
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole), 9, III

**RID**

UN/ID no	UN3082
Proper shipping name	Environmentally hazardous substances, liquid, n.o.s.
Hazard Class	9
Packing Group	III
Classification code	M6
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole), 9, III

**ADR**

UN/ID no	UN3082
Proper shipping name	Environmentally hazardous substances, liquid, n.o.s.
Hazard Class	9
Packing Group	III
Classification code	M6
Tunnel restriction code	(E)
Special Provisions	274, 335, 601, 375
Description	UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole), 9, III

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Labels carbonate-copper(II) hydroxide (1:1), Propiconazole, 9, III  
9

**ADN**

Proper shipping name Environmentally hazardous substances, liquid, n.o.s.  
Hazard Class 9  
Packing Group III  
Classification code M6  
Special Provisions 274, 335, 375, 601  
Description UN3082, Environmentally hazardous substances, liquid, n.o.s., (Copper(II) carbonate-copper(II) hydroxide (1:1), Propiconazole, 9, III  
Hazard label(s) 9  
Limited quantity (LQ) 5 L

**15. REGULATORY INFORMATION****International Inventories**

TSCA Does not comply  
DSL/NDSL Does not comply  
EINECS/ELINCS Does not comply  
ENCS Does not comply  
IECSC Does not comply  
KECL Does not comply  
PICCS Does not comply  
AICS Does not comply

**Legend:**

TSCA - United States Toxic Substances Control Act Section 8(b) Inventory  
DSL/NDSL - Canadian Domestic Substances List/Non-Domestic Substances List  
EINECS/ELINCS - European Inventory of Existing Chemical Substances/European List of Notified Chemical Substances  
ENCS - Japan Existing and New Chemical Substances  
IECSC - China Inventory of Existing Chemical Substances  
KECL - Korean Existing and Evaluated Chemical Substances  
PICCS - Philippines Inventory of Chemicals and Chemical Substances  
AICS - Australian Inventory of Chemical Substances

**US Federal Regulations****SARA 313**

Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA). This product contains a chemical or chemicals which are subject to the reporting requirements of the Act and Title 40 of the Code of Federal Regulations, Part 372

Chemical Name	SARA 313 - Threshold Values %
(Copper (II) carbonate-copper(II) hydroxide (1:1)) - 12069-69-1	1.0
sodium nitrite - 7632-00-0	1.0

**SARA 311/312 Hazard Categories**

Acute health hazard Yes  
Chronic Health Hazard Yes  
Fire hazard No  
Sudden release of pressure hazard No  
Reactive Hazard No

**CWA (Clean Water Act)**

This product contains the following substances which are regulated pollutants pursuant to the Clean Water Act (40 CFR 122.21 and 40 CFR 122.42)

Chemical Name	CWA - Reportable Quantities	CWA - Toxic Pollutants	CWA - Priority Pollutants	CWA - Hazardous Substances
(Copper (II) carbonate-copper(II) hydroxide (1:1)) 12069-69-1	-	X	-	-

sodium nitrite 7632-00-0	100 lb	-	-	X
Copper sulfate 7758-98-7	10 lb	X	-	X

**CERCLA**

This material, as supplied, contains one or more substances regulated as a hazardous substance under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (40 CFR 302)

Chemical Name	Hazardous Substances RQs	CERCLA/SARA RQ	Reportable Quantity (RQ)
sodium nitrite 7632-00-0	100 lb	-	RQ 100 lb final RQ RQ 45.4 kg final RQ
Propiconazole 60207-90-1	-	X	-
Copper sulfate 7758-98-7	10 lb	-	RQ 10 lb final RQ RQ 4.54 kg final RQ

**US State Regulations****California Proposition 65**

This product contains the following Proposition 65 chemicals

Chemical Name	California Proposition 65
Formaldehyde - 50-00-0	Carcinogen
Naphthalene - 91-20-3	Carcinogen

**U.S. State Right-to-Know Regulations**

Chemical Name	New Jersey	Massachusetts	Pennsylvania
(Copper (II) carbonate--copper(II) hydroxide (1:1)) 12069-69-1	X	-	X
sodium nitrite 7632-00-0	X	X	X
Sodium sulfate 7757-82-6	-	X	X
Formaldehyde 50-00-0	X	X	X
Naphthalene 91-20-3	X	X	X

**U.S. EPA Label Information**

EPA Pesticide Registration Number 75506-12

**Difference between SDS and EPA Pesticide label**

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. Following is the hazard information as required on the pesticide label:

Danger

Corrosive

Causes irreversible eye damage

Harmful if swallowed

**16. OTHER INFORMATION, INCLUDING DATE OF PREPARATION OF THE LAST REVISION**

<b>NFPA</b>	Health hazards 3	Flammability 1	Instability 0	Physical and Chemical Properties -
<b>HMIS</b>	Health hazards 3	Flammability 1	Physical hazards 0	Personal protection X
<b>Issue Date</b>	20-May-2015			



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Revision Date 27-Nov-2018

**Revision Note**

No Information available

**Disclaimer**

The information provided in this Material Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as a guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text.

End of Safety Data Sheet

# SAFETY DATA SHEET



MERGAL WP14

## Section 1. Identification

GHS product identifier : MERGAL WP14  
Product code : 302AC  
Other means of identification : Not available.  
Product type : Liquid.  
Material uses : Microbiocide for use in wood and wood products

Supplier's details : Troy Corporation.  
8 Vreeland Road  
PO Box 955  
Florham Park, NJ 07932-0955  
U.S.A.  
Phone: +1-973-443-4200  
Fax: +1-973-443-0258

Emergency telephone number (with hours of operation) : CHEMTREC - Tel: +1-800-424-9300 (24/7)

## Section 2. Hazards identification

OSHA/HCS status : This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200).

Classification of the substance or mixture : ACUTE TOXICITY (oral) - Category 4  
ACUTE TOXICITY (dermal) - Category 3  
ACUTE TOXICITY (inhalation) - Category 4  
SKIN CORROSION - Category 1B  
SERIOUS EYE DAMAGE - Category 1  
SKIN SENSITIZATION - Category 1

### GHS label elements

Hazard pictograms :



Signal word :

Danger

Hazard statements :

Toxic in contact with skin.  
Harmful if swallowed or if inhaled.  
Causes severe skin burns and eye damage.  
May cause an allergic skin reaction.

### Precautionary statements

Prevention :

Wear protective gloves. Wear eye or face protection. Wear protective clothing. Use only outdoors or in a well-ventilated area. Avoid breathing vapor. Do not eat, drink or smoke when using this product. Wash hands thoroughly after handling. Contaminated work clothing must not be allowed out of the workplace.

Date of issue/Date of revision

: 11/14/2017

Date of previous issue

: 11/7/2016

Version : 3

1/14

## Section 2. Hazards identification

Response	: IF INHALED: Remove person to fresh air and keep comfortable for breathing. Immediately call a POISON CENTER or physician. IF SWALLOWED: Immediately call a POISON CENTER or physician. Rinse mouth. Do NOT induce vomiting. IF ON SKIN (or hair): Take off immediately all contaminated clothing. Rinse skin with water or shower. Wash contaminated clothing before reuse. Immediately call a POISON CENTER or physician. IF ON SKIN: Take off immediately all contaminated clothing and wash it before reuse. Wash with plenty of soap and water. Call a POISON CENTER or physician if you feel unwell. Wash contaminated clothing before reuse. If skin irritation or rash occurs: Get medical attention. IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a POISON CENTER or physician.
Storage	: Store locked up.
Disposal	: Dispose of contents and container in accordance with all local, regional, national and international regulations.
Hazards not otherwise classified	: None known.

## Section 3. Composition/information on ingredients

Substance/mixture	: Mixture
Other means of identification	: Not available.

### CAS number/other identifiers

CAS number	: Not applicable.
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Ingredient name	%	CAS number
Magnesium nitrate	≥10 - ≤25	10377-60-3
5-chloro-2-methyl- 4-isothiazolin-3-one	11.1	26172-55-4
2-methyl-2H-isothiazol-3-one	3.5	2682-20-4

Any concentration shown as a range is to protect confidentiality or is due to batch variation.

There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

Occupational exposure limits, if available, are listed in Section 8.

## Section 4. First aid measures

### Description of necessary first aid measures

Eye contact	: Get medical attention immediately. Call a poison center or physician. Immediately flush eyes with plenty of water, occasionally lifting the upper and lower eyelids. Check for and remove any contact lenses. Continue to rinse for at least 10 minutes. Chemical burns must be treated promptly by a physician.
Inhalation	: Get medical attention immediately. Call a poison center or physician. Remove victim to fresh air and keep at rest in a position comfortable for breathing. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. If not breathing, if breathing is irregular or if respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband. In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed

Date of issue/Date of revision	: 11/14/2017	Date of previous issue	: 11/7/2016	Version : 3	2/14
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## Section 4. First aid measures

- person may need to be kept under medical surveillance for 48 hours.
- Skin contact** : Get medical attention immediately. Call a poison center or physician. Wash with plenty of soap and water. Remove contaminated clothing and shoes. Wash contaminated clothing thoroughly with water before removing it, or wear gloves. Continue to rinse for at least 10 minutes. Chemical burns must be treated promptly by a physician. In the event of any complaints or symptoms, avoid further exposure. Wash clothing before reuse. Clean shoes thoroughly before reuse.
- Ingestion** : Get medical attention immediately. Call a poison center or physician. Wash out mouth with water. Remove dentures if any. Remove victim to fresh air and keep at rest in a position comfortable for breathing. If material has been swallowed and the exposed person is conscious, give small quantities of water to drink. Stop if the exposed person feels sick as vomiting may be dangerous. Do not induce vomiting unless directed to do so by medical personnel. If vomiting occurs, the head should be kept low so that vomit does not enter the lungs. Chemical burns must be treated promptly by a physician. Never give anything by mouth to an unconscious person. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband.

