**CERTIFIED MAIL_____RETURN RECEIPT REQUESTED**

File No.: LA0049492
AI No.: 4634
Activity No.: PER20130001

Ms. CaSandra Cooper-Gates, Senior Vice President Administration
LOOP LLC
Deepwater Port Complex
137 Northpark Boulevard
Covington, Louisiana 70433-5071

RE: Draft Louisiana Pollutant Discharge Elimination System (LPDES)/National Pollutant Discharge Elimination System (NPDES) permit to discharge marine cargo hose testing water, washwater, brine, non-contact cooling water, treated sanitary wastewater, and stormwater runoff into the Gulf of Mexico (Outfalls 001, 002, 004, and 015), Bayou Lafourche (Outfalls 005 and 006), Breton Canal (Outfalls 007 and 020), Little Lake (Outfalls 008 and 012), Bayou Moreau (Outfalls 018 and 023), LL&E Canal (Outfalls 021, 024, 025, and 028), and the Reservoir Canal (Outfalls 026 and 027) from an existing offshore deepwater port and onshore pipeline and storage facilities for the transportation of crude oil located at 224 East 101st Place in Cutoff, Lafourche Parish.

Dear Ms. Cooper-Gates:

The Louisiana Department of Environmental Quality (LDEQ) and the United States Environmental Protection Agency, Region 6 (USEPA) propose to reissue a joint LPDES/NPDES permit with the effluent limitations, monitoring requirements, and special conditions listed in the attached DRAFT PERMIT. Please note that this is a DRAFT PERMIT only and as such does not grant any authorization to discharge. Authorization to discharge in accordance with this permitting action will only be granted after all requirements described herein are satisfied and by the subsequent issuance of a FINAL PERMIT. Upon the effective date of the FINAL PERMIT, the FINAL PERMIT shall replace the previously effective joint LPDES/NPDES permit.

This Office will publish a public notice one time in a local newspaper of general circulation and in the Office of Environmental Services Public Notice Mailing List. A copy of the public notice containing the specific requirements for commenting on this draft permit action will be sent under separate cover at the time the public notice is arranged. In accordance with LAC 33:IX.6521.A, the applicant shall receive and is responsible for paying the invoice from the above mentioned newspaper. LAC 33:IX.6521.A states: "...the costs of publication shall be borne by the applicant."

The invoice, fee rating worksheet, and a copy of the fee regulations will be sent under a separate cover letter as applicable. Please note that a copy of the fee rating worksheet is also attached to this draft permit. A copy of the entire Louisiana Water Quality Regulations may be obtained

from the Regulation Development Section by calling (225) 219-3985.

PERMIT NUMBER

LA0049492

AI No.: 4634

OFFICE OF ENVIRONMENTAL SERVICES

# Water Discharge Permit

**Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System/National Pollutant Discharge Elimination System permit is reissued authorizing**

LOOP LLC
Deepwater Port Complex
137 Northpark Boulevard
Covington, Louisiana 70433-5071

**Type Facility**: deepwater port and pipeline and storage facilities for the transportation of crude oil

**Location:** 224 East 101st Place in Cutoff
Lafourche Parish

**Receiving Waters:** Federal waters - Outfalls 001, 002, and 015; Gulf of Mexico (021102) - Outfall 004; Bayou Lafourche (020403) - Outfalls 005 and 006; Little Lake (020801) - Outfalls 008 and 012; Breton Canal (020801) - Outfalls 007 and 020; Bayou Moreau (020905) - Outfalls 018 and 023; LL&E Canal (020801) - Outfalls 021, 024, 025, and 028; and Reservoir Canal (020801) - Outfalls 026 and 027

**to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.**

**This permit shall become effective on_____**

**This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.**

**Issued on_____**

**DRAFT**

**Sam L. Phillips**
**Assistant Secretary, LDEQ**

**William K. Honker, Director**
**Water Quality Protection Division, USEPA**

The invoice, fee rating worksheet, and a copy of the fee regulations will be sent under a separate cover letter as applicable. Please note that a copy of the fee rating worksheet is also attached to this draft permit. A copy of the entire Louisiana Water Quality Regulations may be obtained from the Regulation Development Section by calling (225) 219-3985.

