National Pollutant Discharge Elimination System Permit

(for Discharge to Surface Waters)

This NPDES Permit Authorizes

Dominion Energy South Carolina, Inc.

DRAFT

Wateree Station

to discharge from a facility located at

142 Wateree Station Road
Eastover, SC
Richland County

to receiving waters named

Wateree River

in accordance with limitations, monitoring requirements and other conditions set forth herein. This permit is issued in accordance with the provisions of the Pollution Control Act of South Carolina (S.C. Code Sections 48-1-10 *et seq*., 1976), Regulation 61-9 and with the provisions of the Federal Clean Water Act (PL 92-500), as amended, 33 U.S.C. 1251 *et seq*., the "Act."

Shawn M. Clarke, P.E., Director
Water Facilities Permitting Division

Issue Date: ******
Effective Date: ******
Expiration Date[1]: ******
Permit No.: **SC0002038**

[1] This permit will continue to be in effect beyond the expiration date if a complete timely re-application is received pursuant to Regulation 61-9.122.6 and signed per Regulation 61-9.122.22.

dhec
S.C. Department of Health and Environmental Control

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PART I. Definitions

Any term not defined in this Part has the definition stated in the Pollution Control Act or in "Water Pollution Control Permits", R.61-9 or its normal meaning.

A. The "Act", or CWA, shall refer to the Clean Water Act (Formerly referred to as the Federal Water Pollution Control Act) Public Law 92-500, as amended.

B. The "average" or "arithmetic mean" of any set of values is the summation of the individual values divided by the number of individual values.

C. "Basin" (or "Lagoon") means any in-ground or earthen structure designed to receive, treat, store, temporarily retain and/or allow for the infiltration/evaporation of wastewater.

D. "Blowdown" means the minimum discharge of recirculating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts exceeding limits established by best engineering practices. (40 CFR 423.11(j))

E. "Bottom ash" means the ash, including boiler slag, which settles in the furnace or is dislodged from the furnace walls. Economizer ash is included in this definition when it is collected with bottom ash. (40 CFR 423.11(f)).

F. "Bottom ash purge water" means any water being discharged subject to 40 CFR 423.13(k)(2)(i) or 423.16(g)(2)(i). (40 CFR 423.11(cc))

G. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

H. "Chemical metal cleaning waste" means any wastewater resulting from the cleaning of any metal process equipment with chemical compounds, including, but not limited to, boiler tube cleaning. (40 CFR 423.11(c))

I. "Coal ash basin" is defined as a wastewater basin designed to hold and/or treat wastewater containing coal ash from the generation of power at a coal-fired plant.

J. "Coal combustion residuals (CCR)" means fly ash, bottom ash, boiler slag, and flue gas desulfurization materials generated from burning coal for the purpose of generating electricity by electric utilities and independent power producers. (40 CFR 257.53)

K. "Coal pile runoff" means the rainfall runoff from or through any coal storage pile. (40 CFR 423.11(m))

L. A "composite sample" shall be defined as one of the following four types:

1. An influent or effluent portion collected continuously over a specified period of time at a rate proportional to the flow.

2. A combination of not less than 8 influent or effluent grab samples collected at regular (equal) intervals over a specified period of time and composited by increasing the volume of each aliquot in proportion

to flow. If continuous flow measurement is not used to composite in proportion to flow, the following method will be used: An instantaneous flow measurement should be taken each time a grab sample is collected. At the end of the sampling period, the instantaneous flow measurements should be summed to obtain a total flow. The instantaneous flow measurement can then be divided by the total flow to determine the percentage of each grab sample to be combined. These combined samples form the composite sample.

3. A combination of not less than 8 influent or effluent grab samples of equal volume but at variable time intervals that are inversely proportional to the volume of the flow. In other words, the time interval between aliquots is reduced as the volume of flow increases.

4. If the effluent flow varies by less than 15 percent, a combination of not less than 8 influent or effluent grab samples of constant (equal) volume collected at regular (equal) time intervals over a specified period of time.

All samples shall be properly preserved in accordance with Part II.J.4. Continuous flow or the sum of instantaneous flows measured and averaged for the specified compositing time period shall be used with composite results to calculate mass.

M. "Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.

N. "Daily maximum" is the highest average value recorded of samples collected on any single day during the calendar month.

O. "Daily minimum" is the lowest average value recorded of samples collected on any single day during the calendar month.

P. The "Department" or "DHEC" shall refer to the South Carolina Department of Health and Environmental Control.

Q. "Flue Gas Desulfurization (FGD) Wastewater" means any wastewater generated specifically from the wet flue gas desulfurization scrubber system that comes into contact with the flue gas or the FGD solids, including but not limited to, the blowdown from the FGD scrubber system, overflow or underflow from the solids separation process, FGD solids wash water, and the filtrate from the solids dewatering process. Wastewater generated from cleaning the FGD scrubber, cleaning FGD solids separation equipment, cleaning FGD solids dewatering equipment, FGD paste equipment cleaning water, treated FGD wastewater permeate or distillate used as boiler makeup water, or water that is collected in floor drains in the FGD process area is not considered FGD wastewater. (40 CFR 423.11(n))

R. "Fly ash" means the ash that is carried out of the furnace by the gas stream and collected by a capture device such as a mechanical precipitator, electrostatic precipitator, or fabric filter. Economizer ash is included when it is collected with fly ash. Ash is not included in this definition when it is collected in wet scrubber air pollution control systems whose primary purpose is particulate removal. (40 CFR 423.11(e))

S. "Free Available Chlorine" means the value obtained using any of the "chlorine-free available" methods in Table IB in 40 CFR 136.3(a) where the method has the capability of measuring free available chlorine. (40 CFR 423.11(l))

T. The "geometric mean" of any set of values is the Nth root of the product of the individual 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 to be one (1).

U. A "grab sample" is an individual, discrete or single influent or effluent portion of at least 100 milliliters collected at a time representative of the discharge and over a period not exceeding 15 minutes and retained separately for analysis.

V. "Groundwater" means the water below the land surface found in fractured rock or various soil strata.

W. "Inactive CCR surface impoundment" means a CCR surface impoundment that no longer receives CCR on or after October 14, 2015 and still contains both CCR and liquids on or after October 14, 2015 (40 CFR 257.53).

X. "Low volume waste sources" means, taken collectively as if from one source, wastewater from all sources except those for which specific limitations or standards are otherwise established in 40 CFR Part 423. Low volume waste sources include, but are not limited to, the following: wastewaters from ion exchange water treatment systems, water treatment evaporator blowdown, laboratory and sampling streams, boiler blowdown, floor drains, cooling tower basin cleaning wastes, recirculating house service water systems, and wet scrubber air pollution control systems whose primary purpose is particulate removal. Sanitary wastes, air conditioning wastes, and wastewater from carbon capture or sequestration systems are not included in this definition. (40 CFR 423.11(b))

Y. The "maximum or minimum" is the highest or lowest value, respectively, recorded of all samples collected during the calendar month. These terms may also be known as the instantaneous maximum or minimum.

Z. "Metal cleaning waste" means any wastewater resulting from cleaning (with or without chemical cleaning compounds) any metal process equipment including, but not limited to, boiler tube cleaning, boiler fireside cleaning, and air preheater cleaning. (40 CFR 423.11(d))

AA. "Monitoring well" means any well used to sample groundwater for water quality analysis or to measure groundwater levels.

BB. The "monthly average", other than for fecal coliform, E. Coli and enterococci, is the arithmetic mean of all samples collected in a calendar month period. The monthly average for fecal coliform, E. Coli and enterococci bacteria is the geometric mean of all samples collected in a calendar month period. The monthly average loading is the arithmetic average of all daily discharges made during the month.

CC. "Once through cooling water" means water passed through the main cooling condensers in one or two passes for the purpose of removing waste heat. (40 CFR 423.11(g))

DD. The "PCA" shall refer to the Pollution Control Act (Chapter 1, Title 48, Code of Laws of South Carolina).

EE. The "practical quantitation limit" (PQL) is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. It is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specific sample weights, volumes, and processing steps have been followed. It is also referred to as the reporting limit.

FF. "Primary active wetted bottom ash system volume" means the maximum volumetric capacity of bottom ash transport water in all non-redundant piping (including recirculation piping) and primary bottom ash collection and recirculation loop tanks (e.g. bins, troughs, clarifiers and hoppers) of a wet bottom ash system, excluding the volumes of surface impoundments, secondary bottom ash system equipment (e.g. installed spares, redundancies, and maintenance tanks), and non-bottom ash transport systems that may direct process water to the bottom ash. (40 CFR 423.11(aa))

GG. "Qualified person" means a person or persons trained to recognize specific appearances of structural weakness and other conditions which are disrupting or have the potential to disrupt the operation or safety of the CCR unit by visual observation and, if applicable, to monitor instrumentation.

HH. "Quarter" is defined as calendar quarters (January to March, April to June, July to September, and October to December). The first quarter following the effective date of the permit may be less than three months.

II. "Quarterly average" is the arithmetic mean of all samples collected in a quarter.

JJ. "Recirculated cooling water" means water which is passed through the main condensers for the purpose of removing waste heat, passed through a cooling device for the purpose of removing such heat from the water then passed again, except for blowdown, through the main condenser. (40 CFR 423.11(h))

KK. "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.