### Most important symptoms/effects, acute and delayed

#### Potential acute health effects

- Eye contact** : Causes serious eye damage.
- Inhalation** : Harmful if inhaled.
- Skin contact** : Causes severe burns. Toxic in contact with skin. May cause an allergic skin reaction.
- Ingestion** : Harmful if swallowed.

#### Over-exposure signs/symptoms

- Eye contact** : Adverse symptoms may include the following:  
pain  
watering  
redness
- Inhalation** : No specific data.
- Skin contact** : Adverse symptoms may include the following:  
pain or irritation  
redness  
blistering may occur
- Ingestion** : Adverse symptoms may include the following:  
stomach pains

### Indication of immediate medical attention and special treatment needed, if necessary

- Notes to physician** : In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed person may need to be kept under medical surveillance for 48 hours.
- Specific treatments** : No specific treatment.
- Protection of first-aiders** : No action shall be taken involving any personal risk or without suitable training. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. Wash contaminated clothing thoroughly with water before removing it, or wear gloves.

See toxicological information (Section 11)

## Section 5. Fire-fighting measures

### Extinguishing media

**Suitable extinguishing media** : Use an extinguishing agent suitable for the surrounding fire.

**Unsuitable extinguishing media** : None known.

**Specific hazards arising from the chemical** : In a fire or if heated, a pressure increase will occur and the container may burst.

**Hazardous thermal decomposition products** : Decomposition products may include the following materials:  
carbon dioxide  
carbon monoxide  
nitrogen oxides  
sulfur oxides  
halogenated compounds  
metal oxide/oxides

**Special protective actions for fire-fighters** : Promptly isolate the scene by removing all persons from the vicinity of the incident if there is a fire. No action shall be taken involving any personal risk or without suitable training.

**Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

## Section 6. Accidental release measures

### Personal precautions, protective equipment and emergency procedures

**For non-emergency personnel** : No action shall be taken involving any personal risk or without suitable training. Evacuate surrounding areas. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spilled material. Do not breathe vapor or mist. Provide adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Put on appropriate personal protective equipment.

**For emergency responders** : If specialized clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also the information in "For non-emergency personnel".

**Environmental precautions** : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air).

### Methods and materials for containment and cleaning up

**Small spill** : Stop leak if without risk. Move containers from spill area. Dilute with water and mop up if water-soluble. Alternatively, or if water-insoluble, absorb with an inert dry material and place in an appropriate waste disposal container. Dispose of via a licensed waste disposal contractor.

**Large spill** : Stop leak if without risk. Move containers from spill area. Approach release from upwind. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). Dispose of via a licensed waste disposal contractor. Contaminated absorbent material may pose the same hazard as the spilled product. Note: see Section 1 for emergency contact information and Section 13 for waste disposal.

## Section 7. Handling and storage

### Precautions for safe handling

- Protective measures** : Put on appropriate personal protective equipment (see Section 8). Persons with a history of skin sensitization problems should not be employed in any process in which this product is used. Do not get in eyes or on skin or clothing. Do not breathe vapor or mist. Do not ingest. Use only with adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Keep in the original container or an approved alternative made from a compatible material, kept tightly closed when not in use. Empty containers retain product residue and can be hazardous. Do not reuse container.
- Advice on general occupational hygiene** : Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering eating areas. See also Section 8 for additional information on hygiene measures.
- Conditions for safe storage, including any incompatibilities** : Store between the following temperatures: 1 to 55°C (33.8 to 131°F). Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Store locked up. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination.

## Section 8. Exposure controls/personal protection

### Control parameters

#### Occupational exposure limits

None.

- Appropriate engineering controls** : Use only with adequate ventilation. Use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits.
- Environmental exposure controls** : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation. In some cases, fume scrubbers, filters or engineering modifications to the process equipment will be necessary to reduce emissions to acceptable levels.

### Individual protection measures

- Hygiene measures** : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Contaminated work clothing should not be allowed out of the workplace. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.
- Eye/face protection** : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists, gases or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: chemical splash goggles and/or face shield. If inhalation hazards exist, a full-face respirator may be required instead.

#### Skin protection

## Section 8. Exposure controls/personal protection

- Hand protection** : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Considering the parameters specified by the glove manufacturer, check during use that the gloves are still retaining their protective properties. It should be noted that the time to breakthrough for any glove material may be different for different glove manufacturers. In the case of mixtures, consisting of several substances, the protection time of the gloves cannot be accurately estimated.
- Body protection** : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.
- Other skin protection** : Appropriate footwear and any additional skin protection measures should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.
- Respiratory protection** : Based on the hazard and potential for exposure, select a respirator that meets the appropriate standard or certification. Respirators must be used according to a respiratory protection program to ensure proper fitting, training, and other important aspects of use.

## Section 9. Physical and chemical properties

### Appearance

- Physical state** : Liquid.
- Color** : Clear. Colorless to light yellow.
- Odor** : Characteristic. [Slight]
- Odor threshold** : Not available.
- pH** : <4
- Melting point/freezing point** : -33°C (-27.4°F)
- Initial boiling point and boiling range** : 100°C (212°F)
- Flash point** : Closed cup: Not applicable.
- Evaporation rate** : <1 (butyl acetate = 1)
- Flammability (solid, gas)** : Not available.
- Upper/lower flammability or explosive limits** : Not available.
- Vapor pressure** : Not available.
- Vapor density** : <1 [Air = 1]
- Relative density** : 1.25 to 1.33
- Solubility** : Easily soluble in the following materials: cold water and hot water.
- Dispersibility properties** : Not available.
- Partition coefficient: n-octanol/water** : Not available.
- Auto-ignition temperature** : Not available.
- Decomposition temperature** : Not available.
- Viscosity** : Dynamic (room temperature): 16 mPa·s (16 cP)
- Volatility** : 60 to 64% (w/w)

### Aerosol product

## Section 10. Stability and reactivity

- Reactivity** : No specific test data related to reactivity available for this product or its ingredients.
- Chemical stability** : The product is stable.
- Possibility of hazardous reactions** : Under normal conditions of storage and use, hazardous reactions will not occur.
- Conditions to avoid** : No specific data.
- Incompatible materials** : No specific data.
- Hazardous decomposition products** : Under normal conditions of storage and use, hazardous decomposition products should not be produced.

## Section 11. Toxicological information

### Information on toxicological effects

#### Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
MERGAL WP14	LD50 Dermal	Rabbit	660 mg/kg	-
	LD50 Oral	Rat	457 mg/kg	-

#### Irritation/Corrosion

Product/ingredient name	Result	Species	Score	Exposure	Observation
2-chloro-2-methyl-4-isothiazolin-3-one	Skin - Severe irritant	Rabbit	-	-	-

#### Conclusion/Summary

- Skin** : Causes burns.
- Eyes** : Causes serious eye damage.

#### Sensitization

Product/ingredient name	Route of exposure	Species	Result
MERGAL WP14	skin	Guinea pig	Sensitizing

#### Mutagenicity

Not available.

#### Carcinogenicity

Not available.

#### Reproductive toxicity

Not available.

#### Teratogenicity

Not available.

#### Specific target organ toxicity (single exposure)

Not available.

#### Specific target organ toxicity (repeated exposure)

<b>Date of issue/Date of revision</b>	<b>: 11/14/2017</b>	<b>Date of previous issue</b>	<b>: 11/7/2016</b>	<b>Version : 3</b>	<b>7/14</b>
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## Section 11. Toxicological information

Not available.

### Aspiration hazard

Not available.

**Information on the likely routes of exposure** : Not available.

### Potential acute health effects

**Eye contact** : Causes serious eye damage.  
**Inhalation** : Harmful if inhaled.  
**Skin contact** : Causes severe burns. Toxic in contact with skin. May cause an allergic skin reaction.  
**Ingestion** : Harmful if swallowed.

### Symptoms related to the physical, chemical and toxicological characteristics

**Eye contact** : Adverse symptoms may include the following:  
pain  
watering  
redness  
**Inhalation** : No specific data.  
**Skin contact** : Adverse symptoms may include the following:  
pain or irritation  
redness  
blistering may occur  
**Ingestion** : Adverse symptoms may include the following:  
stomach pains

### Delayed and immediate effects and also chronic effects from short and long term exposure

#### Short term exposure

**Potential immediate effects** : Not available.  
**Potential delayed effects** : Not available.

#### Long term exposure

**Potential immediate effects** : Not available.  
**Potential delayed effects** : Not available.

### Potential chronic health effects

Not available.

**General** : Once sensitized, a severe allergic reaction may occur when subsequently exposed to very low levels.  
**Carcinogenicity** : No known significant effects or critical hazards.  
**Mutagenicity** : No known significant effects or critical hazards.  
**Teratogenicity** : No known significant effects or critical hazards.  
**Developmental effects** : No known significant effects or critical hazards.  
**Fertility effects** : No known significant effects or critical hazards.

### Numerical measures of toxicity

#### Acute toxicity estimates

<b>Date of issue/Date of revision</b>	<b>: 11/14/2017</b>	<b>Date of previous issue</b>	<b>: 11/7/2016</b>	<b>Version : 3</b>	<b>8/14</b>
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## Section 11. Toxicological information

Route	ATE value
Inhalation (dusts and mists)	3.467 mg/l

## Section 12. Ecological information

### Toxicity

Product/ingredient name	Result	Species	Exposure
5-chloro-2-methyl-4-isothiazolin-3-one	Acute EC50 0.18 ppm Fresh water	Daphnia - Daphnia magna	48 hours
	Acute LC50 0.56 ppm Marine water	Crustaceans - Acartia tonsa	48 hours
	Acute LC50 0.19 ppm Fresh water	Fish - Oncorhynchus mykiss	96 hours

### Persistence and degradability

Not available.

### Bioaccumulative potential

Product/ingredient name	LogP <sub>ow</sub>	BCF	Potential
5-chloro-2-methyl-4-isothiazolin-3-one	0.4	<50	low
2-methyl-2H-isothiazol-3-one	-0.5	<3	low

### Mobility in soil



















Soil/water partition coefficient (K<sub>oc</sub>) : Not available.

Other adverse effects : No known significant effects or critical hazards.

