ATTACHMENT 7

SPECIAL CONDITIONS RATIONALE

VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE

Name of Condition:

B. WET Schedule and Limitation

Rationale: Required by the State Water Control Law, Section 62.1-44.15 (3a) and the State's Water Quality Standards (9 VAC 25-260-20). In addition, the VPDES Permit Regulation, 9 VAC 25-31-220 D. and 40 CFR 122.44 (d) require limits necessary to meet water quality standards. In accordance with the VPDES Permit Regulation, 9 VAC 25-31-250, and 40 CFR 122.47, the permit may, when appropriate, specify a schedule of compliance leading to compliance with the Clean Water Act, laws and regulations. See Attachment 9 of this fact sheet for additional justification.

C. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Water Quality Standards Reopener

Rationale: The VPDES Permit Regulation, 9 VAC 25-31-220 D requires effluent limitations to be established which will contribute to the attainment or maintenance of water quality criteria.

2. Nutrient Enriched Waters Reopener

Rationale: The Policy for Nutrient Enriched Waters, 9 VAC 25-40 -10 allows reopening of permits for discharges into waters designated as nutrient enriched if total phosphorus and total nitrogen in a discharge potentially exceed specified concentrations. The policy also anticipates that future total phosphorus and total nitrogen limits may be needed.

3. Total Maximum Daily Load (TMDL) Reopener

Rationale: For specified waters, Section 303(d) of the Clean Water Act requires the development of total maximum daily loads necessary to achieve the applicable water quality standards. The TMDL must take into account seasonal variations and a margin of safety. In addition, Section 62.1-44.19:7 of the State Water Control Law requires the development and implementation of plans to address impaired waters, including TMDLs. This condition allows for the permit to be either modified or, alternatively, revoked and reissued to incorporate the requirements of a TMDL once it is developed. In addition, the reopener recognizes that, in according to Section 402(o)(1) of the Clean Water Act, limits and/or conditions may be either more or less stringent than those contained in this permit. Specifically, they can be relaxed if they are the result of a TMDL, basin plan or other wasteload allocation prepared under Section 303 of the Act.

4. Licensed Operator Requirement

Rationale: The Permit Regulation, 9 VAC 25-31-200 D and Code of Virginia 54.1-2300 et. seq., Rules and Regulations for Waterworks and Wastewater Works Operators (18 VAC 160-20-10 et seq.) requires licensure of operators.

5. Operations & Maintenance (O & M) Manual

Rationale: The State Water Control Law, Section 62.1-44.21 allows requests for any information necessary to determine the effect of the discharge on State waters. Section 401 of the Clean Water Act requires the permittee to provide opportunity for the state to review the proposed operations of the facility. In addition, 40 CFR 122.41 (e) requires the permittee, at all times, to properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) in order to achieve compliance with the permit (includes laboratory controls and QA/QC). For this permit modification, the EPA requested that solvent handling be specifically addressed in the O&M Manual due to past instances at the facility where solvent handling resulted in a significant spill to the receiving stream. The Condition was also updated to include operation of the new RO system at the facility.

6. Notification Levels

Rationale: The VPDES Permit Regulation, 9 VAC 25-31-200 and 40 CFR 122.42 (a) require notification of the discharge of certain parameters at or above specific concentrations for existing manufacturing, commercial mining and silvicultural discharges.

7. Quantification Levels Under Part I.A.

Rationale: States are authorized to establish monitoring methods and procedures to compile and analyze data on water quality, as per 40 CFR part 130, Water Quality Planning and Management, subpart 130.4. Section b. of the special condition defines QL and is included per BPJ to clarify the difference between QL and MDL.

8. Compliance Reporting Under Part I.A.

Rationale: Defines reporting requirements for toxic parameters and some conventional parameters with quantification levels to ensure consistent, accurate reporting on submitted reports.

9. Materials Handling and Storage

Rationale: The VPDES Permit Regulation, 9 VAC 25-31-50 A., prohibits the discharge of any wastes into State waters unless authorized by permit. The State Water Control Law, Sec. 62.1-44.18:2, authorizes the Board to prohibit any waste discharge which would threaten public health or safety, interfere with or be incompatible with treatment works or water use. Section 301 of the Clean Water Act prohibits the discharge of any pollutant unless it complies with specific sections of the Act.

10. Site Specific Metals Translator Study

Rationale: The metals translator study approved on November 6, 2001 provides the basis for an alternate limit for copper in the permit. The special condition will detail the calculations used for the limit.

11. Use of Past Sludge Application Site

Rationale: Per BPJ and in accordance with the Corrective Action process, the permittee will be prohibited from using the past sludge application site without modification of the VPDES permit.

12. Cooling Water and Boiler Additives

Rationale: Chemical additives may be toxic or otherwise violate the receiving stream water quality standards. Upon notification, the regional office can determine if this new additive will warrant a modification to the permit.

13. Minimum Freeboard

Rationale: Minimize the discharge of untreated wastewater to the groundwater or surface waters.

14. Best Management Practices (BMPs)

Rationale: The VPDES Permit Regulation, 9 VAC 25-31-220 K., and 40 CFR
122.44 (k) allow BMPs for the control of toxic pollutants listed in Section
307 (a)(1), and hazardous substances listed in Section 311 of the Clean Water
Act where numeric limits are infeasible or BMPs are needed to accomplish the
purpose/intent of the law. BMP's shall be used to minimize spills and releases of chemicals and raw, intermediate, final and waste products from
the site to the receiving stream. In addition, the General Permit Regulation for Storm Water Associated with Industrial Activity, specifically Sector C, Chemical and Allied Products Manufacturing, 9 VAC 25-151-110, includes a section on non-structural BMPs that has been incorporated into the permit.

15. Prohibition of specific and non-storm water discharges

Rationale: The General Permit Regulation for Storm Water Associated with Industrial Activity, specifically Sector C, Chemical and Allied Products Manufacturing, 9 VAC 25-151-110, includes a prohibition on specific non-storm water discharges non that has been incorporated into the permit. Spills and inadvertent discharges of the materials used, produced and/or disposed of as waste materials at organic chemical manufacturing facilities have the potential to exhibit toxic effects in the receiving stream; therefore, a specific prohibition on

these types of discharges, as described in 9 VAC 25-151-110 is included based on BPJ to protect water quality.

16. Reverse Osmosis (RO) System Additives

Rationale: Chemical additives may be toxic or otherwise violate the receiving stream water quality standards. Upon notification, the regional office can determine if this new additive will warrant a modification to the permit.

D. STORM WATER MANAGEMENT CONDITIONS

1. Sampling Methodology for Specific Outfalls 902, 003, 004, 005, 006

Rationale: Defines methodology for collecting representative effluent samples in conformance with applicable regulations.