LL. "Sludge" means industrial sludge. Industrial sludge is a solid, semi-solid, or liquid residue generated during the treatment of industrial wastewater in a treatment works. Industrial sludge includes, but is not limited to, industrial septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from industrial sludge. Industrial sludge does not include ash generated during the firing of industrial sludge in an industrial sludge incinerator or grit and screenings generated during preliminary treatment of industrial wastewater in a treatment works. Industrial sludge by definition does not include sludge covered under 40 CFR Part 503 or R.61-9.503.

MM. "Total Residual Chlorine" (or total residual oxidants for intake water with bromides) means the value obtained using any of the "chlorine-total residual" methods in Table IB in 40 CFR 136.3(a). (40 CFR 423.11(a))

NN. "Transport Water" means any wastewater that is used to convey fly ash, bottom ash, or economizer ash from the ash collection or storage equipment, or boiler, and has direct contact with the ash. Transport water does not include low volume, short duration discharges of wastewater from minor leaks (*e.g.,* leaks

from valve packing, pipe flanges, or piping), minor maintenance events (*e.g.,* replacement of valves or pipe sections), FGD paste equipment cleaning water, or bottom ash purge water. (40 CFR 423.11(p))

OO. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

PP. "Wastewater" means industrial wastewater. Industrial wastewater is wastewater generated from a federal facility, commercial or industrial process, including waste and wastewater from humans when generated at an industrial facility.

QQ. "Week" is defined as seven days beginning on Sunday through Saturday when the permit becomes effective. The first week may be less than seven days. Also known as calendar weeks.

RR. "FGD paste" means any combination of FGD wastewater treated with fly ash, lime, Portland cement, and/or other pozzolanic material prior to being landfilled, and which is engineered to form a solid through pozzolanic reactions. (40 CFR 423.11(u))

SS. "FGD paste equipment cleaning water" means any wastewater generated from the cleaning of pugmills, piping, or other equipment used to make, process, or transport FGD paste from its point of generation to a landfill. (40 CFR 423.11(v))

PART II. Standard Conditions

A. Duty to comply

The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the Pollution Control Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. The Department's approval of wastewater facility plans and specifications does not relieve the permittee of responsibility to meet permit limits.

1. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

2. Failure to comply with permit conditions or the provisions of this permit may subject the permittee to civil penalties under S.C. Code Section 48-1-330 or criminal sanctions under S.C. Code Section 48-1-320. Sanctions for violations of the Federal Clean Water Act may be imposed in accordance with the provisions of 40 CFR Part 122.41(a)(2) and (3).

3. A person who violates any provision of this permit, a term, condition or schedule of compliance contained within this NPDES permit, or the State law is subject to the actions defined in the State law.

B. Duty to reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. A permittee with a currently effective permit shall submit a new application 180 days before the existing permit expires, unless permission for a later date has been granted by the Department. The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

C. Need to halt or reduce activity not a defense

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

D. Duty to mitigate

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

E. Proper operation and maintenance

1. The permittee shall at all times properly operate and maintain in good working order and operate as efficiently as possible all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance based on design facility removals, adequate funding, adequate operator staffing and training and also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Power Failures. In order to maintain compliance with effluent limitations and prohibitions of this permit, the permittee shall either:

   a. provide an alternative power source sufficient to operate the wastewater control facilities;

   b. or have a plan of operation which will halt, reduce, or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

3. The permittee shall develop and maintain at the facility a complete Operations and Maintenance Manual for the waste treatment facilities. The manual shall be made available for on-site review during normal working hours. The manual shall contain operation and maintenance instructions for all equipment and appurtenances associated with the waste treatment facilities and land application system, if applicable. The manual shall contain a general description of the treatment process(es), the operational procedures to meet the requirements of E.1 above, and the corrective action to be taken should operating difficulties be encountered.

4. The permittee shall provide for the performance of daily treatment facility inspections by a certified operator of the appropriate grade as defined in Part V.E of this permit. The Department may make exceptions to the daily operator requirement in accordance with R.61-9.122.41(e)(3)(ii). The inspections shall include, but should not necessarily be limited to, areas which require visual observation to determine efficient operation and for which immediate corrective measures can be taken using the O & M manual as a guide. All inspections shall be recorded and shall include the date, time, and name of the person making the inspection, corrective measures taken, and routine equipment maintenance, repair, or replacement performed. The permittee shall maintain all records of inspections at the permitted facility as required by the permit, and the records shall be made available for on-site review during normal working hours.

5. A roster of operators associated with the facility's operation and their certification grades shall be maintained onsite and be made available to the Department upon request.

6. Wastewater Sewer Systems

   a. Purpose. This section establishes rules for governing the operation and maintenance of wastewater sewer systems, including gravity or pressure interceptor sewers. It is the purpose of this section to establish standards for the management of sewer systems to prevent and/or minimize system failures that would lead to public health or environmental impacts.

b. Applicability. This section applies to all sewer systems that have been or would be subject to a DHEC construction permit under Regulation 61-67 and whose owner owns or operates the wastewater treatment system to which the sewer discharges.

c. General requirements. The permittee must:

(1) Properly manage, operate, and maintain at all times all parts of its sewer system(s), to include maintaining contractual operation agreements to provide services, if appropriate;

(2) Provide adequate capacity to convey base flows and peak flows for all parts of the sewer system or, if capital improvements are necessary to meet this standard, develop a schedule of short and long term improvements;

(3) Take all reasonable steps to stop and mitigate the impact of releases of wastewater to the environment; and

(4) Notify the Department within 30 days of a proposed change in ownership of a sewer system.

F. Permit actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

G. Property rights

This permit does not convey any property rights of any sort, or any exclusive privilege nor does it authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.

H. Duty to provide information

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

I. Inspection and entry

The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and Pollution Control Act, any substances or parameters at any location.

J. Monitoring and records

1. a. (1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(2) Samples shall be reasonably distributed in time, while maintaining representative sampling.

(3) No analysis, which is otherwise valid, shall be terminated for the purpose of preventing the analysis from showing a permit or water quality violation.

b. Flow Measurements.

(1) Where primary flow meters are required, appropriate flow measurement devices and methods consistent with accepted scientific practices shall be present and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from the true discharge rates throughout the range of expected discharge volumes. The primary flow device, where required, must be accessible to the use of a continuous flow recorder.

(2) Where permits require an estimate of flow, the permittee shall maintain at the permitted facility a record of the method(s) used in estimating the discharge flow (e.g., pump curves, production charts, water use records) for the outfall(s) designated on limits pages to monitor flow by an estimate.

(3) Records of any necessary calibrations must be kept.

2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by R.61-9.503 or R.61-9.504), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample,

measurement, report or application. This period may be extended by request of the Department at any time.

3. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;

   b. The individual(s) who performed the sampling or measurements;

   c. The date(s) analyses were performed;

   d. The individual(s) who performed the analyses;

   e. The analytical techniques or methods used; and

   f. The results of such analyses.

4. a. Analyses for required monitoring must be conducted according to test procedures approved under 40 CFR Part 136, equivalent test procedures approved by the Department or other test procedures that have been specified in the permit.

   In the case of sludge use or disposal, analysis for required monitoring must be conducted according to test procedures approved under 40 CFR Part 136, test procedures specified in R.61-9.503 or R.61-9.504, equivalent test procedures approved by the Department or other test procedures that have been specified in the permit.

   b. Unless addressed elsewhere in this permit, the permittee shall use a sufficiently sensitive analytical method that achieves a value below the derived permit limit stated in Part III. For the purposes of reporting analytical data on the Discharge Monitoring Report (DMR):

      (1) Analytical results below the PQL conducted using a method in accordance with Part II.J.4.a above shall be reported as zero (0). Zero (0) shall also be used to average results which are below the PQL. When zero (0) is reported or used to average results, the permittee shall report, in the "General Report Comments Section" of the DMR, the analytical method used, the PQL achieved, and the number of times results below the PQL were reported as zero (0).

      (2) Analytical results above the PQL conducted using a method in accordance with Part II.J.4.a shall be reported as the value achieved. When averaging results using a value containing a "less than," the average shall be calculated using the value and reported as "less than" the average of all results collected.

      (3)(a) The mass value for a pollutant collected using a grab sample shall be calculated using the 24-hour totalized flow for the day the sample was collected (if available) or the instantaneous flow at the time of the sample and either the concentration value actually achieved or the value as determined from the procedures in (1) or (2) above, as appropriate. Grab samples should be collected at a time representative of the discharge.

(b) The mass value for a pollutant collected using a composite sample shall be calculated using the 24-hour totalized flow measured for the day the sample was collected and either the concentration value actually achieved or the value as determined from the procedures in (1) or (2) above, as appropriate.

5. The PCA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $25,000 or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment provided by the Clean Water Act is also by imprisonment of not more than 4 years.