## Section 13. Disposal considerations

**Disposal methods** : The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should at all times comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Care should be taken when handling emptied containers that have not been cleaned or rinsed out. Empty containers or liners may retain some product residues. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

## Section 14. Transport information

	DOT Classification	TDG Classification	Mexico Classification	ADR/RID	IMDG	IATA/ICAO
UN number	UN2922	UN2922	UN2922	UN2922	UN2922	UN2922
UN proper shipping name	<b>CORROSIVE</b> LIQUID, TOXIC, N.O.S. (Contains: Isothiazolinones)	<b>CORROSIVE</b> LIQUID, TOXIC, N.O.S. (Contains: Isothiazolinones)	<b>CORROSIVE</b> LIQUID, TOXIC, N.O.S. (Contains: Isothiazolinones)	<b>CORROSIVE</b> LIQUID, TOXIC, N.O.S. (Contains: Isothiazolinones)	<b>CORROSIVE</b> LIQUID, TOXIC, N.O.S. (Contains: Isothiazolinones)	<b>CORROSIVE</b> LIQUID, TOXIC, N.O.S. (Contains: Isothiazolinones)
Transport hazard class(es)	8 (6.1)   	8 (6.1)   	8 (6.1)   	8 (6.1)   	8 (6.1)   	8 (6.1)   
Packing group	II	II	II	II	II	II
Environmental hazards	Yes.	Yes.	Yes.	Yes.	Yes.	Yes. The environmentally hazardous substance mark is not required.
Additional information	This product is not regulated as a marine pollutant when transported on inland waterways in sizes of ≤5 L or ≤5 kg or by road, rail, or inland air in non-bulk sizes, provided the packagings meet the general provisions of §§ 173.24 and 173.24a.	Product classified as per the following sections of the Transportation of Dangerous Goods Regulations: 2. 40-2.42 (Class 8), 2.26-2.36 (Class 6), 2.7 (Marine pollutant mark).  The marine pollutant mark is not required when transported by road or rail.	The environmentally hazardous substance mark is not required when transported in sizes of ≤5 L or ≤5 kg.	The environmentally hazardous substance mark is not required when transported in sizes of ≤5 L or ≤5 kg.  <u>Tunnel code</u> (E)	The marine pollutant mark is not required when transported in sizes of ≤5 L or ≤5 kg.  <u>Emergency schedules</u> (EmS) F-A, S-B	The environmentally hazardous substance mark may appear if required by other transportation regulations.

## Section 14. Transport information

**Special precautions for user** : **Transport within user's premises:** always transport in closed containers that are upright and secure. Ensure that persons transporting the product know what to do in the event of an accident or spillage.

**Transport in bulk according to Annex II of MARPOL and the IBC Code** : Not available.

## Section 15. Regulatory information

**U.S. Federal regulations** : **TSCA 12(b) one-time export:** 5-chloro-2-methyl- 4-isothiazolin-3-one; 2-methyl-2H-isothiazol-3-one

**TSCA 8(b) inventory** : All components are listed or exempted.

**Clean Air Act Section 112 (b) Hazardous Air Pollutants (HAPs)** : Not listed

**Clean Air Act Section 602 Class I Substances** : Not listed

**Clean Air Act Section 602 Class II Substances** : Not listed

**DEA List I Chemicals (Precursor Chemicals)** : Not listed

**DEA List II Chemicals (Essential Chemicals)** : Not listed

### EPA

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. Following is the hazard information as required on the pesticide label:

**EPA Registration Number:** 5383-141

**EPA Signal Word:** DANGER

**Symbol** : Not applicable.

**Precautionary statements** :

Corrosive. Causes irreversible eye damage and skin burns. May be fatal if absorbed through skin or swallowed. Harmful if inhaled. May cause allergic reaction. This product may cause skin sensitization reactions in some people.

### Explanation for differences between EPA and OSHA

#### classification

OSHA Signal word : Danger

This is based on the following classification categories:

ACUTE TOXICITY (oral) - Category 4

ACUTE TOXICITY (dermal) - Category 3

ACUTE TOXICITY (inhalation) - Category 4

SKIN CORROSION - Category 1B

SERIOUS EYE DAMAGE - Category 1

SKIN SENSITIZATION - Category 1

Environmental hazards : Not within OSHA jurisdiction therefore not required on SDS.

EPA Signal Word: DANGER

This is based on the following EPA toxicity categories:

## Section 15. Regulatory information

Acute oral toxicity - Category II  
 Acute dermal toxicity - Category II  
 Acute inhalation toxicity - Category III  
 Primary eye irritation - Category I  
 Primary skin irritation - Category I  
 Skin sensitization

Environmental hazards : This chemical is toxic to aquatic plants, fish and aquatic invertebrates.

### SARA 302/304

#### Composition/information on ingredients

No products were found.

SARA 304 RQ : Not applicable.

### SARA 311/312

Classification : Immediate (acute) health hazard

#### Composition/information on ingredients

Name	%	Fire hazard	Sudden release of pressure	Reactive	Immediate (acute) health hazard	Delayed (chronic) health hazard
Magnesium nitrate	≥10 - ≤25	Yes.	No.	No.	Yes.	No.
5-chloro-2-methyl- 4-isothiazolin-3-one	11.1	No.	No.	No.	Yes.	No.
2-methyl-2H-isothiazol-3-one	3.5	No.	No.	No.	Yes.	No.

### SARA 313

	Product name	CAS number	%
Form R - Reporting requirements	Magnesium nitrate	10377-60-3	≥10 - ≤25
Supplier notification	Magnesium nitrate	10377-60-3	≥10 - ≤25

SARA 313 notifications must not be detached from the SDS and any copying and redistribution of the SDS shall include copying and redistribution of the notice attached to copies of the SDS subsequently redistributed.

### State regulations

Massachusetts : The following components are listed: MAGNESIUM NITRATE  
 New York : None of the components are listed.  
 New Jersey : The following components are listed: MAGNESIUM NITRATE; NITRIC ACID, MAGNESIUM SALT  
 Pennsylvania : The following components are listed: NITRIC ACID, MAGNESIUM SALT

### California Prop. 65

None of the components are listed.

### International regulations

#### Chemical Weapon Convention List Schedules I, II & III Chemicals

Not listed.

#### Montreal Protocol (Annexes A, B, C, E)

Not listed.

#### Stockholm Convention on Persistent Organic Pollutants

Not listed.

## Section 15. Regulatory information

### Rotterdam Convention on Prior Informed Consent (PIC)

Not listed.

### UNECE Aarhus Protocol on POPs and Heavy Metals

Not listed.

### International lists

#### National inventory

Australia	: All components are listed or exempted.
Canada	: All components are listed or exempted.
China	: All components are listed or exempted.
Europe	: All components are listed or exempted.
Japan	: <b>Japan inventory (ENCS):</b> All components are listed or exempted. <b>Japan inventory (ISHL):</b> Not determined.
Malaysia	: Not determined.
New Zealand	: All components are listed or exempted.
Philippines	: All components are listed or exempted.
Republic of Korea	: All components are listed or exempted.
Taiwan	: All components are listed or exempted.

## Section 16. Other information

### Hazardous Material Information System (U.S.A.)

Health	3
Flammability	0
Physical hazards	0

**Caution:** HMIS® ratings are based on a 0-4 rating scale, with 0 representing minimal hazards or risks, and 4 representing significant hazards or risks. Although HMIS® ratings are not required on SDSs under 29 CFR 1910.1200, the preparer may choose to provide them. HMIS® ratings are to be used with a fully implemented HMIS® program. HMIS® is a registered mark of the National Paint & Coatings Association (NPCA). HMIS® materials may be purchased exclusively from J. J. Keller (800) 327-6868.

The customer is responsible for determining the PPE code for this material.

### National Fire Protection Association (U.S.A.)



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Copyright ©2001, National Fire Protection Association, Quincy, MA 02269. This warning system is intended to be interpreted and applied only by properly trained individuals to identify fire, health and reactivity hazards of chemicals. The user is referred to certain limited number of chemicals with recommended classifications in NFPA 49 and NFPA 325, which would be used as a guideline only. Whether the chemicals are classified by NFPA or not, anyone using the 704 systems to classify chemicals does so at their own risk.

## Section 16. Other information

### History

Date of printing : 11/16/2017  
Date of issue/Date of revision : 11/14/2017  
Date of previous issue : 11/7/2016  
Version : 3  
Key to abbreviations : ATE = Acute Toxicity Estimate  
BCF = Bioconcentration Factor  
GHS = Globally Harmonized System of Classification and Labelling of Chemicals  
IATA = International Air Transport Association  
IBC = Intermediate Bulk Container  
IMDG = International Maritime Dangerous Goods  
LogPow = logarithm of the octanol/water partition coefficient  
MARPOL = International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978. ("Marpol" = marine pollution)  
UN = United Nations

References : Not available.

☐ Indicates information that has changed from previously issued version.

### Notice to reader

To the best of our knowledge, the information contained herein is accurate. However, neither the above-named supplier, nor any of its subsidiaries, assumes any liability whatsoever for the accuracy or completeness of the information contained herein.

Final determination of suitability of any material is the sole responsibility of the user. All materials may present unknown hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist.

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# SAFETY DATA SHEET



MERGAL WP45

## Section 1. Identification

GHS product identifier : MERGAL WP45  
Product code : 10062  
Other means of identification : Not available.  
Product type : Liquid.  
Material uses : Dry-film preservative  
  
Supplier's details : Troy Corporation.  
8 Vreeland Road  
PO Box 955  
Florham Park, NJ 07932-0955  
U.S.A.  
Phone: +1-973-443-4200  
Fax: +1-973-443-0258

Emergency telephone number (with hours of operation) : CHEMTREC - Tel: +1-800-424-9300 (24/7)

## Section 2. Hazards identification

OSHA/HCS status : This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200).  
Classification of the substance or mixture : ☒ ACUTE TOXICITY (oral) - Category 4  
ACUTE TOXICITY (inhalation) - Category 4  
SKIN CORROSION - Category 1C  
SERIOUS EYE DAMAGE - Category 1  
SKIN SENSITIZATION - Category 1

### GHS label elements

Hazard pictograms



Signal word

: Danger

Hazard statements

: ☒ Harmful if swallowed or if inhaled.  
Causes severe skin burns and eye damage.  
May cause an allergic skin reaction.