2. Storm Water Management Evaluation

Rationale: The Clean Water Act 402(p) (2) (B) requires permits for storm water discharges associated with industrial activity. VPDES permits for storm water discharges must establish BAT/BCT requirements in accordance with 402(p)(3) of the Act. The Storm Water Pollution Prevention Plan is the vehicle proposed by EPA in the final NPDES General Permits for Storm Water Discharges Associated with Industrial Activity (Federal Register Sept 9, 1992) to meet the requirements of the Act. Additionally, the VPDES Permit Regulation, 9 VAC 25-31-220 K., and 40 CFR 122.44 (k) allow BMPs for the control of toxic pollutants listed in Section 307 (a)(1), and hazardous substances listed in Section 311 of the Clean Water Act where numeric limits are infeasible or BMPs are needed to accomplish the purpose/intent of the law.

Finally, the EPA produced a document dated August 1, 1996, entitled "Interim Permitting Approach for Water Quality- Effluent Limitations in Storm Water Permits". This document indicated that an interim approach to limiting storm water could be through the use of best management practices rather than numerical limits. EPA pointed out that Section 502 of the Clean Water Act (CWA) defined "effluent limitation" to mean "any restriction on quantities, rates, and concentrations of constituents discharged from point sources. The CWA does not say that effluent limitations need be numeric." The use of BMPs falls in line with the Clean Water Act which notes the need to control these discharges to the maximum extent necessary to mitigate impacts on water quality.

3. General Storm Water Conditions

a. Sample Type

Rationale: This stipulates the proper sampling methodology for qualifying rain events from regulated storm water outfalls. Use of this condition is a BPJ determination based on the EPA storm

water multi-sector general permit for industrial activities and is consistent with that permit.

b. Recording of Results

Rationale: This sets forth the information which must be recorded and reported for each storm event sampling (ie. date and duration event, rainfall measurement, and duration between qualifying events). It also requires the maintenance of daily rainfall logs which are to be reported. This condition is carried over from the previous storm water pollution prevention plan requirements contained in the EPA storm water baseline industrial general permit.

c. Sampling Waiver

Rationale: This condition allows the permittee to collect substitute samples of qualifying storm events in the event of adverse climatic conditions. Use of this condition is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and is consistent with that permit.

d. Representative Discharge

Rationale: This condition allows the permittee to submit the results of sampling from one outfall as representative of other similar outfalls, provided the permittee can demonstrate that the outfalls are substantially identical. Use of this condition is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and is consistent with that permit.

e. Quarterly Visual Examination of Storm Water Quality

Rationale: This condition requires that visual examinations of storm water outfalls take place at a specified frequency and sets forth what information needs to be checked and documented. These examinations assist with the evaluation of the pollution prevention plan by providing a simple, low cost means of assessing the quality of storm water discharge with immediate feedback. Use of this condition is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and is consistent with that permit.

f. Releases of Hazardous Substances or Oil in Excess of Reportable Quantities

Rationale: This condition requires that the discharge of hazardous substances or oil from a facility be eliminated or minimized in accordance with the facility's storm water pollution prevention plan. If there is a discharge of a material in excess of a reportable quantity, it establishes the reporting

requirements in accordance with state laws and federal regulations. In addition, the pollution prevention plan for the facility must be reviewed and revised as necessary to prevent a reoccurrence of the spill. Use of this condition is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and is consistent with that permit.

g. Allowable Non-Storm Water Discharges

Rationale: The listed allowable non-storm water discharges are the same as those allowed by the EPA in their multi-sector general permit, and are the same non-storm water discharges allowed under the Virginia General VPDES Permit for Discharges of Storm Water Associated with Industrial Activity, 9 VAC 25-151-10 et seq. Allowing the same non-storm water discharges in VPDES individual permits provides consistency with other storm water permits for industrial facilities. The non-storm water discharges must meet the conditions in the permit.

4. Storm Water Pollution Prevention Plan

Rationale: The Clean Water Act 402(p) (2) (B) requires permits for storm water discharges associated with industrial activity. VPDES permits for storm water discharges must establish BAT/BCT requirements in accordance with 402(p)(3) of the Act. The Storm Water Pollution Prevention Plan is the vehicle proposed by EPA in the final NPDES General Permits for Storm Water Discharges Associated with Industrial Activity (Federal Register Sept 9, 1992) to meet the requirements of the Act. Additionally, the VPDES Permit Regulation, 9 VAC 25-31-220 K., and 40 CFR 122.44 (k) allow BMPs for the control of toxic pollutants listed in Section 307 (a)(1), and hazardous substances listed in Section 311 of the Clean Water Act where numeric limits are infeasible or BMPs are needed to accomplish the purpose/intent of the law.

5. Facility-specific Storm Water Management Conditions

Rationale: These conditions set forth additional site-specific storm water pollution prevention plan requirements. Use of these conditions is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and DEQ's general permit for storm water associated with industrial activities and is consistent with those permits.

ATTACHMENT 8

TOXICS MONITORING/TOXICS REDUCTION/ WET LIMIT RATIONALE

MEMORANDUM

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard Virginia Beach, VA 23462

SUBJECT: TMP language for Hercules, Inc-Franklin (VA0003433)

TO: Mark Sauer

FROM: Deanna Austin

DATE: 1/23/13

COPIES:

Hercules Inc. is located in Courtland Virginia and operates a facility that refines upgrades fatty acids and manufactures paper sizing agents and organic peroxides. There are two permitted wastewater outfalls, 002 and 201. Outfall 201 is internal to 002. Outfall 002 discharges to the Nottoway River. Additionally there are five stormwater outfalls onsite, outfall 902, 003, 004, 005, and 006. 902 is the stormwater portion of 002 and the other stormwater outfalls discharge to Wills Gut to the Nottoway River. The chemical parameter data gathered for the stormwater outfalls was reviewed and no toxicity monitoring will be added for this permit reissuance. Whole Effluent Toxicity (WET) limits have been placed on outfall 002 in the past for both acute and chronic toxicity and will be continued with the reissued permit. During the 2009 permit modification, the WET language was amended to add UV treatment as needed by the facility. This language will continue with the reissued permit. No changes in monitoring frequency are proposed at this time. It appears that the UV treatment condition is working to keep the facility in compliance with the WET limit but considering the compliance history during this permit term, a reduction in frequency cannot be made. The data collected during the current permit term is shown below.