K. Signatory requirement.

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

a. Applications. All permit applications shall be signed as follows:

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

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

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

(3) For a municipality, State, Federal, or other public agency or public facility: By either a principal executive officer, mayor, or other duly authorized employee or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(a) The chief executive officer of the agency, or

(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator, Region 4, EPA).

b. All reports required by permits, and other information requested by the Department, shall be signed by a person described in Part II.K.1.a of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in Part II.K.1.a of this section;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

(3) The written authorization is submitted to the Department.

c. Changes to authorization. If an authorization under Part II.K.1.b of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II.K.1.b of this section must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under Part II.K.1.a or b of this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

2. The PCA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $25,000 per violation, or by imprisonment for not more than two years per violation, or by both.

L. Reporting requirements

1. Planned changes.

The permittee shall give written notice to DHEC/Bureau of Water/Water Facilities Permitting Division as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in R 61-9.122.29(b); or

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Part II.L.8 of this section.

c. The alteration or addition results in a significant change in the permittee's sewage sludge or industrial sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan (included in the NPDES permit directly or by reference);

2. Anticipated noncompliance.

The permittee shall give advance notice to the DHEC/Bureau of Water/Water Pollution Control Division of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers.

This permit is not transferable to any person except after written notice to the DHEC/Bureau of Water/NPDES Administration. The Department may require modification or revocation and reissuance of the permit to change the name of permittee and incorporate such other requirements as may be necessary under the Pollution Control Act and the Clean Water Act.

a. Transfers by modification. Except as provided in paragraph b of this section, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under R.61-9.122.62(e)(2)), or a minor modification made (under R.61-9.122.63(d)), to identify the new permittee and incorporate such other requirements as may be necessary under CWA.

b. Other transfers. As an alternative to transfers under paragraph a of this section, any NPDES permit may be transferred to a new permittee if:

(1) The current permittee notifies the Department at least 30 days in advance of the proposed transfer date in Part II.L.3.b(2) of this section;

(2) The notice includes U.S. EPA NPDES Application Form 1 and a written agreement between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

(3) Permits are non-transferable except with prior consent of the Department. A modification under this section is a minor modification which does not require public notice.

4. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit. Monitoring periods are calculated beginning with the permit effective date unless otherwise stated elsewhere in this permit. If the permit is modified, monitoring periods are calculated beginning with the modification effective date for those items that are part of the modification unless otherwise stated elsewhere in this permit.

   a. Monitoring results must be reported online via an electronic Discharge Monitoring Report (DMR) or schedule specified by the Department for reporting results of monitoring of groundwater or sludge use or disposal practices including the following:

      (1) Effluent Monitoring: Effluent monitoring results obtained at the required frequency shall be reported on a Discharge Monitoring Report Form. The completed DMR must be submitted via ePermitting no later than 11:59 PM on the 28th day of the month following the end of the monitoring period.

      The permittee shall use the electronic DMR system via ePermitting. If the permittee encounters technical difficulties using the electronic DMR system, contact DHEC for technical assistance at epermittinghelp@dhec.sc.gov. Please contact the Compliance Manager for your permit to obtain approval to submit paper DMRs until the technical issue is resolved.

      (2) Groundwater Monitoring: Groundwater monitoring results obtained at the required frequency shall be reported on a Groundwater Monitoring Report (GMR). The GMR must be submitted via ePermitting no later than 11:59 PM on the 28th day of the month following the end of the monitoring period.

      The permittee shall use the electronic GMR schedule via ePermitting. If the permittee encounters technical difficulties using the electronic DMR schedule, contact DHEC for technical assistance at epermittinghelp@dhec.sc.gov. Please contact gmrsubmissions@dhec.sc.gov to obtain approval to submit paper GMRs until the technical issue is resolved.

      (3) Sludge, Biosolids and/or Soil Monitoring: Sludge, biosolids and/or soil monitoring results obtained at the required frequency shall be reported in a laboratory format on a schedule submitted via ePermitting no later than 11:59 PM on the 28th day of the month following the end of the monitoring period

      The permittee shall use the electronic reports via ePermitting. If the permittee encounters technical difficulties using the electronic report schedule, contact DHEC for technical assistance at epermittinghelp@dhec.sc.gov. Please contact the Compliance Manager for your permit to obtain approval to submit paper DMRs until the technical issue is resolved.

      (4) All other reports and submissions required by this permit shall be submitted via ePermitting no later than 11:59 PM on the 28th day of the month following the end of the monitoring period unless otherwise specified in this permit.

The permittee shall use the electronic reports via ePermitting. If the permittee encounters technical difficulties using the electronic report schedule, contact DHEC for technical assistance at epermittinghelp@dhec.sc.gov. Please contact the Compliance Manager for your permit to obtain approval to submit paper DMRs until the technical issue is resolved.

b. If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in R.61-9.503 or R.61-9.504, or as specified in the permit, all valid results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department. The permittee has sole responsibility for scheduling analyses, other than for the sample date specified in Part V, so as to ensure there is sufficient opportunity to complete and report the required number of valid results for each monitoring period.

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

5. Twenty-four hour reporting

a. The permittee/system owner (or applicable representative) (hereafter permittee/system owner) shall report any non-compliance that meets the criteria in Part II.L.5.b. Any information shall be provided orally or electronically to the local DHEC office as soon as possible but no later than 24 hours from the time the permittee/system owner becomes aware of the circumstances. During normal working hours (8:30 AM - 5:00 PM Eastern Standard Time) call the appropriate regional office in the table below.

County	**DHEC Region**	**Phone No.**
Anderson, Oconee	Upstate Region BEHS Anderson	864-260-5569
Abbeville, Greenwood, Laurens, McCormick	Upstate Region BEHS Greenwood	864-227-5915
Greenville, Pickens	Upstate Region BEHS Greenville	864-372-3273
Cherokee, Spartanburg, Union	Upstate Region BEHS Spartanburg	864-596-3327
Fairfield, Lexington, Newberry, Richland	Midlands Region BEHS Columbia	803-896-0620
Chester, Lancaster, York	Midlands Region BEHS Lancaster	803-285-7461
Aiken, Barnwell, Edgefield, Saluda	Midlands Region BEHS Aiken	803-642-1637
Chesterfield, Darlington, Dillon, Florence, Marion, Marlboro	Pee Dee Region BEHS Florence	843-661-4825
Clarendon, Kershaw, Lee, Sumter	Pee Dee Region BEHS Sumter	803-778-6548
Georgetown, Horry, Williamsburg	Pee Dee Region BEHS Myrtle Beach	843-238-4378
Berkeley, Charleston, Dorchester	Low Country Region BEHS Charleston	843-953-0150

Beaufort, Colleton, Hampton, Jasper	Low Country Region BEHS Beaufort	843-846-1030
Allendale, Bamberg, Calhoun, Orangeburg	Low Country Region BEHS Orangeburg	803-533-5490

* After hour reporting should be made to the 24-hour Emergency Response telephone number 1-888-481-0125.

A follow-up report shall also be provided to DHEC within 5 days of the time the permittee/system owner becomes aware of the circumstances. For sanitary sewer overflows (SSOs), the 'WW Sewer System Overflow or Pump Station Failure Reporting' schedule (in ePermitting) should be used. For all other non-compliance meeting the criteria of II.L.5.b, the 5-Day Reporting' schedule (in ePermitting) should be used. If the permittee encounters technical difficulties using the electronic report schedule in ePermitting, a written submission using DHEC Form 3685 (or submission with equivalent information) should be submitted to the address below. For ePermitting technical assistance, contact DHEC at epermittinghelp@dhec.sc.gov. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

S.C. Department of Health and Environmental Control
Bureau of Water/Water Pollution Control Division
Data and Records Management Section
2600 Bull Street
Columbia, South Carolina 29201

b. The following shall be included as information which must be reported within 24 hours under this paragraph.

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See R.61-9.122.44(g)).

(2) Any upset which exceeds any effluent limitation in the permit.

(3) N/A

(4) Any non-compliance with the conditions of this permit which may endanger human health or the environment.

(5) Any spill or release of untreated wastewater that reaches the surface waters of the State.

[Note: When investigating a potential release due to a problem with a pump station, the investigation should include an evaluation of upstream manholes.]

c. The Department may waive the written report on a case-by-case basis for reports under Part II.L.5.b of this section if the oral report has been received within 24 hours.

6. Other noncompliance.

The permittee shall report all instances of noncompliance not reported under Part II.L.4 and 5 of this section and Part IV at the time monitoring reports are submitted. The reports shall contain the information listed in Part II.L.5 of this section.

7. Other information.

   Where 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 Department, it shall promptly submit such facts or information to the Water Facilities Permitting Division. This information may result in permit modification, revocation and reissuance, or termination in accordance with Regulation 61-9.

8. Existing manufacturing, commercial, mining, and silvicultural dischargers.

   In addition to the reporting requirements under Part II.L.1-7 of this section, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the DHEC/Bureau of Water/Water Pollution Control Division of the Department as soon as they know or have reason to believe:

   a. 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 the permit, if that discharge will exceed the highest of the following "notification levels":

      (1) One hundred micrograms per liter (100 µg/l);

      (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

      (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or

      (4) The level established by the Department in accordance with section R.61-9.122.44(f).

   b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed in the highest of the following "notification levels":

      (1) Five hundred micrograms per liter (500 µg/l);

      (2) One milligram per liter (1 mg/l) for antimony;

      (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with R.61-9.122.21(g)(7).