### Precautionary statements

General

: Read label before use. Keep out of reach of children. If medical advice is needed, have product container or label at hand.

Prevention

: ☒ Wear protective gloves. Wear eye or face protection. Wear protective clothing. Use only outdoors or in a well-ventilated area. Avoid breathing vapor. Do not eat, drink or smoke when using this product. Wash hands thoroughly after handling. Contaminated work clothing must not be allowed out of the workplace.

Date of issue/Date of revision

: 11/30/2017

Date of previous issue

: 11/18/2016

Version : 3

1/14



## Section 2. Hazards identification

- Response** : **IF INHALED:** Remove person to fresh air and keep comfortable for breathing. Immediately call a POISON CENTER or physician. **IF SWALLOWED:** Immediately call a POISON CENTER or physician. Rinse mouth. Do NOT induce vomiting. **IF ON SKIN (or hair):** Take off immediately all contaminated clothing. Rinse skin with water or shower. Wash contaminated clothing before reuse. Immediately call a POISON CENTER or physician. **IF ON SKIN:** Wash with plenty of soap and water. Wash contaminated clothing before reuse. If skin irritation or rash occurs: Get medical attention. **IF IN EYES:** Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a POISON CENTER or physician.
- Storage** : Store locked up.
- Disposal** : Dispose of contents and container in accordance with all local, regional, national and international regulations.
- Hazards not otherwise classified** : None known.

## Section 3. Composition/information on ingredients

- Substance/mixture** : Mixture
- Other means of identification** : Not available.

### CAS number/other identifiers

- CAS number** : Not applicable.

Ingredient name	%	CAS number
Propane-1,2-diol octhlinone (ISO)	≥50 - ≤55 45	57-55-6 26530-20-1

Any concentration shown as a range is to protect confidentiality or is due to batch variation.

There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

Occupational exposure limits, if available, are listed in Section 8.

## Section 4. First aid measures

### Description of necessary first aid measures

- Eye contact** : Get medical attention immediately. Call a poison center or physician. Immediately flush eyes with plenty of water, occasionally lifting the upper and lower eyelids. Check for and remove any contact lenses. Continue to rinse for at least 10 minutes. Chemical burns must be treated promptly by a physician.
- Inhalation** : Get medical attention immediately. Call a poison center or physician. Remove victim to fresh air and keep at rest in a position comfortable for breathing. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. If not breathing, if breathing is irregular or if respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband. In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed person may need to be kept under medical surveillance for 48 hours.

## Section 4. First aid measures

- Skin contact** : Get medical attention immediately. Call a poison center or physician. Wash with plenty of soap and water. Remove contaminated clothing and shoes. Wash contaminated clothing thoroughly with water before removing it, or wear gloves. Continue to rinse for at least 10 minutes. Chemical burns must be treated promptly by a physician. In the event of any complaints or symptoms, avoid further exposure. Wash clothing before reuse. Clean shoes thoroughly before reuse.
- Ingestion** : Get medical attention immediately. Call a poison center or physician. Wash out mouth with water. Remove dentures if any. Remove victim to fresh air and keep at rest in a position comfortable for breathing. If material has been swallowed and the exposed person is conscious, give small quantities of water to drink. Stop if the exposed person feels sick as vomiting may be dangerous. Do not induce vomiting unless directed to do so by medical personnel. If vomiting occurs, the head should be kept low so that vomit does not enter the lungs. Chemical burns must be treated promptly by a physician. Never give anything by mouth to an unconscious person. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband.

### Most important symptoms/effects, acute and delayed

#### Potential acute health effects

- Eye contact** : Causes serious eye damage.
- Inhalation** : Harmful if inhaled.
- Skin contact** : Causes severe burns. May cause an allergic skin reaction.
- Ingestion** : Harmful if swallowed.

#### Over-exposure signs/symptoms

- Eye contact** : Adverse symptoms may include the following:  
pain  
watering  
redness
- Inhalation** : No specific data.
- Skin contact** : Adverse symptoms may include the following:  
pain or irritation  
redness  
blistering may occur
- Ingestion** : Adverse symptoms may include the following:  
stomach pains

### Indication of immediate medical attention and special treatment needed, if necessary

- Notes to physician** : In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed person may need to be kept under medical surveillance for 48 hours.
- Specific treatments** : No specific treatment.
- Protection of first-aiders** : No action shall be taken involving any personal risk or without suitable training. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. Wash contaminated clothing thoroughly with water before removing it, or wear gloves.

See toxicological information (Section 11)

## Section 5. Fire-fighting measures

### Extinguishing media

**Suitable extinguishing media** : Use an extinguishing agent suitable for the surrounding fire.

**Unsuitable extinguishing media** : None known.

**Specific hazards arising from the chemical** : In a fire or if heated, a pressure increase will occur and the container may burst.

**Hazardous thermal decomposition products** : Decomposition products may include the following materials:  
carbon dioxide  
carbon monoxide  
nitrogen oxides  
sulfur oxides

**Special protective actions for fire-fighters** : Promptly isolate the scene by removing all persons from the vicinity of the incident if there is a fire. No action shall be taken involving any personal risk or without suitable training.

**Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

## Section 6. Accidental release measures

### Personal precautions, protective equipment and emergency procedures

**For non-emergency personnel** : No action shall be taken involving any personal risk or without suitable training. Evacuate surrounding areas. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spilled material. Do not breathe vapor or mist. Provide adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Put on appropriate personal protective equipment.

**For emergency responders** : If specialized clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also the information in "For non-emergency personnel".

**Environmental precautions** : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air).

### Methods and materials for containment and cleaning up

**Small spill** : Stop leak if without risk. Move containers from spill area. Dilute with water and mop up if water-soluble. Alternatively, or if water-insoluble, absorb with an inert dry material and place in an appropriate waste disposal container. Dispose of via a licensed waste disposal contractor.

**Large spill** : Stop leak if without risk. Move containers from spill area. Approach release from upwind. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). Dispose of via a licensed waste disposal contractor. Contaminated absorbent material may pose the same hazard as the spilled product. Note: see Section 1 for emergency contact information and Section 13 for waste disposal.

## Section 7. Handling and storage

### Precautions for safe handling

- Protective measures** : Put on appropriate personal protective equipment (see Section 8). Persons with a history of skin sensitization problems should not be employed in any process in which this product is used. Do not get in eyes or on skin or clothing. Do not breathe vapor or mist. Do not ingest. Use only with adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Keep in the original container or an approved alternative made from a compatible material, kept tightly closed when not in use. Empty containers retain product residue and can be hazardous. Do not reuse container.
- Advice on general occupational hygiene** : Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering eating areas. See also Section 8 for additional information on hygiene measures.
- Conditions for safe storage, including any incompatibilities** : Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Store locked up. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination.

## Section 8. Exposure controls/personal protection

### Control parameters

#### Occupational exposure limits

Ingredient name	Exposure limits
Propane-1,2-diol	AIHA WEEL (United States, 10/2011). TWA: 10 mg/m <sup>3</sup> 8 hours.

- Appropriate engineering controls** : Use only with adequate ventilation. Use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits.
- Environmental exposure controls** : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation. In some cases, fume scrubbers, filters or engineering modifications to the process equipment will be necessary to reduce emissions to acceptable levels.

### Individual protection measures

- Hygiene measures** : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Contaminated work clothing should not be allowed out of the workplace. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.
- Eyeface protection** : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists, gases or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: chemical splash goggles and/or face shield. If inhalation hazards exist, a full-face respirator may be required instead.

#### Skin protection

## Section 8. Exposure controls/personal protection

- Hand protection** : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Considering the parameters specified by the glove manufacturer, check during use that the gloves are still retaining their protective properties. It should be noted that the time to breakthrough for any glove material may be different for different glove manufacturers. In the case of mixtures, consisting of several substances, the protection time of the gloves cannot be accurately estimated.
- Body protection** : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.
- Other skin protection** : Appropriate footwear and any additional skin protection measures should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.
- Respiratory protection** : Based on the hazard and potential for exposure, select a respirator that meets the appropriate standard or certification. Respirators must be used according to a respiratory protection program to ensure proper fitting, training, and other important aspects of use.

## Section 9. Physical and chemical properties

### Appearance

- Physical state** : Liquid.
- Color** : Yellow. Pale.
- Odor** : Not available.
- Odor threshold** : Not available.
- pH** : 7
- Melting point/freezing point** : -60°C (-76°F)
- Initial boiling point and boiling range** : 187.4°C (369.3°F)
- Flash point** : Open cup: 224°C (435.2°F)
- Evaporation rate** : <1 (butyl acetate = 1)
- Flammability (solid, gas)** : Not available.
- Upper/lower flammability or explosive limits** : Not available.
- Vapor pressure** : 0.011 kPa (0.08 mm Hg) [room temperature]
- Vapor density** : >1 [Air = 1]
- Relative density** : 1.03 to 1.05
- Solubility** : Not available.
- Dispersibility properties** : Not available.
- Partition coefficient: n-octanol/water** : Not available.
- Auto-ignition temperature** : Not available.
- Decomposition temperature** : Not available.
- Viscosity** : Not available.
- Volatility** : 59% (w/w)

### Aerosol product

## Section 10. Stability and reactivity

- Reactivity** : No specific test data related to reactivity available for this product or its ingredients.
- Chemical stability** : The product is stable.
- Possibility of hazardous reactions** : Under normal conditions of storage and use, hazardous reactions will not occur.
- Conditions to avoid** : No specific data.
- Incompatible materials** : No specific data.
- Hazardous decomposition products** : Under normal conditions of storage and use, hazardous decomposition products should not be produced.