DESCRIPT	SPECIES	SAMPLEDT	LC50	SURVIVAL	NOEC	TU	TESTCOM	LAB
Quarterly WET Chronic	C.d.	08/20/07		100	100			CBI
Quarterly WET Chronic	P.p.	08/20/07		4	4	25	Tuc >25	CBI
Quarterly WET Acute	C.d.	08/21/07	100	100		1		CBI
Extra Chronic WET	P.p.	09/10/07		16	16	6.25	at limit. Extra for 8/20 failure	CBI
Extra Quarter WET Chronic	C.d.	12/03/07		100	58	1.7		CBI
Extra Quarter WET Chronic	P.p.	12/03/07		58	58	1.7		CBI
Extra Quarter WET Acute	C.d.	12/04/07	100	100		1		CBI
Quarterly WET Chronic	C.d.	02/05/08		100	100	1		CBI
Quarterly WET Chronic	P.p.	02/05/08		4	4	25		CBI
Quarterly WET Acute	C.d.	02/06/08	100	100		1		CBI
Extra WET Chronic	P.p	03/03/08		100	100	1	UV Treated Sample	CBI
Extra WET Chronic	P.p	03/03/08		4	4	25	Untreated Sample NOEC <4, Tuc >25	CBI
Extra WET Chronic	P.p	03/31/08		100	100	1	UV Treated Sample	CBI
Extra WET Chronic	P.p.	03/31/08		100	4	25	Untreated Sample	CBI
Extra WET Chronic	C.d.	03/31/08		100	16	6.25	B/C of this sample, will now treat C.d. with UV	CBI
Quarterly WET Acute	C.d.	04/01/08	100	100		1		CBI

Quarterly WET Chronic	C.d.	05/05/08		100	100	1	UV Treated Sample	CBI
Quarterly WET Chronic	P.p.	05/05/08		100	100	1	UV Treated Sample Growth in untreated sampled <4%	CBI
Side-By-Side Chronic	C.d.	06/09/08		100	16	6.25	UV treated. Untreated sample had 58% survival and 16% reproduction	CBI
Side-By-Side Chronic	P.p.	06/09/08		100	100	1	UV treated. Untreated sample had 4% survival and 4% reproduction	CBI
Quarterly WET Chronic	C.d.	07/07/08		100	58	1.7	untreated sample showed same as Treated	CBI
Quarterly WET Acute	C.d.	07/07/08	100	100		1		CBI
Quarterly WET Chronic	P.p.	07/07/08		100	100		UV Treated Sampled in untreated survival 8% growth 4%	CBI
Side-By-Side Chronic	C.d.	08/04/08		100	16	6.25	UV treated. Untreated sample had 100% survival and 16% repro	CBI
Side-By-Side Chronic	P.p.	08/04/08		100	100	1	UV treated. Untreated sample had 8% survival and 4% growth	CBI
Quarterly WET Acute	C.d.	10/06/08	100	100		1		CBI
Quarterly WET Chronic	C.d.	10/06/08		100	58	1.7	UV treated samples	CBI
Quarterly WET Chronic	P.p.	10/06/08		100	58	1.7		CBI
Quarterly WET Acute	C.d.	01/06/09	100	100		1		CBI
Quarterly WET Chronic	P.p.	01/06/09		58	58	1.7		CBI
Quarterly WET Chronic	C.d.	02/02/09		58	58	1.7		CBI
Quarterly WET Chronic	P.p.	05/05/09		100	58	1.7		CBI
Quarterly WET Chronic	C.d.	05/06/09	100	100		1		CBI
Quarterly WET Acute	C.d.	05/06/09	100	100		1		CBI
Quarterly WET Chronic	C.d.	07/06/09		100	58	1.7		CBI
Quarterly WET Chronic	P.p.	07/06/09		100	100	1		CBI
Quarterly WET Acute	C.d.	07/07/09	100	75		1		CBI
Quarterly WET Acute	C.d.	10/06/09	100	70		1		CBI
Quarterly WET Chronic	C.d.	10/06/09		100	16	6.25		CBI
Quarterly WET Chronic	P.p.	10/06/09		100	100	1		CBI
Quarterly WET Acute	C.d.	01/06/10	100	70		1		CBI
Quarterly WET Chronic	C.d.	01/06/10		100	58	1.7		CBI
Quarterly WET Chronic	P.p.	01/06/10		100	58	1.7		CBI
Quarterly WET Acute	C.d.	04/13/10	100	100		1		CBI
Quarterly WET Chronic	C.d.	04/13/10		100	8	13		CBI
Quarterly WET Chronic	P.p.	04/13/10		100	100	1		CBI
WET Chronic	C.d.	05/04/10	100	16		6.25		CBI
Quarterly WET Acute	C.d.	07/20/10	100	75		1		CBI
Quarterly WET Chronic	C.d.	07/20/10		100	16	6.25		CBI
Quarterly WET Chronic	P.p.	07/20/10		100	58	1.7		CBI
Quarterly WET Acute	C.d.	10/04/10	100	95		1		CBI
Quarterly WET Chronic	P.p.	10/05/10		100	58	1.7		CBI
Quarterly WET Chronic	C.d.	10/05/10		100	16	6.25		CBI
Quarterly WET Chronic	C.d.	01/31/11		100	16	6.25		CBI
Quarterly WET Chronic	P.p.	01/31/11		100	58	1.7		CBI
Quarterly WET Acute	C.d.	02/01/11	100	100		1		CBI
Quarterly WET Acute	C.d.	05/31/11	100	100		1		CBI
Quarterly WET Chronic	C.d.	05/31/11		100	16	6.25		CBI
Quarterly WET Chronic	P.p.	05/31/11		100	58	1.7		CBI
Quarterly WET Chronic	P.p.	08/08/11		100	100	1		CBI
Quarterly WET Chronic	C.d.	08/08/11		100	100	1		CBI

Quarterly WET Acute	C.d.	08/09/11	100	100		1		CBI
Quarterly WET Chronic	P.p.	11/14/11		100	100	1		CBI
Quarterly WET Chronic	C.d.	11/14/11		100	16	6.25		CBI
Quarterly WET Acute	C.d.	11/14/11	100	100		1		CBI
Quarterly WET Acute	C.d.	02/07/12	100	95		1		CBI
Quarterly WET Chronic	C.d.	02/07/12		16	16	6.25		CBI
Quarterly WET Chronic	P.p.	02/07/12		100	100	1		CBI
Quarterly WET Acute	C.d.	05/15/12	100	90		1		CBI
Quarterly WET Chronic	C.d.	05/15/12		16	16	6.25		CBI
Quarterly WET Chronic	P.p.	05/15/12		100	58	1.7		CBI
Quarterly WET Chronic	P.p.	08/07/12		100	100	1		CBI
Quarterly WET Chronic	C.d.	08/07/12		100	16	6.25		CBI
Quarterly WET Acute	C.d.	08/07/12	100	80		1		CBI
Extra WET Chronic	C.d.	11/12/12		16	16	6.25		CBI
Extra WET Chronic	P.p.	11/12/12		100	100	1		CBI
Extra WET acute	C.d.	11/12/12	100	100		1		CBI

The following WET language is recommended for the reissuance of the Hercules, Inc. permit (VA0003433).