      (4) The level established by the Department in accordance with section R.61-9.122.44(f).

M. Bypass

1. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II.M.2 and 3 of this section.

2. Notice.

   a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass to the DHEC/Bureau of Water/ Water Facilities Permitting Division.

   b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II.L.5 of this section.

3. Prohibition of bypass

   a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:

      (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

      (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

      (3) The permittee submitted notices as required under Part II.M.2 of this section.

   b. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in Part II.M.3.a of this section.

N. Upset

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part II.N.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

   a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated; and

c. The permittee submitted notice of the upset as required in Part II.L.5.b(2) of this section.

d. The permittee complied with any remedial measures required under Part II.D of this section.

3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

O. Misrepresentation of Information

1. Any person making application for a NPDES discharge permit or filing any record, report, or other document pursuant to a regulation of the Department, shall certify that all information contained in such document is true. All application facts certified to by the applicant shall be considered valid conditions of the permit issued pursuant to the application.

2. Any person who knowingly makes any false statement, representation, or certification in any application, record, report, or other documents filed with the Department pursuant to the State law, and the rules and regulations pursuant to that law, shall be deemed to have violated a permit condition and shall be subject to the penalties provided for pursuant to 48-1-320 or 48-1-330.

Part III. Limitations and Monitoring Requirements

A. Effluent Limitations and Monitoring Requirements

1. During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from outfall serial number 01A: Cooling tower blowdown (internal to outfall 03A)

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS					MONITORING REQUIREMENTS	
	Mass		Concentration				
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Instantaneous Maximum[1]	Sampling Frequency	Sample Type
Flow	MR[1], MGD	MR[1], MGD	-	-	-	1/week	Estimate[2]
Total Residual Chlorine (TRC)[3]	-	-	0.2 mg/l	-	0.5 mg/l	1/week	Multiple Grabs[4]
Chromium, total[5]	-	-	0.2 mg/l	0.2 mg/l	-	1/month	Grab
Zinc, total[5]	-	-	1.0 mg/l	1.0 mg/l	-	1/month	Grab

[1] MR: Monitor and Report
[2] See Part II.J.1.b
[3] See V.A.5
[4] Multiple grabs shall consist of grab samples collected at the approximate beginning of the period of Total Residual Chlorine (TRC) discharge and once every twenty (20) minutes until TRC is monitored below the Practical Quantitation Limit (PQL). Therefore, TRC monitoring is not required when the chlorination system is not in service.
[5] These parameters are only required to be monitored when chromium and zinc-containing cooling tower maintenance chemicals are used.

a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): at or near the cooling tower discharge but prior to mixing with any other waste stream.

b. The discharge of one hundred twenty-six (126) toxic pollutants listed in 40 CFR Part 423 Appendix A, except chromium and zinc, is prohibited in detectable amounts in chemicals added for cooling tower maintenance. The permittee may demonstrate compliance with such limitations by either routinely sampling and analyzing for the pollutants in the discharge or providing engineering calculations which demonstrate that the regulated pollutants are not detectable in the discharge. Results of sampling or calculations to meet this requirement shall be submitted as an attachment to the DMRs on an annual basis.

2. During the period beginning on the effective date of this permit and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 01B: Stormwater runoff and combustion residual leachate from the onsite landfill (limited as low volume waste; internal to outfall 03A)

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

Effluent Characteristics	**Discharge Limitations**				**Monitoring Requirements**	
	Mass		**Concentration**			
	Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**	**Sampling Frequency**	**Sample Type**
Flow	MR[1], MGD	MR[1], MGD	-	-	1/week	Estimate[2]

[1]MR: Monitor and Report
[2]See Part II.J.1.b

a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): after treatment but prior to mixing with any other waste stream.

3. During the period beginning on December 31, 2028 and lasting until the effective date of the next reissued permit the permittee is authorized to discharge from outfall serial number 01C: FGD wastewater (internal to outfall 03A)

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

Effluent Characteristics	**Discharge Limitations**				**Monitoring Requirements**	
	Mass		**Concentration**			
	Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**	**Sampling Frequency**	**Sample Type**
Flow	MR[1], MGD	MR[1], MGD	-	-	1/month	Estimate[2]
Arsenic, total[3]	-	-	MR, µg/l	5 µg/l	1/month	Grab
Mercury, total	-	-	10 ng/l	23 ng/l	1/month	Grab
Selenium, total[3]	-	-	MR, µg/l	10 µg/l	1/month	Grab
Nitrate/Nitrite	-	-	1.2 mg/l	2.0 mg/l	1/month	Grab
Bromide[3]	-	-	MR, mg/l	0.2 mg/l	1/month	Grab
Total Dissolved Solids (TDS)	-	-	149 mg/l	306 mg/l	1/month	Grab

[1]MR: Monitor and Report
[2]See Part II.J.1.b
[3]See Part V.A.9

a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): after treatment but prior to mixing with any other waste stream.

4. During the period beginning on January 1, 2025 and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 01D: Bottom Ash Purge Water (internal to outfall 03A).

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	Mass		Concentration			
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Sampling Frequency	Sample Type
Flow	MR[1], MGD	MR[1], MGD	-	-	Daily	Calculation[2]
30-day rolling average of Daily Flow Volume[3]	-	MR[1], Gallons			Daily	Calculation

[1]MR: Monitor and Report
[2]See Parts II.J.1.b and V.A.4.c. Flow from purge locations shall be measured using flow monitors pursuant to 40 CFR 423.13(k)(2)(i)(B).
[3]See Part V.A.4 for limitation. The number of days that the 30-day rolling average exceeds the limitation in Part V.A.4 shall be reported in the comments section of the DMR, along with the values and dates of those 30-day rolling averages that exceed the limitation.

5. During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from outfall serial number 01E: Unit 1 internal boiler tube rinse wastewater (internal to outfall 03A)

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	Mass		Concentration			
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Sampling Frequency	Sample Type
Flow	MR[1], MGD	MR[1], MGD	--	--	1/month	Estimate[2]
Copper, Total	--	--	1.0 mg/l	1.0 mg/l	1/month	Grab
Iron, Total	--	--	1.0 mg/l	1.0 mg/l	1/month	Grab

[1] MR: Monitor and Report

[2] See Part II.J.1.b

a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): at the wastewater collection structure (Frac tank or Tanker), but prior to mixing with any other waste stream.

6. During the period beginning on the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from outfall serial number 01F: Unit 2 internal boiler tube rinse wastewater (internal to outfall 03A)

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	Mass		Concentration			
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Sampling Frequency	Sample Type
Flow	MR[1], MGD	MR[1], MGD	--	--	1/month	Estimate[2]
Copper, Total	--	--	1.0 mg/l	1.0 mg/l	1/month	Grab
Iron, Total	--	--	1.0 mg/l	1.0 mg/l	1/month	Grab

[1] MR: Monitor and Report

[2] See Part II.J.1.b

a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): at the wastewater collection structure (Frac tank or Tanker), but prior to mixing with any other waste stream.

7. During the period beginning on the effective date and lasting through the expiration date the permittee is authorized to discharge from outfall serial number 03A: cooling tower blowdown from 01A, combustion residual leachate and landfill runoff from 01B, FGD wastewater from 01C, bottom ash purge water from 01D, bottom ash transport water, internal boiler tube rinse wastewater from 01E and 01F, low volume wastes, coal pile runoff, and stormwater.

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

Effluent Characteristics	**Discharge Limitations**					**Monitoring Requirements**	
	Mass		**Concentration**				
	Monthly Average	**Daily Maximum**	**Monthly Average**	**Daily Maximum**	**Instantaneous Maximum[1]**	**Sampling Frequency**	**Sample Type**
Flow	MR[2], MGD	MR[2], MGD	-	-	-	1/month	Instantaneous[3]
pH	-		Min[1] 6.0 su		Max 8.5 su	1/month	Grab
Total Suspended Solids (TSS)	-	-	37.9 mg/l	88.6 mg/l	-	1/month	Grab
Oil & Grease	-	-	9.7 mg/l	14.7 mg/l	-	1/month	Grab
Ammonia-Nitrogen, total as N[5]	-	-	MR[2] mg/l	MR[2] mg/l	-	1/quarter	Grab
Mercury, total[5]	-	-	MR, ng/l	MR, ng/l	-	1/month	Grab
Phosphorus, total[5]	MR[2] lb/d	-	MR[2] mg/l	MR[2] mg/l	-	1/quarter	Grab
Bromide, total[5]	-	-	MR[2] mg/l	MR[2] mg/l	-	1/quarter	Grab
Discharge Temperature	-	-	-	MR[2] °F	-	1/month	Grab
Intake Temperature	-	-	-	MR[2] °F	-	1/month[6]	Grab
Temperature Rise[4]	-	-	-	MR[2] °F	-	1/month	Calculation

[1]See Part I.Y
[2]MR: Monitor and Report
[3]See Part II.J.1.b
[4]Temperature Rise = Discharge Temperature - Intake Temperature
[5]See Part V.A.9
[6]Intake temperature shall be sampled within 60 minutes before or after the discharge temperature being sampled.

   a. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): after treatment and prior to mixing with the receiving stream or any other waste stream. Intake temperature shall be taken at the intake.