## Section 11. Toxicological information

### Information on toxicological effects

#### Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
MERGAL WP45	LD50 Dermal	Rat - Female	2000 to 5000 mg/kg	-
	LD50 Dermal	Rat - Male	>5000 mg/kg	-
	LD50 Oral	Rat - Female	1030 mg/kg	-

#### Irritation/Corrosion

Product/ingredient name	Result	Species	Score	Exposure	Observation
MERGAL WP45	Skin - Visible necrosis	Rabbit	-	4 hours	7 days

#### Conclusion/Summary

- Skin** : Corrosive to the skin.
- Eyes** : Corrosive to eyes.

#### Sensitization

Product/ingredient name	Route of exposure	Species	Result
MERGAL WP45	skin	Guinea pig	Sensitizing

#### Mutagenicity

Not available.

#### Carcinogenicity

Not available.

#### Reproductive toxicity

Not available.

#### Teratogenicity

Not available.

#### Specific target organ toxicity (single exposure)

Not available.

## Section 11. Toxicological information

### Specific target organ toxicity (repeated exposure)

Not available.

### Aspiration hazard

Not available.

Information on the likely routes of exposure : Not available.

### Potential acute health effects

Eye contact : Causes serious eye damage.  
Inhalation : Harmful if inhaled.  
Skin contact : Causes severe burns. May cause an allergic skin reaction.  
Ingestion : Harmful if swallowed.

### Symptoms related to the physical, chemical and toxicological characteristics

Eye contact : Adverse symptoms may include the following:  
pain  
watering  
redness  
Inhalation : No specific data.  
Skin contact : Adverse symptoms may include the following:  
pain or irritation  
redness  
blistering may occur  
Ingestion : Adverse symptoms may include the following:  
stomach pains

### Delayed and immediate effects and also chronic effects from short and long term exposure

#### Short term exposure

Potential immediate effects : Not available.  
Potential delayed effects : Not available.

#### Long term exposure

Potential immediate effects : Not available.  
Potential delayed effects : Not available.

### Potential chronic health effects

Not available.

General : Once sensitized, a severe allergic reaction may occur when subsequently exposed to very low levels.  
Carcinogenicity : No known significant effects or critical hazards.  
Mutagenicity : No known significant effects or critical hazards.  
Teratogenicity : No known significant effects or critical hazards.  
Developmental effects : No known significant effects or critical hazards.  
Fertility effects : No known significant effects or critical hazards.

### Numerical measures of toxicity

Date of issue/Date of revision

: 11/30/2017

Date of previous issue

: 11/18/2016

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## Section 11. Toxicological information

### Acute toxicity estimates

Route	ATE value
Inhalation (dusts and mists)	1.289 mg/l

## Section 12. Ecological information

### Toxicity

Product/ingredient name	Result	Species	Exposure
propane-1,2-diol          octhlinone (ISO)	Acute EC50 19000 mg/l	Aquatic plants	96 hours
	Acute LC50 >1000 mg/l Marine water	Crustaceans - Chaetogammarus marinus - Young	48 hours
	Acute LC50 1020000 µg/l Fresh water	Daphnia - Ceriodaphnia dubia	48 hours
	Acute LC50 710000 µg/l Fresh water	Fish - Pimephales promelas	96 hours
	Acute LC50 40613 mg/l	Fish	96 hours
	Chronic NOEC 660000 µg/l Fresh water	Daphnia - Ceriodaphnia dubia	48 hours
	Chronic NOEC 600000 µg/l Fresh water	Fish - Pimephales promelas	96 hours
	Acute EC50 0.084 mg/l	Algae	72 hours
	Acute EC50 0.32 mg/l	Daphnia	48 hours
	Acute EC50 107 ppb Fresh water	Daphnia - Daphnia magna	48 hours
	Acute EC50 30.2 mg/l	Micro-organism	3 hours
	Acute LC50 0.18 mg/l	Fish	96 hours
	Acute LC50 0.047 mg/l	Fish	96 hours
	Chronic NOEC 74 ppb Marine water	Daphnia - Daphnia magna	21 days
	Chronic NOEC 8.5 ppb	Fish - Pimephales promelas	35 days

### Persistence and degradability

Product/ingredient name	Test	Result	Dose	Inoculum
propane-1,2-diol	301F Ready Biodegradability - Manometric Respirometry Test	>60 % - Readily - 28 days	-	-

Product/ingredient name	Aquatic half-life	Photolysis	Biodegradability
propane-1,2-diol	-	-	Readily

### Bioaccumulative potential

Product/ingredient name	LogP <sub>ow</sub>	BCF	Potential
propane-1,2-diol	-0.92	<100	low
octhlinone (ISO)	2.45	-	low

### Mobility in soil

Soil/water partition coefficient (K<sub>oc</sub>) : Not available.

Other adverse effects : No known significant effects or critical hazards.












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## Section 13. Disposal considerations

**Disposal methods** : The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should at all times comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Care should be taken when handling emptied containers that have not been cleaned or rinsed out. Empty containers or liners may retain some product residues. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

## Section 14. Transport information

	DOT Classification	TDG Classification	Mexico Classification	ADR/RID	IMDG	IATA/ICAO
UN number	UN3265	UN3265	UN3265	UN3265	UN3265	UN3265
UN proper shipping name	CORROSIVE LIQUID, ACIDIC, ORGANIC, N. O.S. (octhilineone (ISO))	CORROSIVE LIQUID, ACIDIC, ORGANIC, N. O.S. (octhilineone (ISO))	CORROSIVE LIQUID, ACIDIC, ORGANIC, N. O.S. (octhilineone (ISO))	CORROSIVE LIQUID, ACIDIC, ORGANIC, N. O.S. (octhilineone (ISO))	CORROSIVE LIQUID, ACIDIC, ORGANIC, N. O.S. (octhilineone (ISO))	CORROSIVE LIQUID, ACIDIC, ORGANIC, N. O.S. (octhilineone (ISO))
Transport hazard class(es)	8  	8  	8  	8  	8  	8 
Packing group	III	III	III	III	III	III
Environmental hazards	Yes.	Yes.	Yes.	Yes.	Yes.	Yes. The environmentally hazardous substance mark is not required.
Additional information	This product is not regulated as a marine pollutant when transported on inland waterways in sizes of ≤5 L or ≤5 kg or by road, rail, or inland air in	Product classified as per the following sections of the Transportation of Dangerous Goods Regulations: 2.40-2.42 (Class 8), 2.7 (Marine	The environmentally hazardous substance mark is not required when transported in sizes of ≤5 L or ≤5 kg.	The environmentally hazardous substance mark is not required when transported in sizes of ≤5 L or ≤5 kg.	The marine pollutant mark is not required when transported in sizes of ≤5 L or ≤5 kg. <b>Emergency schedules (EmS)</b>	The environmentally hazardous substance mark may appear if required by other transportation regulations.

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## Section 14. Transport information

	non-bulk sizes, provided the packagings meet the general provisions of §§ 173.24 and 173.24a.	pollutant mark). The marine pollutant mark is not required when transported by road or rail.			F-A, S-B	
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**Special precautions for user** : **Transport within user's premises:** always transport in closed containers that are upright and secure. Ensure that persons transporting the product know what to do in the event of an accident or spillage.

**Transport in bulk according to Annex II of MARPOL and the IBC Code** : Not available.

## Section 15. Regulatory information

### U.S. Federal regulations

**TSCA 8(b) inventory** : All components are listed or exempted.

**Clean Air Act Section 112** : Not listed

**(b) Hazardous Air Pollutants (HAPs)**

**Clean Air Act Section 602 Class I Substances** : Not listed

**Clean Air Act Section 602 Class II Substances** : Not listed

**DEA List I Chemicals (Precursor Chemicals)** : Not listed

**DEA List II Chemicals (Essential Chemicals)** : Not listed

### EPA

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. Following is the hazard information as required on the pesticide label:

**EPA Registration Number:** 5383-156

**EPA Signal Word:** DANGER

**Symbol** : Not applicable.

### **Precautionary statements** :

Corrosive. Causes irreversible eye damage or skin burns. Harmful if swallowed, absorbed through skin, or inhaled. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

### **Explanation for differences between EPA and OSHA classification** :

OSHA Signal word : Danger

This is based on the following classification categories:

## Section 15. Regulatory information

ACUTE TOXICITY (oral) - Category 4  
 ACUTE TOXICITY (inhalation) - Category 4  
 SKIN CORROSION - Category 1C  
 SERIOUS EYE DAMAGE - Category 1  
 SKIN SENSITIZATION - Category 1

Environmental hazards : Not within OSHA jurisdiction therefore not required on SDS.

EPA Signal Word: DANGER

This is based on the following EPA toxicity categories:

Primary skin irritation - Category I  
 Primary eye irritation - Category I  
 Acute inhalation toxicity - Category III  
 Acute oral toxicity - Category III  
 Acute dermal toxicity - Category III  
 Skin sensitization

Environmental hazards : This product is toxic to fish, aquatic invertebrates, oysters, and shrimp.

### SARA 302/304

#### Composition/information on ingredients

No products were found.

SARA 304 RQ : Not applicable.

### SARA 311/312

Classification : Immediate (acute) health hazard

#### Composition/information on ingredients

Name	%	Fire hazard	Sudden release of pressure	Reactive	Immediate (acute) health hazard	Delayed (chronic) health hazard
Octhilinone (ISO)	45	No.	No.	No.	Yes.	No.

### State regulations

Massachusetts : None of the components are listed.

New York : None of the components are listed.

New Jersey : The following components are listed: PROPYLENE GLYCOL; 1,2-PROPANEDIOL

Pennsylvania : The following components are listed: 1,2-PROPANEDIOL

#### California Prop. 65

None of the components are listed.

### International regulations

#### Chemical Weapon Convention List Schedules I, II & III Chemicals

Not listed.

#### Montreal Protocol (Annexes A, B, C, E)

Not listed.

#### Stockholm Convention on Persistent Organic Pollutants

Not listed.

#### Rotterdam Convention on Prior Informed Consent (PIC)

Not listed.

#### UNECE Aarhus Protocol on POPs and Heavy Metals

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## Section 15. Regulatory information

Not listed.