B. WHOLE EFFLUENT TOXICITY (WET) LIMITATION MONITORING REQUIREMENTS FOR OUTFALL 002

1. The Whole Effluent Toxicity limitations in Part I.A. for outfall 002 are final limits. These limits are:

   Acute: 1.0 TU_a (LC_{50} = 100% effluent)
   Chronic: 6.25 TU_c (NOEC ≥ 16% effluent)

2. The permittee shall conduct quarterly acute and chronic toxicity tests using 24 hour, flow-proportioned composite samples of final effluent from outfall 002 in accordance with the sampling methodology in Part I.A. of this permit. The composite samples for toxicity testing shall be taken at the same time as the monitoring for the outfall in Part 1.A. of this permit. The acute and chronic tests shall be conducted for outfall 002 using:

   48 Hour Static Acute Test using **Ceriodaphnia dubia**

   Chronic 3-Brood Static Renewal Survival and Reproduction Test using **Ceriodaphnia dubia**

   and

   Chronic 7-day Static Renewal Survival and Growth Test with **Pimephales promelas**

3. The acute tests shall be performed with a minimum of 5 dilutions, derived geometrically, for the calculation of a valid LC_{50}. Express the results as TU_a (Acute Toxic Units) by dividing 100/ LC_{50} for reporting.

   The chronic tests shall be conducted in such a manner and at sufficient dilutions (minimum of five dilutions, derived geometrically) to determine the "No Observed Effect Concentration" (NOEC) for survival and growth. Results which cannot be quantified (i.e., a "less than" NOEC value) are not acceptable, and a retest will have to be performed. Express the test NOEC as TU_c (Chronic Toxic Units), by dividing 100/NOEC for reporting. Report the LC50 at 48 hours and the IC25 with the NOEC's in the test report.

   Test procedures and reporting shall be in accordance with the

WET testing methods cited in 40 CFR 136.3.

4. Prior to use in the chronic toxicity test, effluent samples may be UV-radiated by 8W for 1.5 hours per 3.4 liter sample. Any changes to this UV treatment shall be submitted to DEQ for approval prior to implementation.

5. The permit may be modified or revoked and reissued to include pollutant specific limits in lieu of a WET limit should it be demonstrated that toxicity is due to specific parameters. The pollutant specific limits must control the toxicity of the effluent.

6. **One** complete copy of the of the toxicity test reports shall be submitted with the DMR. A complete report must contain a copy of all laboratory benchsheets, certificates of analysis, and all chains of custody.

ATTACHMENT 9

MATERIAL STORED

Stormwater Pollution Prevention Plan

Description of Exposed Significant Material

Section 3b

Completed By: Sean M. Maconaghy
Title: EHS Manager
Date: 12/5/2011

Instructions: Based on your material inventory, describe the significant materials that were exposed to stormwater during the past three years and/or are currently exposed. For the definition of "significant materials" see list of definitions attached.

Description of Exposed Significant Material	Period of Exposure	Quantity Exposed (units)	Locations (as indicated on site map)	Method of Storage	Description of Material Management Practice (e.g., pile covered, drum sealed)
Heptane	0	10000 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
Caustic	0	45922 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
DA Spent Water	0	10500 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
TBHP/Water	0	16000 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
Heptane/TBHP	0	11250 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
VCR/Heptane	0	8500 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
Vulcup R	0	16200 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
D-16	0	21400 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
Sulfuric	0	12200 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
TBHP	0	34400 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
DMBA	0	10500 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
DIB	0	34400 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
Fatty Acid	0	97000 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
TEA	0	23200 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
PDC	0	12000 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
Dry TEA	0	10443 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area
Wet TEA	0	13942 gal	Outfall 003	AST	Sealed Tank in dike area, pump in dike area

ATTACHMENT 10

RECEIVING WATERS INFO./
TIER DETERMINATION/STORET DATA/
STREAM MODELING/303(d) LISTED SEGMENTS

TMDL Permit Review

Date: 1/15/2013

To: Jennifer Howell, TRO √ JSH 1/28/2013

Permit Writer: Mark Sauer

Facility: Hercules Incorporated

Permit Number: VA0003433

Issuance, Reissuance or Modification (if Modification describe) : Reissue

Permit Expiration Date: 12/11/2012

Waterbody ID (ex: VAT-G15E): VAT-K30R

Topo Name: Courtland and Franklin topos 6A and 5B

Facility Address:

27123 Shady Brook Trail Courtland, VA 23837

Receiving Stream: Attached are topographic maps showing facility property boundaries and outfall(s) locations for those included in this request.

Stream Name: Nottoway River	
Click here to enter text.	
Outfall #: 002	**Lat Lon: 36 39 06 77 00 13**
Outfall #: Click here to enter text.	**Lat Lon:** Click here to enter text.
Outfall #: Click here to enter text.	**Lat Lon:** Click here to enter text.
Stream Name (2): Wills Gut to Nottoway River	
Click here to enter text.	
Outfall #: 003/004	**Lat Lon: 36 39 11 76 59 52**
Outfall #: 005/006	**Lat Lon: 36 39 10 76 59 59**
Outfall #: Click here to enter text.	**Lat Lon:** Click here to enter text.

If greater than 2 receiving streams or 3 outfalls per stream please provide a separate table with outfall listings and Latitude Longitude description.

Is there a design flow change? If yes give the change. No

TMDL Review:

Is a TMDL IN PROGRESS for the receiving stream? No	
Has a TMDL been APPROVED that includes the receiving stream?	
No	
If yes, Include TMDL Name, Pollutant(s) and date of approval:	
NA	
Is the facility assigned a WLA from the TMDL?	No
If Yes, what is the WLA?	
NA	

Review will be completed in 30 days of receipt of request.

Additional Comments:

Click here to enter text.

Planning Permit Review

Date: 1/15/2013

To: Kristie Britt, TRO

Permit Writer: Mark Sauer

Facility: Hercules Incorporated

Permit Number: VA0003433

Issuance, Reissuance or Modification (if Modification describe): Reissue

Permit Expiration Date: 12/11/2012

Waterbody ID (ex: VAT-G15E): VAT-K30R

Topo Name: Courtland and Franklin topos 6A and 5B

Facility Address:

27123 Shady Brook Trail Courtland, VA 23837

Receiving Stream: Attached are topographic maps showing facility property boundaries and outfall(s) locations for those included in this request.

Stream Name: Nottoway River	
Stream Data Requested? no	
Outfall #: 002	**Lat Lon: 36 39 06 77 00 13**
Outfall #:	**Lat Lon:**
Outfall #:	**Lat Lon:**
Stream Name (2): Wills Gut to Nottoway River	
Stream Data Requested? no	
Outfall #: 003/004	**Lat Lon: 36 39 11 76 59 52**
Outfall #: 005/006	**Lat Lon: 36 39 10 76 59 59**
Outfall #:	**Lat Lon:**

If greater than 2 receiving streams or 3 outfalls per stream please provide a separate table with outfall listings and Latitude Longitude description.

Planning Review:

303 (d): Indicate Outfalls which discharge directly to an impaired (Category 5) stream segment and parameters impaired	
Outfall 002 discharges to impaired segment VAT-K30R_NTW01A08. This segment does not support Fish Consumption Use for mercury. Fish Consumption Use is not used to determine Tiers. See Attachment 1.	
Outfalls 003-006 discharge to segment VAT-K30R_ZZZ01A00. This segment has insufficient data to assess.	
Tier Determination	
Tier	The Upper Nottoway River is a Tier 2 water since Aquatic Life Use parameters are supporting. See Attachment 2.
Tier	The receiving stream for Outfalls 003-006 has insufficient water quality data and therefore it is assumed a Tier 2 water. See Attachment 2.
Management Plan	
Is the facility Referenced in a Management Plan?	No
Are limits contained in a Management Plan?	No

Review will be completed in 30 days of receipt of request.