B. Whole Effluent Toxicity and Other Biological Limitations and Monitoring Requirements

During the period beginning on the effective date and lasting through the expiration date, the permittee is authorized to discharge from outfall 03A: cooling tower blowdown from 01A, combustion residual leachate and landfill runoff from 01B, FGD wastewater from 01C, bottom ash purge water from 01D, internal boiler tube rinse wastewater from 01E and 01F, bottom ash transport water, low volume wastes, coal pile runoff, and stormwater

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS	
	Daily Minimum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Ceriodaphnia dubia Chronic Whole Effluent Toxicity @ CTC= 3.3%	-	MR %	MR %	1/quarter	Grab
Ceriodaphnia dubia LC50 – 48-hour Acute[1]	MR	-	-	1/quarter	Calculated
Ceriodaphnia dubia IC25 – 7-day Chronic	MR	-	-	1/quarter	Calculated

See Part V.B.1 for additional toxicity reporting requirements.
MR = Monitor and Report.

[1]The permittee shall report the LC50 at 48-hours from the chronic WET test.

The following notes apply only to valid tests. For invalid tests see Part V.B.1.

Note 1: The overall % effect is defined as the larger of the % survival effect or the % reproduction effect.

Note 2: If only one test is conducted during a month, the monthly average and daily maximum are each equal to the overall % effect.

Note 3: If more than one test is conducted during a month, the monthly average is the arithmetic mean of the overall % effect values of all tests conducted during the month.

Note 4: The monthly average to be reported on the DMR is the highest monthly average for any month during the monitoring period. There is no averaging of data from tests from one month to another.

Note 5: The daily maximum to be reported on the DMR is the highest of the % survival effect or % reproduction effect of all tests conducted during the monitoring period.

Note 6: The daily minimum to be reported on the DMR is the minimum IC25 and LC50 of all tests conducted during the monitoring period.

Note 7: When a sample is collected in one month and the test is completed in the next month, the overall % effect applies to the month in which the sample was collected.

Note 8: Tests must be separated by at least 7 days (from the time the first sample is collected to start one test until the time the first sample is collected to start a different test). There is no restriction on when a new test may begin following a failed or invalid test.

Note 9: For any split sample:

a. Determine the % survival effect and % reproduction effect values separately for each test.
b. Determine the arithmetic mean of the % survival effects and of the % reproduction effects for all tests.
c. The monthly average and daily maximum shall be the higher of the % effect values from (b) above.
d. For the IC25 and the LC50, the daily minimum is the lowest average value recorded of samples collected on any single day during the calendar month. For the purposes of reporting, split samples are reported as an individual sample regardless of the number of times it is split. All laboratories used shall be identified on the DMR and each test shall be reported individually on DMR Attachment for Whole Effluent Toxicity Results (in ePermitting).

a. Samples used to demonstrate compliance with the discharge limitations and monitoring requirements specified above shall be taken at or near the final point-of-discharge but prior to mixing with the receiving waters or other waste streams.

C. Groundwater Monitoring Requirements

1. Groundwater Monitoring Requirements

a. Each of the nine (9) groundwater monitoring wells (MW-1A, MW-2, MW-3, MW-4, MW-5, MW-6, MW-8, MW-11, and MW-12) shall be sampled by the permittee as specified below:

Parameter	**Measurement Frequency**	**Sample Method**
Arsenic, Total, µg/l	Semi-Annually	Pump or Bailer Method
Lead, Total, µg/l	Semi-Annually	Pump or Bailer Method
Chromium, Total, µg/l	Semi-Annually	Pump or Bailer Method
Cadmium, Total, µg/l	Semi-Annually	Pump or Bailer Method
Sulfate, Total, mg/l	Semi-Annually	Pump or Bailer Method
Copper, Total, µg/l	Semi-Annually	Pump or Bailer Method
Iron, Total, mg/l	Semi-Annually	Pump or Bailer Method
Mercury, Total, µg/l	Semi-Annually	Pump or Bailer Method
Nickel, Total, µg/l	Semi-Annually	Pump or Bailer Method
Selenium, Total, µg/l	Semi-Annually	Pump or Bailer Method
Zinc, Total, µg/l	Semi-Annually	Pump or Bailer Method
Total Organic Carbon (TOC), mg/l	Semi-Annually	Pump or Bailer Method
Chloride, Total, mg/l	Semi-Annually	Pump or Bailer Method
Nitrate (N), mg/l	Semi-Annually	Pump or Bailer Method
Total Dissolved Solids (TDS), mg/l	Semi-Annually	Pump or Bailer Method
Field Turbidity, NTU	Semi-Annually	Pump or Bailer Method
Field pH	Semi-Annually	Pump or Bailer Method
Field Specific Conductivity, µmhos/cm	Semi-Annually	Pump or Bailer Method
Depth to Groundwater (Report within 0.01 feet)	Semi-Annually	Tape
Groundwater Elevation (Report within 0.01 feet above mean sea level)	Semi-Annually	Tape

b. The permittee shall follow the Groundwater Monitoring Sampling Period and Reporting Deadline in the table below for the coordinating Measurement Frequency indicated in the table (in paragraph a.) above:

Measurement Frequency	**Sampling Period**	**Reporting Deadline**
Quarterly (Samples must be taken at least 60 days apart.)	January 1st – March 31st	April 28th
	April 1st – June 30th	July 28th
	July 1st – September 30th	October 28th
	October 1st – December 31st	January 28th
Semi-Annually	January 1st – March 31st	April 28th
	July 1st – September 30th	October 28th
Annually	October 1st – December 31st	January 28th

c. For new in-ground wastewater treatment units or new land application activities, background groundwater quality data must be submitted prior to final approval to place into operation.

d. Sample collection methods shall be in accordance with the EPA Region 4 Groundwater Sampling Operation Procedure, EPA publication SESDPROC 301-R3, effective March 6, 2013 or most recent version of the EPA Region 4 Groundwater Sampling Operation Procedure. Analytical methods must be EPA-approved, appropriate for the media being analyzed, and must be able to achieve a practical quantitation limit (i.e. reporting limit) below the standard for Class GB groundwater as established in South Carolina Water Classifications and Standards R.61-68 if applicable to the parameter being analyzed.

e. All groundwater monitoring wells must be properly maintained at all times and are to yield a representative sample of the aquifer. If the groundwater elevation drops to a level that prevents the collection of a sample for two consecutive sampling periods, then this well shall be considered as "rendered unusable." In accordance with Regulation 61-71, any monitoring well which is destroyed, rendered unusable, or abandoned, shall be reported to the Department, and shall be properly abandoned, revitalized, or replaced. The permittee shall revitalize or replace the dry well within six months after recording the second dry sampling period.

f. In accordance with R.61-9.505.5(d), "If a deleterious impact to the groundwaters of the State from the permitted use or disposal practices is documented through groundwater monitoring levels exceeding the standards set forth in R.61-68 or a significant adverse trend occurs, then it will be the obligation of the permittee as directed by the Department to conduct an investigation to determine the vertical and horizontal extent of groundwater impact. The Department may require remediation of the groundwater to within acceptable levels for groundwater as set forth in R.61-68."

D. Sludge Monitoring Requirements

Not applicable to this permit.

E. Soil Monitoring Requirements

Not applicable to this permit.

Part IV. Schedule of Compliance

A. Schedule(s)

1. For the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limits on Outfall 01C:

Date Due	Action Required
October 13, 2021	Submit a Notice of Planned Participation meeting the requirements of 40 CFR 423.19(h)(1) and (2)
April 30, 2022	Submit an interim report of progress describing measures to comply with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations on page 24 of this permit.
October 13, 2022	Submit an Annual Progress Report meeting the requirements of 40 CFR 423.19(h)(3) and (4).
April 30, 2023	Submit an interim report of progress describing measures to comply with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations on page 24 of this permit.
October 13, 2023	Submit an Annual Progress Report meeting the requirements of 40 CFR 423.19(h)(3) and (4).
April 30, 2024	Submit an interim report of progress describing measures to comply with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations on page 24 of this permit.
October 13, 2024	Submit an Annual Progress Report meeting the requirements of 40 CFR 423.19(h)(3) and (4).
April 30, 2025	Submit an interim report of progress describing measures to comply with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations on page 24 of this permit.
October 13, 2025	Submit an Annual Progress Report meeting the requirements of 40 CFR 423.19(h)(3) and (4).
April 30, 2026	Submit an interim report of progress describing measures to comply with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations on page 24 of this permit.
September 30, 2026	Submit three copies of an Engineering Report and an administratively and technically complete Construction Permit Application (DHEC Form 1970), in accordance with South Carolina Regulation 61-67, which clearly describes how the facility will attain compliance with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations set forth on page 24 of this permit. The Engineering Report shall include representative sampling results that adequately characterize the FGD wastewater for Flow, Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids. If a new, modification and/or

	upgrade to the wastewater treatment facility is not needed to comply with these limits, the permittee shall submit a letter to the Department requesting that the final limits become effective immediately and/or submit an alternative request based on the method of compliance chosen. The schedule may require modification based on the submission of an alternative to construction.
October 13, 2026	Submit an Annual Progress Report meeting the requirements of 40 CFR 423.19(h)(3) and (4).
April 30, 2027	Submit an interim report of progress describing measures to comply with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations on page 24 of this permit.
October 13, 2027	Submit an Annual Progress Report meeting the requirements of 40 CFR 423.19(h)(3) and (4).
March 31, 2028	The permittee shall obtain an operating permit for wastewater treatment facilities detailed in the construction permit application submittal described above, if needed. If no construction was necessary, provide a final progress report on the system.
October 13, 2028	Submit an Annual Progress Report meeting the requirements of 40 CFR 423.19(h)(3) and (4).
December 31, 2028	The discharge shall be in compliance with the Arsenic, Mercury, Selenium, Nitrate/Nitrite, Bromide, and Total Dissolved Solids limitations set forth on page 24 of this permit.