### International lists

#### National inventory

Australia	: All components are listed or exempted.
Canada	: All components are listed or exempted.
China	: All components are listed or exempted.
Europe	: All components are listed or exempted.
Japan	: <b>Japan inventory (ENCS)</b> : All components are listed or exempted. <b>Japan inventory (ISHL)</b> : Not determined.
Malaysia	: All components are listed or exempted.
New Zealand	: All components are listed or exempted.
Philippines	: All components are listed or exempted.
Republic of Korea	: All components are listed or exempted.
Taiwan	: All components are listed or exempted.

## Section 16. Other information

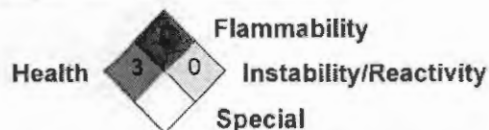
### Hazardous Material Information System (U.S.A.)

Health	3
Flammability	0
Physical hazards	0

**Caution:** HMIS® ratings are based on a 0-4 rating scale, with 0 representing minimal hazards or risks, and 4 representing significant hazards or risks. Although HMIS® ratings are not required on SDSs under 29 CFR 1910.1200, the preparer may choose to provide them. HMIS® ratings are to be used with a fully implemented HMIS® program. HMIS® is a registered mark of the National Paint & Coatings Association (NPCA). HMIS® materials may be purchased exclusively from J. J. Keller (800) 327-6868.

The customer is responsible for determining the PPE code for this material.

### National Fire Protection Association (U.S.A.)



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Copyright ©2001, National Fire Protection Association, Quincy, MA 02269. This warning system is intended to be interpreted and applied only by properly trained individuals to identify fire, health and reactivity hazards of chemicals. The user is referred to certain limited number of chemicals with recommended classifications in NFPA 49 and NFPA 325, which would be used as a guideline only. Whether the chemicals are classified by NFPA or not, anyone using the 704 systems to classify chemicals does so at their own risk.

### History

Date of printing	: 11/30/2017
Date of issue/Date of revision	: 11/30/2017

Date of issue/Date of revision	: 11/30/2017	Date of previous issue	: 11/18/2016	Version : 3	13/14
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**Section 16. Other information****Date of previous issue** : 11/18/2016**Version** : 3

**Key to abbreviations** : ATE = Acute Toxicity Estimate  
BCF = Bioconcentration Factor  
GHS = Globally Harmonized System of Classification and Labelling of Chemicals  
IATA = International Air Transport Association  
IBC = Intermediate Bulk Container  
IMDG = International Maritime Dangerous Goods  
LogPow = logarithm of the octanol/water partition coefficient  
MARPOL = International Convention for the Prevention of Pollution From Ships, 1973  
as modified by the Protocol of 1978. ("Marpol" = marine pollution)  
UN = United Nations

**References** : Not available.

✓ Indicates information that has changed from previously issued version.

**Notice to reader**

To the best of our knowledge, the information contained herein is accurate. However, neither the above-named supplier, nor any of its subsidiaries, assumes any liability whatsoever for the accuracy or completeness of the information contained herein.

Final determination of suitability of any material is the sole responsibility of the user. All materials may present unknown hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist.

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# Osmose MATERIAL SAFETY DATA SHEET

## MATERIAL SAFETY DATA SHEET: Sodium Nitrite Solution

### SECTION I

MSDS NUMBER:	233-osm
MSDS CODE:	OSM
SYNONYMS:	N/A
MANUFACTURED BY:	Osmose, Inc.
EPA REGISTRATION NUMBER:	N/A
VENDOR:	N/A
EMERGENCY PHONE:	CHEMTREC: 1(800) 424-9300
OTHER CALLS:	716-882-5905
ADDRESS:	980 Ellcott Street, Buffalo NY 14209
MSDS PREPARED BY:	Teri Muchow
DATE PREPARED:	May 14, 2007
DATE LAST REVISED:	N/A

\*CHEMTREC'S EMERGENCY TELEPHONE NUMBER IS TO BE USED ONLY IN THE EVENT OF CHEMICAL EMERGENCIES INVOLVING A SPILL, LEAK, FIRE, EXPOSURE, OR ACCIDENT INVOLVING CHEMICALS.

### HAZARD SUMMARY

#### WARNING

- Eyes - Causes eye irritation.
- Skin - Causes skin irritation.
- Ingestion - Harmful or fatal if swallowed.
- Inhalation - Irritation of the upper respiratory tract with coughing may occur.

### SECTION II - HAZARDOUS INGREDIENTS/IDENTITY INFORMATION

TRADE NAME: Sodium Nitrite Solution	GAS	OSHA PEL	ACGIH TLV	OTHER	%
INGREDIENT NAME					
Sodium Nitrite	7632-00-0	Not Established	Not Established	RQ = 100 lbs.	40%
Water	7732-18-5	None	None	N/A	60%

### SECTION III - CHEMICAL CHARACTERISTICS

BOILING POINT	MELTING POINT	FREEZING POINT	SPECIFIC GRAVITY (H <sub>2</sub> O = 1)	THEORETICAL VOC CONTENT (PERCENT OF WEIGHT)	
238°F (114.6°C)	N/A	N/A	Approx. 1.4	Not Determined	
WEIGHT PER GALLON	pH	VAPOR PRESSURE	VAPOR DENSITY	DENSITY	EVAPORATION RATE BASIS (N-BUAC) = 1
Aprox. 11.6 lbs/gal.	9	60 mmHg @ 25°C (77°F)	Less than 1	See specific gravity	Greater than 1
SOLUBILITY IN WATER:		Soluble		REACTIVITY IN WATER:	
APPEARANCE AND ODOR:		Strew colored clear liquid. No odor.		VISCOSITY:	
				N/A	
				Not Determined	

### SECTION IV - FIRE AND EXPLOSION HAZARD DATA

FLASH POINT	METHOD	FLAMMABLE LIMITS IN AIR (%)	AUTOIGNITION TEMPERATURE
Non-combustible	N/A	N/A	N/A
NFPA CODES		HEALTH	HEALTH
		2	2
		FLAMMABILITY	FLAMMABILITY
		0	0
		REACTIVITY	REACTIVITY
		1	1
		OTHER	PROTECTION
		N/A	C
EXTINGUISHER MEDIA: As appropriate for combustibles in area.			

# Osmose MATERIAL SAFETY DATA SHEET

**SPECIAL FIRE FIGHTING PROCEDURES:** As in any fire, wear full protective clothing and NIOSH-approved self-contained breathing apparatus with full face piece operated in the pressure demand or other positive pressure mode.

**UNUSUAL FIRE AND EXPLOSION HAZARDS:** Strong oxidizer when water is removed. Combustible materials may catch fire more easily after being wet with sodium nitrite and dried. Product intensifies combustion of other materials. Fires are difficult to extinguish.

## SECTION V - REACTIVITY DATA

**IS THIS CHEMICAL STABLE UNDER NORMAL CONDITIONS OF HANDLING/STORAGE (Y/N)?** Y

**CONDITIONS TO AVOID (REGARDING STABILITY):** High temperatures. Unstable with heat after dry down.

**INCOMPATIBILITY (MATERIALS TO AVOID):** acids, ammonium salts, amines, activated carbon, cyanides, and reducing agents. May react with secondary or tertiary amines to form nitrosamines. (Certain nitrosamines are cancer-suspect agents.)

**HAZARDOUS DECOMPOSITION PRODUCTS:** Decomposes with heat. Decomposition temperature is 490°C (914°F) after dry down and will produce oxygen and toxic nitrogen.

**HAZARDOUS POLYMERIZATION POSSIBLE (Y/N)?** N

**CONDITIONS TO AVOID (REGARDING POLYMERIZATION):** N/A

## SECTION VI - HEALTH HAZARDS

**EMERGENCY OVERVIEW:** Harmful or fatal if swallowed. Harmful if inhaled. Overexposure by inhalation or ingestion cause reduced oxygen carrying capacity of blood. Causes skin and eye irritation.

**ROUTES OF ENTRY:** Skin, eyes, inhalation, ingestion.

**SIGNS AND SYMPTOMS OF ACUTE OVEREXPOSURE:**

- |              |  |
|--------------|--|
| Eyes -       | Can cause eye irritation with discomfort, tearing, or blurring of vision.  |
| Skin -       | Can cause skin irritation with discomfort or rash.   |
| Ingestion -  | Harmful or fatal if swallowed. Effects may include low blood pressure with headache and fainting, or nonspecific discomfort such as nausea or weakness. Over exposure may also cause reduced oxygen carrying capacity of the blood with bluish discoloration of the skin, possibly progressing to dizziness, incoordination, and shortness of breath, increased pulse rate, and loss of consciousness. |
| Inhalation - | Irritation of the upper respiratory passages with coughing may occur. Effects may include low blood pressure with headache and fainting, or nonspecific discomfort such as nausea or weakness.   |

Sodium nitrite can also react with certain amines forming compounds which may cause cancer, mutations, or other toxicity. These compounds, known as nitrosamines, can be formed in acidic environments such as that found in stomach. Since many medications and chemicals contain an amine group, simultaneous exposure to nitrites should be avoided.

**TOXICITY DATA:** Inhalation 4-hour LC<sub>50</sub> = 1.45 mg/l in rats; Oral LD<sub>50</sub> = 120 mg/kg in rats.

**CHRONIC OVEREXPOSURE:** None known.

**CHEMICAL LISTED AS A CARCINOGEN OR POTENTIAL CARCINOGEN?**

- NATIONAL TOXICOLOGY PROGRAM (Y/N): N
- IARC MONOGRAPHS (Y/N): N
- OSHA (Y/N): N

**MEDICAL CONDITIONS GENERALLY AGGRAVATED BY EXPOSURE:** None known

**ACUTE AND CHRONIC TOXICITY:** Oral LD<sub>50</sub> (rat) = 1,200 mg/kg. Non-irritating to skin of rabbit. Severely irritating to eyes of rabbit.