Additional Comments:

KNB 1/17/13

Conformance Review

Date: 2/18/2013

To: Kristie Britt, TRO

Permit Writer: Mark Sauer

Facility: Hercules Incorporated

Permit Number: VA0003433

Issuance, Reissuance or Modification (if Modification describe): Reissuance

Permit Expiration Date: 12/11/2012

Waterbody ID (ex: VAT-G15E): VAT-K30R

Topo Name: Courtland and Franklin 6A and 5B

Facility Address:

27123 Shady Brook Trail Courtland, VA 23837

Please Review the subject VPDES permit Package [Application / Fact Sheet/ Part I] for conformance with the applicable Board Adopted plans and indicate one of the following:

X	This Facility is **NOT MENTIONED** in an existing Board adopted water quality management planning document or TMDL.
	This Facility will be included
	This Facility **IS MENTIONED** in an existing Board adopted water quality management planning document or TMDL.
	The Facility **APPEARS TO CONFORM** with the plans.
	This Facility **IS NOT IN CONFORMANCE** with the existing Board adopted water quality management planning document and/ or TMDL.

Review will be completed in 15 days of receipt of request.

Additional Comments:

KNB 2/25/2013

ATTACHMENT 11

TABLE III(a) AND TABLE III(b) - CHANGE SHEETS

TABLE III(a)

VPDES PERMIT PROGRAM
Permit Processing Change Sheet

1. Effluent Limits and Monitoring Schedule: (List any changes FROM PREVIOUS PERMIT and give a brief rationale for the changes).

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
201	BOD monthly average	No change	157 mg/l / 184 mg/l 176.65 lb/d / 207.22 lb/d	Recalculation of Federal Effluent Guideline limits based on change in operations resulting in change in production	LW 1/23/13
201	BOD maximum	No change	296 mg/l / 348 mg/l 333.37 lb/d / 391.25 lb/d	Recalculation of Federal Effluent Guideline limits based on change in operations resulting in change in production	LW 1/23/13
201	TSS monthly average	No change	69 mg/l / 81 mg/l 78.12 lb/d / 91.10 lb/d	Recalculation of Federal Effluent Guideline limits based on change in operations resulting in change in production	LW 1/23/13

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
201	TSS maximum	No change	201 mg/l / 235 mg/l 226.83 lb/d / 264.56 lb/d	Recalculation of Federal Effluent Guideline limits based on change in operations resulting in change in production	(LW) 1/23/13

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL
List of effluent sources to all external outfalls	Steam condensate was added to the sources listed to each external outfall.	(LW) 1/23/13

TABLE III(b)

VPDES PERMIT PROGRAM
Permit Processing Change Sheet

1. Effluent Limits and Monitoring Schedule: (List any changes MADE DURING PERMIT PROCESS and give a brief rationale for the changes).

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
001					

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL

ATTACHMENT 12

NPDES INDUSTRIAL PERMIT RATING WORKSHEET
AND
EPA PERMIT CHECKLIST

NPDES Permit Rating Work Sheet

___ **Regular Addition**
___ **Discretionary Addition**
___ **Score change, but no status change**
___ **Deletion**

NPDES NO: |_V__|_A__|__0_|__0_|__0_|__3_|__4_|__3_|__3_|

Facility Name:

|__H_|__E_|_R__|__C_|_U__|__L_|_E__|__S_|___|_I__|__N_|__C_|___|__|___|___|___|___|___|___|___|
T
City: |_C__|_O__|_U__|_R__|_T__|__L_|_A__|_N__|__D_|___|_V__|_A__|___|___|___|___|___|___|___|

Receiving Water: |__N_|__O_|__T_|__T_|__O_|__W_|__A_|__Y_|___|__R_|__I_|_V__|_E__|__R_|___|___|___|___|___|___|

Reach Number: |___|___|___|___|___|___|___|___|___|___|___|

Is this facility a steam electric power plant (SIC=4911) with one or more of the following characteristics?

1. Power output 500 MW or greater (not using a cooling pond/lake)
2. A nuclear power plant
3. Cooling water discharge greater than 25% of the receiving stream's 7Q10 flow rate

___ YES: score is 600 (stop here) __X_ NO (continue)

Is this permit for a municipal separate storm sewer serving a population greater than 100,000?

___ YES; score is 700 (stop here)
__X_ NO (continue)

FACTOR 1: Toxic Pollutant Potential

PCS SIC Code: |_2__|_8__|__6_|__1_| Primary SIC Code: |__2_|__8_|_6__|_1__|

Other SIC Codes: |__2_|__8_|__6_|_9__| |_2__|_8__|_9__|_9__| |___|___|___|___| |___|___|___|___|

Industrial Subcategory Code: |___|___|___| (Code 000 if no subcategory)

Determine the Toxicity potential from Appendix A. Be sure to use the TOTAL toxicity potential column and check one

Toxicity Group	Code	Points	Toxicity Group	Code	Points	Toxicity Group	Code	Points
___ No process waste streams	0	0	___ 3.	3	15	___ 7.	7	35
___ 1.	1	5	___ 4.	4	20	___ 8.	8	40
___ 2.	2	10	___ 5.	5	25	___ 9.	9	45
			__X_ 6.	6	30	___ 10.	10	50

Code Number Checked: |__0_|_6__|

Total Points Factor 1: |_3__|_0__|

FACTOR 2: Flow/Stream Flow Volume *(Complete Either Section A or Section B; check only one)*

Section A--Wastewater Flow Only Considered

Wastewater Type (See Instructions)			Code	Points
Type I:	Flow < 5 MGD	___	11	0
	Flow 5 to 10 MGD	___	12	10
	Flow > 10 to 50 MGD	___	13	20
	Flow > 50 MGD	___	14	30
Type II:	Flow < 1 MGD	___	21	10
	Flow 1 to 5 MGD	___	22	20
	Flow > 5 to 10 MGD	___	23	30
	Flow > 10 MGD	___	24	50
Type III:	Flow < 1 MGD	___	31	0
	Flow 1 to 5 MGD	___	32	10
	Flow > 5 to 10 MGD	___	33	20
	Flow > 10 MGD	___	34	30

Section B--Wastewater and Stream Flow Considered

Wastewater Type (See Instructions)	Percent of Instream Wastewater Concentration at Receiving Stream Low Flow		Code	Points
Type I/III:	< 10%	___	41	0
	> 10% to < 50%	___	42	10
	> 50%	___	43	20
Type II:	<10%	___	51	0
	> 10% to < 50%	_X__	52	20
	> 50%	___	53	30