2. No later than 6 months after the effective date of this permit, the permittee shall submit a plan, including a schedule for implementation, for minimizing mercury in the discharge of outfall 03A. The permittee shall implement the plan as approved by the Department.

3. For the limitations in Part V.A.4 on Bottom Ash Transport Water and Bottom Ash Purge Water:

Date Due	**Action Required**
October 31, 2021	Submit an Initial Certification Statement meeting the requirements of 40 CFR 423.19 (c).
July 31, 2022	Submit an interim report of progress describing measures to comply with the limitations in Part V.A.4 on page 38 of this permit.
December 31, 2022	Submit three copies of an Engineering Report and an administratively and technically complete Construction Permit Application (DHEC Form 1970), in accordance with South Carolina Regulation 61-67, which clearly describes how the facility will attain compliance with the limitations in Part V.A.4 on page 38 of this permit. If a new, modification and/or upgrade to the wastewater treatment facility is not needed to comply with these limits, the permittee shall submit a letter to the Department requesting that the final limits become effective immediately and/or submit an alternative request based on the method of compliance chosen. The schedule may require modification based on the submission of an alternative to construction.
September 30, 2022	Submit an interim report of progress describing measures to comply with the limitations in Part V.A.4 on page 38 of this permit.
June 30, 2023	Submit an interim report of progress describing measures to comply with the limitations in Part V.A.4 on page 38 of this permit.
March 31, 2024	Submit an interim report of progress describing measures to comply with the limitations in Part V.A.4 on page 38 of this permit.
December 31, 2024	The permittee shall obtain an operating permit for wastewater treatment facilities detailed in the construction permit application submittal described above, if needed. If no construction was necessary, provide a final progress report on the system. The discharge shall be in compliance with the limitations in Part V.A.4 on page 38 of this permit.

4. Within 9 months of the effective date of this permit, the permittee shall submit to the Department an updated pond detention analysis. The analysis shall include the information necessary to confirm the ponds have sufficient capacity to retain for 24 hours wet weather flows resulting from the 10-year 24-hour rainfall event (at a minimum), including rainfall falling directly on the ponds, and maximum dry weather flows over a 24 hour period. The analysis shall include updated bathymetric data that takes into account current levels of solids accumulation in the ponds.

5. Cooling Water Intake Structure Requirements

Date Due	**Action Required**
6 months from effective date	Submit to the Department for approval a plan to conduct a baseline entrainment study for the period of February to July for the purpose of obtaining entrainment data associated with the cooling water intake structure.
15 months from effective date	Submit an interim report of progress of the measures taken with regard to the entrainment study and the application information described below.
24 months from effective date	Submit an interim report of progress of the measures taken to complete the entrainment study and the application information described below.
33 months after effective date	Submit a report of the results of the entrainment study required above. Submit the information in 40 CFR 125.95(f) and the following application information required by 40 CFR 122.21(r)(2) - (8). (2) Source Water Physical Data (3) Cooling Water Intake Structure Data (4) Source Water Baseline Biological Characterization Data (5) Cooling Water System Data (6) Chosen Method(s) of Compliance with Impingement Mortality Standard (7) Entrainment Performance Studies (8) Operational Status Note: If the Department takes longer than 3 months to approve the entrainment study plan required above, the Department may approve an alternative schedule for the submittal of the entrainment study report and the information required by 40 CFR 125.95(f) and 40 CFR 122.21(r)((2)-(8).

B. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each scheduled date.

Part V. Other Requirements

A. Effluent Requirements

1. There shall be no discharge of floating solids or visible foam in other than trace amounts, nor shall the effluent cause a visible sheen on the receiving waters.

2. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.

3. Chemical metal cleaning wastes, other than internal boiler tube rinse water discharged through Outfalls 01E or 01F, shall be disposed off-site or disposed by an alternate treatment/disposal method approved by the Department. Non-chemical metal cleaning wastes will be considered low volume wastes.

4. After December 31, 2024,

   a. the permittee shall not discharge bottom ash transport water, consistent with 40 CFR 423.13(k)(1)(i), and

   b. the 30-day rolling average of the daily discharges of bottom ash purge water shall not exceed 10% of the primary active wetted bottom ash system volume, or a lower amount as determined by the Department, consistent with 40 CFR 423.13(k)(2)(i)(B), based on the review of the Initial Certification Statement required by Part IV.A.3 of this permit.

   c. The flow monitored and reported in Part III.A.4 and used to calculate the 30-day rolling average daily purge volume as specified in Part V.A.4.b. shall reflect the sum of the daily flows from each purge location measured in accordance with Part II.J.1.b and 40 CFR 423.13(k)(2)(i)(B).

5. Neither free available chlorine nor total residual chlorine may be discharged from any single generating unit for more than two (2) hours in any one day, and not more than one unit in any plant may discharge Free Available Chlorine or Total Residual Chlorine at any one time unless the permittee can demonstrate to the Department that the units in a particular location cannot operate at or below this level of chlorination.

6. Unless authorized elsewhere in this permit, the permittee must meet the following requirements concerning maintenance chemicals for the following waste streams: cooling tower blowdown or recirculated cooling water, and boiler blowdown. Maintenance chemicals shall be defined as any man-induced additives that may be added to the referenced waste streams.

   a. Detectable amounts of any of the one hundred and twenty-six priority pollutants is prohibited in the discharge, if the pollutants are present due to the use of maintenance chemicals.

   b. Slimicides, algicides and biocides are to be used in accordance with registration requirements of the Federal Insecticides, Fungicide and Rodenticide Act.

   c. The use of maintenance chemicals containing bis(tributyltin) oxide is prohibited.

d. Any maintenance chemicals added must degrade rapidly, either due to hydrolytic decomposition or biodegradation.

e. Discharges of maintenance chemicals added to waste streams must be limited to concentrations which protect indigenous aquatic populations in the receiving stream.

f. The permittee must keep the following documentation on-site for each maintenance chemical used. The information shall be made available for on-site review by Department personnel during normal working hours.

(1) Safety Data Sheets (SDS) including name, general composition, and aquatic toxicity information (i.e., NOEC or LC50) for each chemical used;
(2) Quantity of each chemical used,
(3) Frequency and location of use (including outfall to which it flows), and
(4) Information, samples and/or calculations which demonstrate compliance with items (a) – (e) above.

g. The permittee shall submit the information in (f) above with each permit renewal application.

h. The Department may request submittal of the information in (f) above at any time to determine permit compliance and may modify this permit to include additional monitoring and/or limitations as necessary to protect water quality.

7. This permit may be reopened to change, add or remove monitoring requirements and/or limitations for temperature based on an evaluation of whether the discharge, with respect to each pollutant parameter, causes, has the reasonable potential to cause or contributes to a water quality violation in accordance with Regulation 61-9.122.44(d) and the modification is in accordance with Regulation 61-9.122.62 .

8. This permit may be reopened to change, add, or remove monitoring requirements and/or limitations based on an effective revision to 40 CFR Part 423.

9. Where the permit limitation in Part III is below the practical quantitation limit (PQL), the PQL and analytical method stated below shall be considered as being in compliance with the permit limit. Additionally, where the permit requires only monitoring and reporting (MR) in Part III, the PQL and analytical method stated below shall be used for reporting results.

Parameter	Analytical Method [1,2]	PQL [1,3]
Arsenic	Sufficiently Sensitive Test Method in 40 CFR Part 136	5.0 µg/l
Mercury	EPA 1669 (sampling); EPA 1631E (analysis)	0.0005 µg/l
Selenium	Sufficiently Sensitive Test Method in 40 CFR Part 136	5.0 µg/l
Ammonia	Sufficiently Sensitive Test Method in 40 CFR Part 136	100 µg/l
Phosphorus	Sufficiently Sensitive Test Method in 40	50 µg/l

	CFR Part 136	
Bromide	Sufficiently Sensitive Test Method in 40 CFR Part 136	2000 µg/l

Notes:
[1] See Part II.J.4.
[2] The permittee may use another approved analytical method from the most recent version of 40 CFR Part 136 provided the SCDHEC-certified laboratory performing the analysis can achieve a PQL equal to, or lower than, the PQL listed above. The Permittee must receive written approval from the Department prior to using a method other than those specified above.
[3] If the permittee is using a PQL below the PQL listed above, then for purposes of reporting, the lower PQL shall be used in accordance with Part II.J.4.b.