## EMERGENCY AND FIRST AID PROCEDURES

① **EMERGENCY PHONE NUMBER OF MANUFACTURER:** CHEMTREC 1(800) 424-9300

1. **INHALATION:** Remove to fresh air. If not breathing give artificial respiration. If breathing is difficult, give oxygen. Call a physician.
2. **EYE CONTACT:** In case of contact, immediately flush eyes with plenty of water for at least 15 minutes. Call a physician.
3. **SKIN CONTACT:** Flush skin with plenty of water for at least 15 minutes while removing contaminated clothing. Call a physician. Wash clothing before reuse.
4. **INGESTION:** Immediately give two glasses of water and induce vomiting. Call a physician. Never give anything by mouth to an unconscious person.

# Osmose MATERIAL SAFETY DATA SHEET

**SPECIAL FIRE FIGHTING PROCEDURES:** As in any fire, wear full protective clothing and NIOSH-approved self-contained breathing apparatus with full face piece operated in the pressure demand or other positive pressure mode.

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**IS THIS CHEMICAL STABLE UNDER NORMAL CONDITIONS OF HANDLING/STORAGE (Y/N)?** Y

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**INCOMPATIBILITY (MATERIALS TO AVOID):** acids, ammonium salts, amines, activated carbon, cyanides, and reducing agents. May react with secondary or tertiary amines to form nitrosamines. (Certain nitrosamines are cancer-suspect agents.)

**HAZARDOUS DECOMPOSITION PRODUCTS:** Decomposes with heat. Decomposition temperature is 490°C (914°F) after dry down and will produce oxygen and toxic nitrogen.

**HAZARDOUS POLYMERIZATION POSSIBLE (Y/N)?** N

**CONDITIONS TO AVOID (REGARDING POLYMERIZATION):** N/A

## SECTION VI - HEALTH HAZARDS

**EMERGENCY OVERVIEW:** Harmful or fatal if swallowed. Harmful if inhaled. Overexposure by inhalation or ingestion cause reduced oxygen carrying capacity of blood. Causes skin and eye irritation.

**ROUTES OF ENTRY:** Skin, eyes, inhalation, ingestion.

**SIGNS AND SYMPTOMS OF ACUTE OVEREXPOSURE:**

- |              |  |
|--------------|--|
| Eyes -       | Can cause eye irritation with discomfort, tearing, or blurring of vision.  |
| Skin -       | Can cause skin irritation with discomfort or rash.   |
| Ingestion -  | Harmful or fatal if swallowed. Effects may include low blood pressure with headache and fainting, or nonspecific discomfort such as nausea or weakness. Over exposure may also cause reduced oxygen carrying capacity of the blood with bluish discoloration of the skin, possibly progressing to dizziness, incoordination, and shortness of breath, increased pulse rate, and loss of consciousness. |
| Inhalation - | Irritation of the upper respiratory passages with coughing may occur. Effects may include low blood pressure with headache and fainting, or nonspecific discomfort such as nausea or weakness.   |

Sodium nitrite can also react with certain amines forming compounds which may cause cancer, mutations, or other toxicity. These compounds, known as nitrosamines, can be formed in acidic environments such as that found in stomach. Since many medications and chemicals contain an amine group, simultaneous exposure to nitrites should be avoided.

**TOXICITY DATA:** Inhalation 4-hour LC<sub>50</sub> = 1.45 mg/l in rats; Oral LD<sub>50</sub> = 120 mg/kg in rats.

**CHRONIC OVEREXPOSURE:** None known.

**CHEMICAL LISTED AS A CARCINOGEN OR POTENTIAL CARCINOGEN?**

- NATIONAL TOXICOLOGY PROGRAM (Y/N): N
- IARC MONOGRAPHS (Y/N): N
- OSHA (Y/N): N

**MEDICAL CONDITIONS GENERALLY AGGRAVATED BY EXPOSURE:** None known

**ACUTE AND CHRONIC TOXICITY:** Oral LD<sub>50</sub> (rat) = 1,200 mg/kg. Non-irritating to skin of rabbit. Severely irritating to eyes of rabbit.

## EMERGENCY AND FIRST AID PROCEDURES

① **EMERGENCY PHONE NUMBER OF MANUFACTURER:** CHEMTREC 1(800) 424-9300

- |                  |   |
|------------------|---|
| 1. INHALATION:   | Remove to fresh air. If not breathing give artificial respiration. If breathing is difficult, give oxygen. Call a physician.                |
| 2. EYE CONTACT:  | In case of contact, immediately flush eyes with plenty of water for at least 15 minutes. Call a physician.                                  |
| 3. SKIN CONTACT: | Flush skin with plenty of water for at least 15 minutes while removing contaminated clothing. Call a physician. Wash clothing before reuse. |
| 4. INGESTION:    | Immediately give two glasses of water and induce vomiting. Call a physician. Never give anything by mouth to an unconscious person.         |



# Osmose MATERIAL SAFETY DATA SHEET

**NOTES TO PHYSICIAN:** Absorption of this product into the body leads to the formation of methemoglobin which, in sufficient concentration, causes cyanosis. Since reversion of methemoglobin to hemoglobin occurs spontaneously after termination of exposure, moderate degrees of cyanosis need to be treated only by supportive measures such as bed rest and oxygen inhalation. Thorough cleansing of the entire contaminated area of the body including scalp and nails is of utmost importance. Cyanocobalamin (Vitamin B-12), 1 mg intramuscularly, will speed recovery. Intravenous fluids and blood transfusions may be indicated in very severe exposures.

## SECTION VII - PRECAUTIONS FOR SAFE HANDLING AND USE

### UNITED STATES DEPARTMENT OF TRANSPORTATION SHIPPING DESCRIPTION:

Toxic Liquid, Inorganic, n.o.s., 6.1, UN3287, III (Sodium Nitrite) RQ

**PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE:** Do not take internally. Keep from contact with clothing and other combustibles materials. Avoid contact with eyes and skin. Avoid breathing vapors or mist. Avoid breathing dust from dried-down product. Wash thoroughly after handling. Do not store with acids, ammonium salts, cyanides, amines or reducing agents.

**STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED:** Flush spill area with plenty of water. Comply with Federal, state and local regulations on reporting releases. The Superfund reportable discharge for sodium nitrite is 100 lbs.

**WASTE DISPOSAL METHODS:** Dispose of waste material according to Local, State, Federal, and Provincial Environmental Regulations.

**CONTAINER DISPOSAL:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## SECTION VIII - CONTROL MEASURES

**RESPIRATORY PROTECTION:** Not necessary under normal use conditions.

**VENTILATION REQUIREMENTS:** Good general ventilation should be provided to minimize contact with vapors, or dust from dried-down product.

**PROTECTIVE GLOVES:** Wear appropriate protective gloves to prevent skin exposure.

**EYE PROTECTION:** Wear safety glasses with side shields or chemical safety goggles to prevent eye exposure.

**OTHER PROTECTIVE CLOTHING OR EQUIPMENT:** Wear appropriate protective clothing to prevent skin exposure. Facilities storing or utilizing this material should be equipped with an eyewash facility and a safety shower.

**WORK/HYGIENIC PRACTICES:** Wash thoroughly after skin contact and before eating, drinking, using tobacco products, or using restrooms.

**NOTES:** For additional control measures, refer to the MSDS's of all products used in conjunction with the sodium nitrite. If the use of another product requires a higher level of protective equipment, then the PPE requirements of that product should be followed.

## SECTION IX - REGULATORY INFORMATION:

### SARA/TITLE III

#### SECTION 302:

N/A

#### SECTION 304:

Sodium nitrite has a SARA/CERCLA RQ of 100 pounds. Spill or releases resulting in the loss of this ingredient at or above its RQ requires immediate notification to the National Response Center and to your Local Emergency Response Planning Committee.

#### SECTION 311 & 312:

Storage of this product will subject you to reporting under Section 311 and 312 of SARA. Under Section 311 you are required to submit material safety data sheets to your Local Emergency Planning Committee (LEPC), your State Emergency Response Commission (SERC) and your local fire department. Under Section 312 you are required to submit a Tier I or II Inventory Form to your LEPC, SERC and local fire department by March 1st of each year.

#### SARA/TITLE III SECTION 312 - HAZARD CATEGORIES:

Immediate (Acute) Health: Yes	Reactive Hazards: Yes
Delayed (Chronic) Health: No	Sudden Release of Pressure: No
Fire Hazard: No	




































#### SECTION 313:

This portion of the act requires submission of annual reports of releases of the following components of this material if the threshold reporting quantities as listed in 40 CFR 372, are met or exceeded: Sodium Nitrite is a SARA 313 listed chemical. CAS numbers and weight percents are found in Section 2.