Code Checked from Section A or B: |__5_|__2_|

Total Points Factor 2: |_2__|_0__|

NPDES Permit Rating Work Sheet

NPDES No.: |__V_|_A__|__0_|__0_|_0__|__3_|_4__|_3__|_3__|

FACTOR 3: Conventional Pollutants

(only when limited by the permit)

A. Oxygen Demanding Pollutant: (check one) __X_ BOD ___ COD ___ Other:_____

Permit Limits: (check one)		Code	Points
___	< 100 lbs/day	1	0
_X_	100 to 1000 lbs/day	2	5
___	>1000 to 3000 lbs/day	3	15
___	>3000 lbs/day	4	20

Code Checked: |__2_|

Points Scored: |_0__|_5__|

B. Total Suspended Solids (TSS)

Permit Limits: (check one)		Code	Points
___	< 100 lbs/day	1	0
_X_	100 to 1000 lbs/day	2	5
___	>1000 to 5000 lbs/day	3	15
___	>5000 lbs/day	4	20

Code Checked: |__2_|

Points Scored: |_0__|_5__|

C. Nitrogen Pollutant: (check one) ___ Ammonia ___ Other: _____

Permit Limits: (check one)		Code	Points
___	< 300 lbs/day	1	0
___	300 to 1000 lbs/day	2	5
___	>1000 to 3000 lbs/day	3	15
___	>3000 lbs/day	4	20

NA

Code Checked: |___|

Points Scored: |__0_|_0__|

Total Points Factor 3:|__1_|_0__|

FACTOR 4: Public Health Impact

Is there a public drinking water supply located within 50 miles downstream of the effluent discharge (this includes any body of water to which the receiving water is a tributary)? A public drinking water supply may include infiltration galleries, or other methods of conveyance that ultimately get water from the above referenced supply.

___ YES (if yes, check toxicity potential number below)
_X__ NO (if no, go to Factor 5)

Determine the human health toxicity potential from Appendix A. Use the same SIC code and subcategory reference as in Factor 1. (Be sure to use the human health toxicity group column -- check one below)

Toxicity Group	Code	Points	Toxicity Group	Code	Points	Toxicity Group	Code	Points
___ No process waste streams	0	0	___ 3.	3	0	___ 7.	7	15
___ 1.	1	0	___ 4.	4	0	___ 8.	8	20
___ 2.	2	0	___ 5.	5	5	___ 9.	9	25
			___ 6.	6	10	___ 10.	10	30

Code Number Checked: |___|___|

Total Points Factor 4:|__0_|__0_|2

NPDES No.: |__V_|__A_|__0_|__0_|__0_|_3__|__4_|__3_|__3_|

FACTOR 5: Water Quality Factors

A. Is (or will) one or more of the effluent discharge limits based on water quality factors of the receiving stream (rather than technology-based federal effluent guidelines, or technology-based state effluent guidelines), or has a wasteload allocation been assigned to the discharge?

	Code	Points
_X_ Yes	1	10
___ No	2	0

B. Is the receiving water in compliance with applicable water quality standards for pollutants that are water quality limited in the permit?

	Code	Points
_X_ Yes	1	0
___ No	2	5

C. Does the effluent discharged from this facility exhibit the reasonable potential to violate water quality standards due to whole effluent toxicity?

	Code	Points
_X_ Yes	1	10
___ No	2	0

Code Number Checked: A |_1__| B |__1_| C |__1_|

Points Factor 5: A |__1_|__0_| + B |__0_| + C |_1__|__0_| = |_2__|_0__| TOTAL

FACTOR 6: Proximity to Near Coastal Waters

A. Base Score: Enter flow code here (from Factor 2): |_5__|_2__| *Enter the multiplication factor that corresponds to the flow code:* |_.3__|__0_|

Check appropriate facility HPRI Code (from PCS):

HPRI #	*Code*	*HPRI Score*	Flow Code	Multiplication Factor
___ 1	1	20	11, 31, or 41	0.00
			12, 32, or 42	0.05
___ 2	2	0	13, 33, or 43	0.10
			14 or 34	0.15
__X 3	3	30	21 or 51	0.10
			22 or 52	0.30
___ 4	4	0	23 or 53	0.60
			24	1.00
___ 5	5	20		

HPRI code checked: |_3__|

Base Score: (HPRI Score) ____30_____ x (Multiplication Factor) ___.30_____ = _____10_____ (TOTAL POINTS)

B. Additional Points--NEP Program
For a facility that has an HPRI code of 3, does the facility discharge to one of the estuaries enrolled in the National Estuary Protection (NEP) program (see instructions) or the Chesapeake Bay?

	Code	Points
_X_ Yes	1	10
___ No	2	0

C. Additional Points--Great Lakes Area of Concern
for a facility that has an HPRI code of 5, does the facility discharge any of the pollutants of concern into one of the Great Lakes' 31 areas of concern (see instructions)

	Code	Points
___ Yes	1	10
__X No	2	0

Code Number Checked: A |_3__| B |_1__| C |__2_|

Points Factor 6: A |__1_|__0_| + B |_1__|_0__| + C |_0__|0___| = |_____20_____| TOTAL

NPDES Permit Rating Work Sheet

NPDES NO: |_V__|__A_|__0_|__0_|_0__|__3_|__4_|__3_|_3__|

SCORE SUMMARY

Factor	Description	Total Points
1	Toxic Pollutant Potential	____30_____
2	Flow/Stream flow Volume	____20_____
3	Conventional Pollutants	____10_____
4	Public Health Impacts	____ 0_____
5	Water Quality Factors	____20_____
6	Proximity to Near Coastal Waters	____20_____
	TOTAL (Factors 1-6)	**____100_____**

S1. Is the total score equal to or greater than 80? _X__ Yes (Facility is a major) ___ No

S2. If the answer to the above question is no, would you like this facility to be discretionary major?

___ No

___ Yes (add 500 points to the above score and provide reason below:

Reason:

_____

_____

_____

_____

_____

NEW SCORE: ____100_____

OLD SCORE: _____100_____

_____**MARK H. SAUER**_____

Permit Reviewer's Name

(757) 518 - 2105

Phone Number

1/23/13

Date

State "Transmittal Checklist" to Assist in Targeting Municipal and Industrial Individual NPDES Draft Permits for Review

Part I. State Draft Permit Submission Checklist

In accordance with the MOA established between the Commonwealth of Virginia and the United States Environmental Protection Agency, Region III, the Commonwealth submits the following draft National Pollutant Discharge Elimination System (NPDES) permit for Agency review and concurrence.