B. Whole Effluent Toxicity and Other Biological Requirements

1. Chronic Toxicity - For the requirements identified in Part III.B:

a. A *Ceriodaphnia dubia* three brood chronic toxicity test shall be conducted at the frequency stated in Part III.B, Effluent Toxicity Limitations and Monitoring Requirements, using the chronic test concentration (CTC) of 3.3% and the following test concentrations: 0% (control), 1.0%, 8%, 22% and 60% effluent. The permittee may add additional test concentrations without prior authorization from the Department provided that the test begins with at least 10 replicates in each concentration and all data is used to determine permit compliance.

b. The test shall be conducted using EPA Method 1002.0 in accordance with "Short-Term Methods for Estimating Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms," EPA/821/R-02/013 (October 2002).

c. The permittee shall use the linear interpolation method described in "Short-Term Methods for Estimating Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms," EPA/821/R-02/013 (October 2002), Appendix M to estimate the percent effect at the CTC according to the equations in d below.

d. The linear interpolation estimate of percent effect is $\left(1-\frac{M_{CTC}}{M_1}\right)*100$ if the CTC is a tested concentration. Otherwise, it is $\left(1-\frac{M_J-\frac{M_{J+1}-M_J}{C_{J+1}-C_J}*C_J+\frac{M_{J+1}-M_J}{C_{J+1}-C_J}*CTC}{M_1}\right)*100.$

e. A test shall be invalidated if any part of Method 1002.0 is not followed or if the laboratory is not certified at the time the test is conducted.

f. All valid toxicity test results shall be submitted via the DMR Attachment for Whole Effluent Toxicity

Results (in ePermitting) in accordance with Part II.L.4. In addition, results from all invalid tests must be included with this DMR Attachment, including lab control data. The permittee has sole responsibility for scheduling toxicity tests so as to ensure there is sufficient opportunity to complete and report the required number of valid test results for each monitoring period.

g. The permittee is responsible for reporting a valid test during each monitoring period. However, the Department acknowledges that invalid tests may occur. All of the following conditions must be satisfied for the permittee to be in compliance with Whole Effluent Toxicity (WET) testing requirements for a particular monitoring period when a valid test was not obtained.

(1) A minimum of three (3) tests have been conducted which were invalid in accordance with Part V.B.1.e above;

(2) The data and results of all invalid tests are to be submitted via the DMR Attachment for Whole Effluent Toxicity Results (in ePermitting);

(3) At least one additional State-certified laboratory was used after two (2) consecutive invalid tests were determined by the first laboratory. The laboratory ID number(s) of the additional lab(s) shall be reported via the DMR Attachment for Whole Effluent Toxicity Results (in ePermitting); and

(4) A valid test was reported during each of the previous three reporting periods.

If these conditions are satisfied, the permittee may enter "*3" in the appropriate boxes on the toxicity DMR and add the statement to the 'General Reports Comments' Section of the DMR that "*3 indicates invalid tests."

h. This permit may be modified based on new information that supports a modification in accordance with Regulation 61-9.122.62 and Regulation 61-68.D.

C. Groundwater Requirements

See Part III.C.

D. Sludge Requirements

1. All waste oil and solid and hazardous waste shall be properly disposed of in accordance with the rules and regulations of the Bureau of Land and Waste Management of SCDHEC.

2. The on-site landfill will primarily receive the gypsum solids from the FGD scrubber, though it is approved to accept fly ash and bottom ash as well. Fly/bottom ash may also be sent off-site for recycling or beneficial reuse. The permittee shall obtain written approval from the Industrial Wastewater Permitting Section prior to sending any ash material off-site for disposal.

3. Written approval from the Department must be obtained prior to disposal of other sludges or use of other sludge disposal methods.

E. Other Conditions

1. The wastewater treatment plant is assigned a classification of Group I-P/C. This classification corresponds to an operator with a Grade of D-P/C.

2. The permittee shall maintain an all weather access road to the wastewater treatment plant and appurtenances at all times.

3. The permittee shall continue to maintain a Best Management Practices (BMP) plan to identify and control the discharge of significant amounts of oils and the hazardous and toxic substances listed in 40 CFR Part 117 and Tables II and III of Appendix D to 40 CFR Part 122. The plan shall include a listing of all potential sources of spills or leaks of these materials, a method for containment, a description of training, inspection and security procedures, and emergency response measures to be taken in the event of a discharge to surface waters or plans and/or procedures which constitute an equivalent BMP. Sources of such discharges may include materials storage areas; in-plant transfer, process and material handling areas; loading and unloading operations; plant site runoff; and sludge and waste disposal areas. The BMP plan shall be developed in accordance with good engineering practices, shall be documented in narrative form, and shall include any necessary plot plans, drawings, or maps. The BMP plan shall be maintained at the plant site and shall be available for inspection by EPA and Department personnel.

4. The company shall notify the South Carolina Department of Health and Environmental Control in writing no later than sixty (60) days prior to instituting use of any additional maintenance chemicals in the cooling water system. Such notification shall include:

   a. Name and general composition of the maintenance chemical
   b. Quantities to be used
   c. Frequency of use
   d. Proposed discharge concentration
   e. EPA registration number, if applicable
   f. Aquatic toxicity information

5. The permittee shall not store coal, soil nor other similar erodible materials in a manner in which runoff is uncontrolled, nor conduct construction activities in a manner which produces uncontrolled runoff unless such uncontrolled runoff has been specifically approved by SCDHEC. "Uncontrolled" shall mean without sedimentation basin or other controls approved by SCDHEC.

6. Coal Combustion Residuals (CCR) Surface Impoundment Requirements

   a. *CCR Surface Impoundment Operation and Maintenance*

      (1) CCR surface impoundments used to hold or treat wastewater shall be operated and maintained to minimize the discharge of pollutants to waters of the State, except as authorized under this permit

      (2) Operation and maintenance of these types of impoundments shall be in accordance with Regulation 61-9.122, the South Carolina Pollution Control Act and all other relevant State and Federal regulations, including 40 CFR 257 Subpart D and the Dams and Reservoirs Safety Act Regulations (R.72-1 thru R.72-9).

b. *CCR Surface Impoundment Inspections*

(1) CCR surface impoundments shall be inspected by qualified personnel with knowledge and training in impoundment integrity. In addition, impoundments shall be inspected annually by a qualified, South Carolina-registered professional engineer. Inspections under this section are not required for the former Ash Pond 1 which was closed by the removal of ash and at least two feet of additional soil, backfilled with clean soil to prevent ponding, and now has a vegetative cover.

(2) Inspections shall, at a minimum, include the following: observations of dams, dikes and toe areas for erosion, cracks or bulges, seepage, or wet or soft soil; changes in geometry, the depth and elevation of the impounded water, sediment or slurry, or freeboard; changes in vegetation such as overly lush, dead or unnaturally tilted vegetation or trees or other vegetation growing in or on the basin or basin dikes; animal burrows; changes to liners (if applicable); spillway integrity; and any other changes which may indicate a potential compromise to impoundment integrity. When practicable, piezometers or other instrumentation may be installed as a means to aid monitoring of basin integrity. If piezometers or other monitoring devices are installed, inspections should include the monitoring devices and the associated records.

(3) Additional inspection requirements for a qualified person or qualified, South Carolina-registered professional engineer, as designated below, are as follows:

(i) Inspections by a qualified person:

(A) At intervals not exceeding seven days, inspect for any appearances of actual or potential structural weakness and other conditions which are disrupting or have the potential to disrupt the operation or safety of the CCR unit;

(B) At intervals not exceeding seven days, inspect the discharge of all outlets of hydraulic structures which pass underneath the base of the surface impoundment or through the dike of the CCR unit for abnormal discoloration, flow or discharge of debris or sediment; and

(C) At intervals not exceeding 30 days, monitor all CCR unit instrumentation.

(D) The results of the inspection by a qualified person must be recorded in the facility's operating record as required by 40 CFR 257.105(g)(5).

(ii) Annual inspections by a qualified, South Carolina-registered professional engineer:

(A) Impoundments shall be inspected annually by a qualified, South Carolina-registered professional engineer to ensure that the design, construction, operation, and maintenance of the CCR unit is consistent with recognized and generally accepted good engineering standards.

(a) A review of available information regarding the status and condition of the CCR unit, including, but not limited to, files available in the operating record (e.g., CCR unit design and construction information required by 40 CFR 257.73(c)(1) and 257.74(c)(1), previous periodic structural stability assessments required under 40 CFR 257.73(d) and 257.74(d), the results of inspections by a qualified person, and results of previous annual inspections);

(b) A visual inspection of the CCR unit to identify signs of distress or malfunction of the CCR unit and appurtenant structures; and

(c) A visual inspection of any hydraulic structures underlying the base of the CCR unit or passing through the dike of the CCR unit for structural integrity and continued safe and reliable operation.