**CALIFORNIA PROPOSITION 65** - This product does not contain ingredients subject to California Proposition 65.

# Osmose MATERIAL SAFETY DATA SHEET

## HAZARDOUS MATERIALS INFORMATION SYSTEM (HMIS) PERSONAL PROTECTION INDEX

<b>A</b>  	<b>H</b>    
<b>B</b>  	<b>I</b>   
<b>C</b>   	<b>J</b>    
<b>D</b>   	<b>K</b>    
<b>E</b>   	<b>X</b> Ask your supervisor for guidance
<b>F</b>    	
<b>G</b>   	




































N/A = Not Applicable

### NOTICE:

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# Osmose MATERIAL SAFETY DATA SHEET

## HAZARDOUS MATERIALS INFORMATION SYSTEM (HMIS) PERSONAL PROTECTION INDEX

<b>A</b>  	<b>H</b>    
<b>B</b>  	<b>I</b>   
<b>C</b>   	<b>J</b>    
<b>D</b>   	<b>K</b>    
<b>E</b>   	<b>X</b> Ask your supervisor for guidance
<b>F</b>    	
<b>G</b>   	

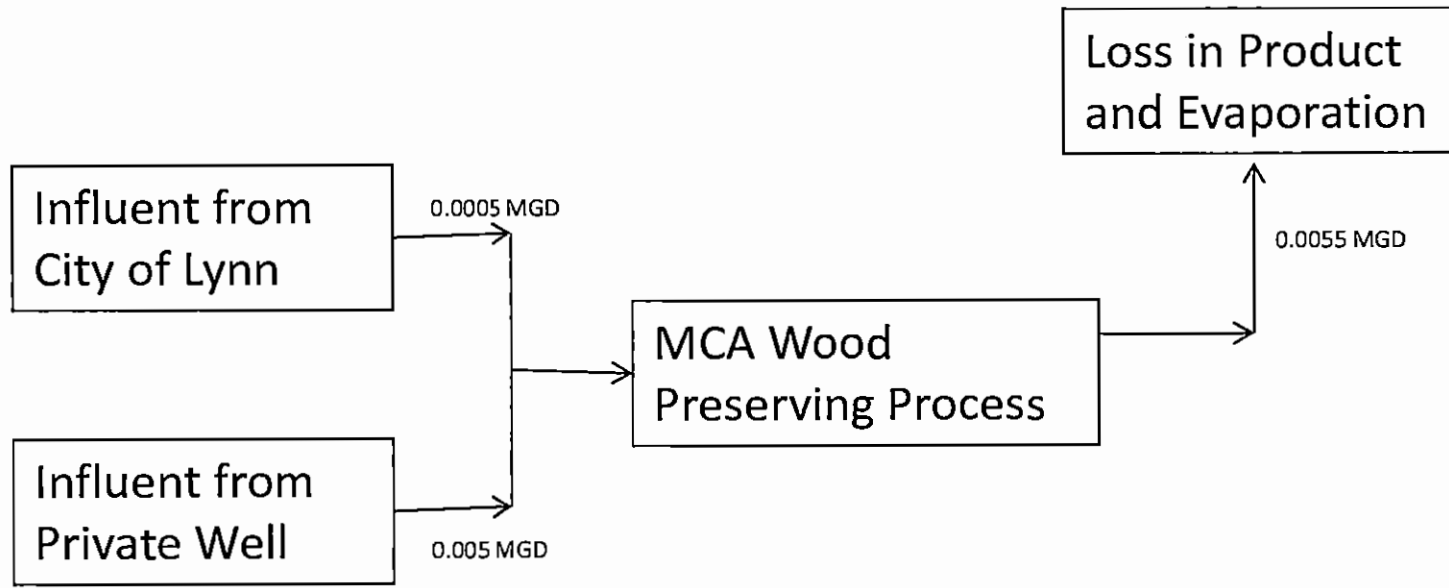
N/A = Not Applicable

**NOTICE:** The information herein is given in good faith but no warranty, expressed or implied, is made, and Osmose, Inc. expressly disclaims liability from reliance on such information. Information on this form is furnished for the purpose of compliance with the Occupational Safety and Health Act of 1970 and shall not be used for any other purpose. Use or dissemination of all or any part of this information for any other purpose may result in a violation of law or constitute grounds for legal action.

# Water Flow Diagram

## Consolidated Forest Products, LLC

### Lynn, Alabama



**FORM  
2F  
NPDES**



## Application for Permit to Discharge Storm Water Discharges Associated with Industrial Activity

Public reporting burden for this application is estimated to average 28.6 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of this collection of information, or suggestions for improving this form, including suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, or Director, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. Are you now required by any Federal, State, or local authority to meet any implementation schedule for the construction, upgrading or operation of wastewater treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.

B: You may attach additional sheets describing any additional water pollution (or other environmental projects which may affect your discharges) you now have under way or which you plan. Indicate whether each program is now under way or planned, and indicate your actual or planned schedules for construction.

Attach a site map showing topography (or indicating the outline of drainage areas served by the outfalls(s) covered in the application if a topographic map is unavailable) depicting the facility including: each of its intake and discharge structures; the drainage area of each storm water outfall; paved areas and buildings within the drainage area of each storm water outfall, each known past or present areas used for outdoor storage of disposal of significant materials, each existing structural control measure to reduce pollutants in storm water runoff, materials loading and access areas, areas where pesticides, herbicides, soil conditioners and fertilizers are applied; each of its hazardous waste treatment, storage or disposal units (including each area not required to have a RCRA permit which is used for accumulating hazardous waste under 40 CFR 262.34); each well where fluids from the facility are injected underground; springs, and other surface water bodies which received storm water discharges from the facility.

Continued from the Front

#### IV. Narrative Description of Pollutant Sources

A. For each outfall, provide an estimate of the area (include units) of impervious surfaces (including paved areas and building roofs) drained to the outfall, and an estimate of the total surface area drained by the outfall.

Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)	Outfall Number	Area of Impervious Surface (provide units)	Total Area Drained (provide units)
DSN001	70,616 sq ft	225,632 sq ft			

B. Provide a narrative description of significant materials that are currently or in the past three years have been treated, stored or disposed in a manner to allow exposure to storm water; method of treatment, storage, or disposal; past and present materials management practices employed to minimize contact by these materials with storm water runoff; materials loading and access areas, and the location, manner, and frequency in which pesticides, herbicides, soil conditioners, and fertilizers are applied.

All stormwater from the property is discharged to the surface water through outfall DSN001. Wood products are pressure treated inside the facility. All chemicals associated with pressure treatment are stored inside. The wood products are then put through a drying process. Once dried, the products are then stored outside before being loaded for distribution. Heavy trucks enter the facility for loading/unloading of wood products. Pesticides, herbicides, soil conditioners, and fertilizers are not utilized at the facility.

C. For each outfall, provide the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of the treatment the storm water receives, including the schedule and type of maintenance for control and treatment measures and the ultimate disposal of any solid or fluid wastes other than by discharge.

Outfall Number	Treatment	List Codes from Table 2F-1
DSN001	Discharge to Surface Water	4-A

#### V. Nonstormwater Discharges

A. I certify under penalty of law that the outfall(s) covered by this application have been tested or evaluated for the presence of nonstormwater discharges, and that all nonstormwater discharged from these outfall(s) are identified in either an accompanying Form 2C or Form 2E application for the outfall.

Name and Official Title (type or print)	Signature	Date Signed
Kyle Miller, Vice President		

B. Provide a description of the method used, the date of any testing, and the onsite drainage points that were directly observed during a test.

The stormwater testing will be performed and submitted at a later date. The testing procedures are as follows: From outfall DSN001: A grab sample will be collected during the first 30 minutes of discharge followed by a three hour flow weighted composite sample during the same rain event. The flow rates will be estimated by utilizing the rational method.

#### VI. Significant Leaks or Spills

Provide existing information regarding the history of significant leaks or spills of toxic or hazardous pollutants at the facility in the last three years, including the approximate date and location of the spill or leak, and the type and amount of material released.

NA

Continued from Page 2

EPA ID Number (copy from Item 1 of Form 1)  
AL0079961**VII. Discharge Information**

A, B, C, & D: See instructions before proceeding. Complete one set of tables for each outfall. Annotate the outfall number in the space provided. Table VII-A, VII-B, VII-C are included on separate sheets numbers VII-1 and VII-2.

E. Potential discharges not covered by analysis - Is any toxic pollutant listed in table 2F-2, 2F-3, or 2F-4, a substance or a component of a substance which you currently use or manufacture as an intermediate or final product or byproduct?

☐ Yes (list all such pollutants below)

☒ No (go to Section IX)
**VIII. Biological Toxicity Testing Data**

Do you have any knowledge or reason to believe that any biological test for acute or chronic toxicity has been made on any of your discharges or on a receiving water in relation to your discharge within the last 3 years?

☐ Yes (list all such pollutants below)

☒ No (go to Section IX)
**IX. Contract Analysis Information**

Were any of the analyses reported in Item VII performed by a contract laboratory or consulting firm?

☒ Yes (list the name, address, and telephone number of, and pollutants analyzed by, each such laboratory or firm below)

☐ No (go to Section X)

A. Name	B. Address	C. Area Code & Phone No.	D. Pollutants Analyzed
Enersolv Corporation	2220 Beltline Road SW, Decatur, AL	(256) 350-0846	All
ESC Lab Sciences	2220 Beltline Road SW, Decatur, AL	(256) 350-0846	All
Pace National	2220 Beltline Road SW, Decatur, AL	(256) 350-0846	All

**X. Certification**

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

A. Name & Official Title (Type Or Print)

Kyle Miller, Vice President

B. Area Code and Phone No.

(205) 486-3445

C. Signature

*Kyle Miller*

D. Date Signed

7-2-19

**Part A – You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.**

Pollutant and CAS Number (if available)	Maximum Values (include units)		Average Values (include units)		Number of Storm Events Sampled	Sources of Pollutants
	Grab Sample Taken During First 20 Minutes	Flow-Weighted Composite	Grab Sample Taken During First 20 Minutes	Flow-Weighted Composite		
Oil and Grease		N/A				SW runoff from MCA Wood treating
Biological Oxygen Demand (BOD5)						SW runoff from MCA Wood treating
Chemical Oxygen Demand (COD)						SW runoff from MCA Wood treating
Total Suspended Solids (TSS)						SW runoff from MCA Wood treating
Total Nitrogen						SW runoff from MCA Wood treating
Total Phosphorus						SW runoff from MCA Wood treating
pH	Minimum	Maximum	Minimum	Maximum		SW runoff from MCA Wood treating

Part B -- List each pollutant that is limited in an effluent guideline which the facility is subject to or any pollutant listed in the facility's NPDES permit for its process wastewater (if the facility is operating under an existing NPDES permit). Complete one table for each outfall. See the instructions for additional details and requirements.

[illegible]



Continued from the Front

Part C - List each pollutant shown in Table 2F-2, 2F-3, and 2F-4 that you know or have reason to believe is present. See the instructions for additional details and requirements. Complete one table for each outfall.

[illegible]

Part D — Provide data for the storm event(s) which resulted in the maximum values for the flow weighted composite sample.

1. Date of Storm Event	2. Duration of Storm Event (in minutes)	3. Total rainfall during storm event (in inches)	4. Number of hours between beginning of storm measured and end of previous measurable rain event	5. Maximum flow rate during rain event (gallons/minute or specify units)	6. Total flow from rain event (gallons or specify units)

7. Provide a description of the method of flow measurement or estimate.