Facility Name: Hercules Incorporated

NPDES Permit Number: VA0003433

Permit Writer Name: Mark Sauer

Date: 1/23/13

Major [X] **Minor** [ ] **Industrial** [X] **Municipal** [ ]

I.A. Draft Permit Package Submittal Includes:	**Yes**	**No**	**N/A**
1. Permit Application?	X		
2. Complete Draft Permit (for renewal or first time permit – entire permit, including boilerplate information)?	X		
3. Copy of Public Notice?		X	
4. Complete Fact Sheet?	X		
5. A Priority Pollutant Screening to determine parameters of concern?	X		
6. A Reasonable Potential analysis showing calculated WQBELs?	X		
7. Dissolved Oxygen calculations?		X	
8. Whole Effluent Toxicity Test summary and analysis?	X		
9. Permit Rating Sheet for new or modified industrial facilities?	X		

I.B. Permit/Facility Characteristics	**Yes**	**No**	**N/A**
1. Is this a new, or currently unpermitted facility?		X	
2. Are all permissible outfalls (including combined sewer overflow points, non-process water and storm water) from the facility properly identified and authorized in the permit?	X		
3. Does the fact sheet **or** permit contain a description of the wastewater treatment process?	X		

I.B. Permit/Facility Characteristics - cont.	Yes	No	N/A
4. Does the review of PCS/DMR data for at least the last 3 years indicate significant non-compliance with the existing permit?		X	
5. Has there been any change in streamflow characteristics since the last permit was developed?		X	
6. Does the permit allow the discharge of new or increased loadings of any pollutants?	X		
7. Does the fact sheet **or** permit provide a description of the receiving water body(s) to which the facility discharges, including information on low/critical flow conditions and designated/existing uses?	X		
8. Does the facility discharge to a 303(d) listed water?	X		
a. Has a TMDL been developed and approved by EPA for the impaired water?		X	
b. Does the record indicate that the TMDL development is on the State priority list and will most likely be developed within the life of the permit?		X	
c. Does the facility discharge a pollutant of concern identified in the TMDL or 303(d) listed water?		X	
9. Have any limits been removed, or are any limits less stringent, than those in the current permit?	X		
10. Does the permit authorize discharges of storm water?	X		
11. Has the facility substantially enlarged or altered its operation or substantially increased its flow or production?	X		
12. Are there any production-based, technology-based effluent limits in the permit?	X		
13. Do any water quality-based effluent limit calculations differ from the State's standard policies or procedures?		X	
14. Are any WQBELs based on an interpretation of narrative criteria?		X	
15. Does the permit incorporate any variances or other exceptions to the State's standards or regulations?		X	
16. Does the permit contain a compliance schedule for any limit or condition?		X	
17. Is there a potential impact to endangered/threatened species or their habitat by the facility's discharge(s)?		X	
18. Have impacts from the discharge(s) at downstream potable water supplies been evaluated?	X		
19. Is there any indication that there is significant public interest in the permit action proposed for this facility?	X		
20. Have previous permit, application, and fact sheet been examined?	X		

Part II. NPDES Draft Permit Checklist

Region III NPDES Permit Quality Review Checklist – For Non-Municipals

(To be completed and included in the record for all non-POTWs)

II.A. Permit Cover Page/Administration	Yes	No	N/A
1. Does the fact sheet **or** permit describe the physical location of the facility, including latitude and longitude (not necessarily on permit cover page)?	X		
2. Does the permit contain specific authorization-to-discharge information (from where to where, by whom)?	X		

II.B. Effluent Limits - General Elements	Yes	No	N/A
1. Does the fact sheet describe the basis of final limits in the permit (e.g., that a comparison of technology and water quality-based limits was performed, and the most stringent limit selected)?	X		
2. Does the fact sheet discuss whether "antibacksliding" provisions were met for any limits that are less stringent than those in the previous NPDES permit?	X		

II.C. Technology-Based Effluent Limits (Effluent Guidelines & BPJ)	**Yes**	**No**	**N/A**
1. Is the facility subject to a national effluent limitations guideline (ELG)?	X		
a. If yes, does the record adequately document the categorization process, including an evaluation of whether the facility is a new source or an existing source?	X		
b. If no, does the record indicate that a technology-based analysis based on Best Professional Judgement (BPJ) was used for all pollutants of concern discharged at treatable concentrations?			X
2. For all limits developed based on BPJ, does the record indicate that the limits are consistent with the criteria established at 40 CFR 125.3(d)?	X		
3. Does the fact sheet adequately document the calculations used to develop both ELG and /or BPJ technology-based effluent limits?	X		
4. For all limits that are based on production or flow, does the record indicate that the calculations are based on a "reasonable measure of ACTUAL production" for the facility (not design)?	X		
5. Does the permit contain "tiered" limits that reflect projected increases in production or flow?		X	
a. If yes, does the permit require the facility to notify the permitting authority when alternate levels of production or flow are attained?			X
6. Are technology-based permit limits expressed in appropriate units of measure (e.g., concentration, mass, SU)?	X		

II.C. Technology-Based Effluent Limits (Effluent Guidelines & BPJ) – cont.	Yes	No	N/A
7. Are all technology-based limits expressed in terms of both maximum daily, weekly average, and/or monthly average limits?	X		
8. Are any final limits less stringent than required by applicable effluent limitations guidelines or BPJ?		X	

II.D. Water Quality-Based Effluent Limits	Yes	No	N/A
1. Does the permit include appropriate limitations consistent with 40 CFR 122.44(d) covering State narrative and numeric criteria for water quality?	X		
2. Does the record indicate that any WQBELs were derived from a completed and EPA approved TMDL?		X	
3. Does the fact sheet provide effluent characteristics for each outfall?	X		
4. Does the fact sheet document that a "reasonable potential" evaluation was performed?	X		
a. If yes, does the fact sheet indicate that the "reasonable potential" evaluation was performed in accordance with the State's approved procedures?	X		
b. Does the fact sheet describe the basis for allowing or disallowing in-stream dilution or a mixing zone?	X		
c. Does the fact sheet present WLA calculation procedures for all pollutants that were found to have "reasonable potential"?	X		
d. Does the fact sheet indicate that the "reasonable potential" and WLA calculations accounted for contributions from upstream sources (i.e., do calculations include ambient/background concentrations where data are available)?		X	
e. Does the permit contain numeric effluent limits for all pollutants for which "reasonable potential" was determined?	X		
5. Are all final WQBELs in the permit consistent with the justification and/or documentation provided in the fact sheet?	X		
6. For all final WQBELs, are BOTH long-term (e.g., average monthly) AND short-term (e.g., maximum daily, weekly average, instantaneous) effluent limits established?		X	
7. Are WQBELs expressed in the permit using appropriate units of measure (e.g., mass, concentration)?	X		
8. Does the fact sheet indicate that an "antidegradation" review was performed in accordance with the State's approved antidegradation policy?	X		

II.E. Monitoring and Reporting Requirements	Yes	No	N/A
1. Does the permit require at least annual monitoring for all limited parameters?	X		
a. If no, does the fact sheet indicate that the facility applied for and was granted a monitoring waiver, AND, does the permit specifically incorporate this waiver?			
2. Does the permit identify the physical location where monitoring is to be performed for each outfall?	X		
3. Does the permit require testing for Whole Effluent Toxicity in accordance with the State's standard practices?	X		