(B) Inspection report. The qualified professional engineer must prepare a report following each inspection that addresses the following:

(a) Any changes in geometry of the impounding structure since the previous annual inspection;

(b) The location and type of existing instrumentation and the maximum recorded readings of each instrument since the previous annual inspection;

(c) The approximate minimum, maximum, and present depth and elevation of the impounded water and CCR since the previous annual inspection;

(d) The storage capacity of the impounding structure at the time of the inspection;

(e) The approximate volume of the impounded water and CCR at the time of the inspection;

(f) Any appearances of an actual or potential structural weakness of the CCR unit, in addition to any existing conditions that are disrupting or have the potential to disrupt the operation and safety of the CCR unit and appurtenant structures; and

(g) Any other change(s) which may have affected the stability or operation of the impounding structure since the previous annual inspection.

c. Impoundment Compromises – Corrective Measures

(1) Imminent Failure: Within 24 hours of discovering changes (e.g., significant increases in seepage or seepage carrying sediment) that indicate an imminent threat to the structural integrity of the impoundment, the permittee shall begin procedures to remediate the problem, if remediation is determined to be necessary.

(2) Potentially Significant Compromise: Within 24 hours after discovering any indication of a potentially significant compromise to the structural integrity of the impoundment, such as the formation of large cracks, slumping, or new wet areas not related to recent precipitation, the permittee shall begin corrective measures to remediate the problem.

(3) Other Compromises: Within 30 days of first observing any other issues which may have long term impacts on the structural integrity of the impoundment, such as trees growing on the impoundment (or impoundment dikes) or vegetation blocking spillways, culverts or other drainage pathways, the permittee shall remediate the issue.

d. Reporting and Recordkeeping Requirements for CCR Surface Impoundments

(1) Within twenty-four (24) hours of discovering any changes that may be signs of an imminent impoundment failure, the permittee shall provide oral notification to the local DHEC office per Part II.L.5(a). Within 5 days of discovering any changes in the impoundment that indicate an imminent impoundment failure or a potentially significant compromise to the structural integrity, the permittee must notify the Department in writing at the address in Part II.L.4(a)(4) describing the findings of the inspection, corrective measures taken or planned, and a timeline for implementation of the planned measures.

(2) The permittee shall submit by January 31st an annual report stamped and signed by a qualified,

South Carolina-registered professional engineer to the Department summarizing findings of all monitoring activities, inspections, and remediation measures pertaining to the structural integrity and operation and maintenance of CCR surface impoundments. The report shall be submitted to the Department in accordance with Part II.L.4(a)(4).

(3) With regards to other issues which may have long term impacts on integrity, such as trees growing in or on the impoundment or impoundment dikes or vegetation blocking spillways, a plan to address these issues shall be submitted to the Department within 45 days of discovery (or 45 days of the effective date of the permit if the condition already exists). A discussion of the need for remedial action in these situations shall be included in the plan. The report shall be submitted to the Department in accordance with Part II.L.4(a)(4).

(4) The permittee shall maintain records of all inspection and maintenance activities, including corrective actions made in response to inspections and all other activities undertaken to repair or maintain the impoundment. Additionally, the permittee shall maintain the applicable certification records of the personnel that conducted CCR surface impoundment inspections. All records shall be kept on site and made available to State or Federal inspectors upon request.

(5) All pertinent impoundment permits, design, construction, operation, and maintenance information, including but not limited to plans, geotechnical and structural integrity studies, copies of permits, associated certifications by a qualified inspector, regulatory approvals, and other pertinent information, shall be kept on site and made available to State or Federal inspectors upon request.

(6) Note that approval may be needed for construction and/or repair activity on and around a dam in accordance with the state Dams and Reservoirs Safety Act Regulations.

e. *Permit Re-opener:* This permit may be reopened to incorporate additional or more stringent requirements pertaining to the operation and maintenance of CCR surface impoundments.

7. The permittee shall monitor all parameters consistent with conditions established by this permit on the 1st Thursday of every calendar month in which sampling is required, unless otherwise approved by this Department. Chronic whole effluent toxicity (WET) monitoring shall be initiated on the 1st Monday of every calendar month in which sampling is required, unless otherwise approved by this Department. Weekly samples shall be taken on Monday, unless otherwise approved by the Department. Mercury shall be monitored on the first Thursday of the calendar month in which it is monitored, unless otherwise approved by the Department. Due to potential interference for low-level mercury collection per EPA Method 1669, immediately following a storm event or during a rain event, sampling may be performed on the next dry weather workday (i.e., Monday through Friday) and noted on the DMR. If these sampling days fall on a holiday, sampling shall be conducted on the next business day. If no discharge occurs on this day, the permittee shall collect an effluent sample during the monitoring period on a day when there is a discharge. If there is no discharge during the entire monitoring period, the permittee shall report “no discharge” for all parameters. Additional monitoring as necessary to meet the frequency requirements of this permit shall be performed by the permittee.

8. The permittee shall notify the affected downstream water treatment plant(s) of any emergency condition, plant upset, bypass or other system failure which has the potential to affect the quality of water withdrawn for drinking water purposes. This notification should be made as soon as possible and in anticipation of such event, if feasible, without taking away from any response time necessary to attempt to alleviate the situation.

9. To reduce the pollutants in stormwater associated with industrial activity that is discharged through outfall 03A, the permittee shall maintain good housekeeping measures for all exposed areas that are potential sources of pollution. General housekeeping measures include cleaning of areas where material/debris may accumulate, especially areas where material loading and unloading, storage, handling, and processing occur; regular site grading to maintain/improve swales, buffers, etc.; sweeping/brushing impervious areas; regular cleaning/maintenance of drainage ditches to ensure proper site drainage. Other stormwater outfalls that are not combined with wastewater should be covered under the NPDES General Permit for Storm Water Associated with Industrial Activity via number SCR005027.

10. The permittee shall certify that the pond(s) provide(s) the necessary minimum wet weather detention volume to contain the combined volume of all direct rainfall, all rainfall runoff to the pond resulting from the 10-year 24 hour rainfall event, and maximum dry weather plant waste flows which could occur during a 24-hr period. This volume shall be calculated between the top of the sediment level and the minimum overflow discharge elevation. All data necessary to support this certification shall be maintained on-site and shall be available for inspection by SCDHEC personnel. The certification shall be submitted with each permit renewal application.

11. The permittee shall conduct semi-annual surface water sampling in the Wateree River for total arsenic and total nickel at three locations consistent with the Groundwater Mixing Zone Agreement (CA#01-053-W) Sampling Plan - upstream, downstream, and adjacent to the former ash ponds - and submit the results with the groundwater monitoring reports as required by Parts II.L.4.a(2) and III.C. The sampling shall be conducted during the time periods of January to March and July to September.

12. Intake screen backwash may be discharged from this facility.

13. Until such time as the Department makes a final best technology available (BTA) determination for the cooling water intake structure, the permittee shall comply with the interim BTA requirements of rotating and cleaning the intake screens daily (Monday – Friday) and continuing to perform the manual function check daily. This is not required when the system is inoperable due to maintenance requirements.

14. Nothing in this permit authorizes take for the purposes of a facility's compliance with the Endangered Species Act. For the purposes of this condition, "take" is defined in the Endangered Species Act to mean “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."

15. Conditions required by 40 CFR 423.18

    a. An electric generating unit shall qualify as a low utilization electric generating unit or permanently ceasing the combustion of coal by December 31, 2028, if such qualification would have been demonstrated absent the following qualifying event:

        (1) An emergency order issued by the Department of Energy under Section 202(c) of the Federal Power Act,

        (2) A reliability must run agreement issued by a Public Utility Commission, or

        (3) Any other reliability-related order or agreement issued by a competent electricity regulator (*e.g.,* an independent system operator) which results in that electric generating unit operating in a way

not contemplated when the certification was made; or

(4) The operation of the electric generating unit was necessary for load balancing in an area subject to a declaration under 42 U.S.C. 5121 *et seq.,* that there exists:

(i) An "Emergency," or

(ii) A "Major Disaster," and

(iii) That load balancing was due to the event that caused the "Emergency" or "Major Disaster" in paragraph (a)(4) of this section to be declared,

b. Any facility providing the required documentation pursuant to 40 CFR 423.19(g) may avail itself of the protections of this permit condition.

16. FGD Wastewater Limitations

a. In accordance with 40 CFR 423.13(o)(1)(ii)(A), the permittee can transfer from the Voluntary Incentive Program limitations under 40 CFR 423.13(g)(3)(i) implemented in Part III.A.3 of this permit, to the limitations under 40 CFR 423.13(g)(2)(i) for electric generating units permanently ceasing coal combustion prior to December 31, 2028 under the following circumstances:

(1) The Notification of Planned Participation (NOPP) outlined in 40 CFR 423.19(i) must be submitted to the Department no later than December 31, 2025.

(2) The permittee must comply with all of its currently applicable requirements to be eligible to file a NOPP under 40 CFR 423.19(i) and to become subject to a different set of applicable requirements.

(3) If the permittee is currently subject to more stringent limits than those being sought under the transfer provision, the facility must continue to meet those more stringent limitations.

b. Upon submittal of the NOPP in paragraph (1) above, the compliance schedule included in Part IV.A.1 (Pages 34-35) for FGD Limits on Outfall 01C will no longer apply because the BAT limits for FGD wastewater for As, Hg, Se, NO3/NO4, Br and TDS outlined in 40 CFR 423.13(g)(3)(i) and Part III.A.3 of the permit will no longer be applicable.