II.F. Special Conditions	Yes	No	N/A
1. Does the permit require development and implementation of a Best Management Practices (BMP) plan or site-specific BMPs?	X		
a. If yes, does the permit adequately incorporate and require compliance with the BMPs?	X		
2. If the permit contains compliance schedule(s), are they consistent with statutory and regulatory deadlines and requirements?			X
3. Are other special conditions (e.g., ambient sampling, mixing studies, TIE/TRE, BMPs, special studies) consistent with CWA and NPDES regulations?	X		

II.G. Standard Conditions	Yes	No	N/A
1. Does the **permit** contain all 40 CFR 122.41 standard conditions or the State equivalent (or more stringent) conditions?	X		

List of Standard Conditions – 40 CFR 122.41

Duty to comply
Duty to reapply
Need to halt or reduce activity not a defense
Duty to mitigate
Proper O & M
Permit actions

Property rights
Duty to provide information
Inspections and entry
Monitoring and records
Signatory requirement
Bypass
Upset

Reporting Requirements
- Planned change
- Anticipated noncompliance
- Transfers
- Monitoring reports
- Compliance schedules
- 24-Hour reporting
- Other non-compliance

2. Does the permit contain the additional standard condition (or the State equivalent or more stringent conditions) for existing non-municipal dischargers regarding pollutant notification levels [40 CFR 122.42(a)]?	X		

Part III. Signature Page

Based on a review of the data and other information submitted by the permit applicant, and the draft permit and other administrative records generated by the Department/Division and/or made available to the Department/Division, the information provided on this checklist is accurate and complete, to the best of my knowledge.

Name	Mark Sauer
Title	Permit Writer
Signature	
Date	1/23/13

ATTACHMENT 13

CHRONOLOGY SHEET

VPDES PERMIT PROGRAM

CHRONOLOGY OF EVENTS

APPLICATION RECEIVED	APPLICATION RETURNED	ADDITIONAL INFO REQUESTED	APPLICATION/ADD INFO DUE BACK IN RO	APPLICATION/ADD. INFO RECEIVED

APPLICATION TO VDH:	VDH COMMENTS RECEIVED:
APPLICATION TO OWPS:	OWPS COMMENTS RECEIVED:
APPLICATION ADMIN. COMPLETE:	APPLICATION TECH. COMPLETE:
DATE FORWARDED TO ADMIN:	

Date	DESCRIPTIVE STATEMENT [CHRONOLOGY OF EVENTS] (Meetings, telephone calls, letters, memos, hearings, etc. affecting permit from application to issuance)

Date	DESCRIPTIVE STATEMENT [CHRONOLOGY OF EVENTS] (Meetings, telephone calls, letters, memos, hearings, etc. affecting permit from application to issuance)

ATTACHMENT 14

PUBLIC PARTICIPATION

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH

OFFICE OF DRINKING WATER

Southeast Virginia Field Office

830 Southampton Avenue
Suite 2058
Norfolk, VA 23510
Phone (757) 683-2000
Fax (757) 683-2007

MEMORANDUM

TO: Mr. Mark H. Sauer
Water Permit Manager
Department of Environmental Quality –Tidewater Regional Office

DATE: JAN 2 4 2013

RECEIVED – DEQ
JAN 2 8 2013
Tidewater Regional Office

FROM: Daniel B. Horne, P.E.
Engineering Field Director DBH

CITY/COUNTY: Southampton County

PROJECT TYPE: ☐ New ☑ Renewal or Revision

☑ VPDES ☐ VPA ☐ VWPP ☐ JPA ☐ Other: _____

☑ Number: VA0003433

OWNER/APPLICANT: Hercules, Incorporated

PROJECT: Hercules, Incorporated

☐ There are no public water supply raw water intakes located within 15 miles downstream or within one tidal cycle upstream of the discharge.

☑ The raw water intake for the city of Norfolk waterworks is located approximately six miles upstream of the discharge. This should be a sufficient distance to minimize the impacts of the discharge.

☐ The raw water intake for the _____ waterworks is located _____ miles [downstream/upstream (within one tidal cycle)] of the discharge.

☐ Please forward a copy of the Draft Permit for our review and comment.

☐ Comments: _____

Prepared by: Renée S. Hall
Renée S. Hall
District Engineer

pc: Ms. Kristen M. Lentz, P.E., Director, Department of Utilities, City of Norfolk
V.D.H. - Office of Drinking Water, Field Services Engineer

R:\DIST20B\Southampton County\Hercules\General\Hercules VPDES memo 2013.docx

Sauer, Mark (DEQ)

From: Smith, Mark [Smith.Mark@epa.gov]
Sent: Thursday, February 28, 2013 10:55 AM
To: Sauer, Mark (DEQ); Daub, Elleanore (DEQ)
Cc: MacKnight, Evelyn
Subject: RE: VA0003433 Hercules Incorporated Major Permit for Review (2/28/13)

Hello Mark and Elleanore. We received the draft permit for Hercules (VA0003433) on 2/6/13. EPA exercised its discretion in the review of this State-submitted draft permit and has chosen to perform a limited review on the impaired waters requirements. As a result of this limited review, we have no comments related to the impaired waters requirements. Thanks

---

From: Sauer, Mark (DEQ) [mailto:Mark.Sauer@deq.virginia.gov]
Sent: Wednesday, February 06, 2013 9:31 AM
To: Smith, Mark
Cc: Daub, Elleanore (DEQ)
Subject: VA0003433 Hercules Incorporated Major Permit for Review

Mark –

Attached is the Transmittal Letter, the EPA Checklist and the Draft Permit for VA0003433 Hercules Incorporated located in Courtland, VA for review. Due to size, the Fact Sheet is being sent under separate email, and will follow shortly. Please let me know if you need anything else.

Thank you,

Mark Sauer
DEQ-TRO Water Permits Section
757-518-2105
mark.sauer@deq.virginia.gov

Sauer, Mark (DEQ)

From: Jeff Turner [blknotkpr@earthlink.net]
Sent: Wednesday, February 27, 2013 10:49 AM
To: Sauer, Mark (DEQ)
Subject: Re: Reissuance of Hercules VPDES permit

Thank you very much Mark for the info.
Jeff
On Feb 27, 2013, at 8:12 AM, Sauer, Mark (DEQ) wrote:

Jeff –

You should see in the Tidewater News soon the public notice for the reissuance of the Hercules VPDES permit. These permits are reissued every five years. During the reissuance process we make any necessary changes to the permit. In this case, since we did a major revision of the permit a couple of years ago when they made major process changes out there, the reissued permit is very similar to the permit we modified in 2010-2011. The pH, temperature, phosphorus, copper, chromium, dissolved oxygen and toxicity limits to the river have not changed. BOD and TSS limits at the internal process outfall were recalculated due to changes in flow to the treatment system, but they do not affect the D.O. minimum the effluent must meet going to the river. No other special conditions in the permit have changed with this reissuance.

If you have any questions or need more information, please feel free to contact me anytime.

Thanks,

Mark Sauer

Mark Sauer
Water Permit Manager
DEQ-TRO Water Permits Section
757-518-2105
mark.sauer@deq.virginia.gov