Pursuant to LAC 33:IX.1309.I, LAC 33:IX.6509.A.1, and LAC 33:I.1701, you must pay any outstanding fees to the Department. Therefore, you are encouraged to verify the facility's fee status by contacting LDEQ's Office of Management and Finance, Financial Services Division (225) 219-
3863 or accessing LDEQ's website at www.deq.louisiana.gov/fiscalreports. Failure to pay in the manner and time prescribed could result in applicable enforcement actions as prescribed in the Environmental Quality Act, including, but not limited to revocation or suspension of the applicable permit, and/or assessment of a civil penalty against you.

For sanitary treatment plants, the plans and specifications must be approved by the Department of Health and Hospitals, Office of Public Health, Post Office Box 4489, Baton Rouge, Louisiana 70821-
4489, (225) 342-7395.

Should you have any questions concerning any part of the DRAFT PERMIT, public notice requirements, or fee, please feel free to contact Sonja Loyd, Office of Environmental Services, at the address on the preceding page or by telephone at (225) 219-3232. You may also contact Isaac Chen, USEPA, Water Quality Protection Division, 1445 Ross Avenue, Dallas, Texas 75202 or by telephone at (214) 665-7364. To ensure that all correspondence regarding this facility is properly filed into the Department's Electronic Document Management System, please reference your Agency Interest (AI) number 4634 and LPDES/NPDES permit number LA0049492 on all future correspondence to this Department.

Sincerely,

Jenniffer Sheppard
Environmental Scientist Manager
General and Industrial Water Permits, LDEQ

Claudia V. Hosch
Associate Director
Water Quality Protection Division, USEPA R6

sl

Attachments: general information sheet, draft permit, fact sheet, and fee sheet

c: Sonja Loyd
Water Permits Division

IO-W File

ec: Chief Engineer
Office of Public Health
Department of Health and Hospitals

Ashley Broom
Office of Management & Finance

Permit Compliance Unit
Southeast Regional Office
Office of Environmental Compliance

For Public Notice
Public Participation Group
Office of Environmental Services

Michelle Bickham
Laura Thompson
Water Permits Division

Cindy Gardner-LeBlanc
LOOP LLC
cgleblanc@loopllc.com

Doug LaBar
C-K Associates, LLC
doug.labar@c-ka.com

PUBLIC NOTICE
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
LOOP LLC, Deepwater Port Complex
DRAFT WATER DISCHARGE PERMIT

The LDEQ, Office of Environmental Services, is accepting written comments on a Louisiana Pollutant Discharge Elimination System (LPDES) prepared for LOOP LLC, Deepwater Port Complex, Post Office Box 7250, Metairie, Louisiana 70010-7250. The facility is located at 224 East 101 Place in Cutoff, Lafource Parish. Upon the effective date of the final permit, the final permit shall replace the previously effective EPA (NPDES)/State (LPDES) permit.

The principal discharge from this existing source is made into the Gulf of Mexico, waters of the state classified for primary contact recreation, secondary contact recreation, fish and wildlife propagation, and oyster propagation. Under the SIC Code(s) 4612, 4463, and 5171, the applicant proposes to discharge marine cargo hose testing water, washdown water, brine, non-contact cooling water, treated sanitary wastewater, and stormwater runoff from an existing deepwater port, pipelines, and storage facilities.

During the preparation of this permit, it has been determined that this discharge will have no adverse impact on the existing uses of the receiving waterbody. As with any discharge, however, some change in existing water quality may occur.

Written comments, written requests for a public hearing, or written requests for notification of the final decision regarding this permit action may be submitted to Ms. Soumaya Ghosn at LDEQ, Public Participation Group, P. O. Box 4313, Baton Rouge LA 70821-4313. Written comments and/or written requests must be received by 12:30 p.m., (date of end of comment period). Written comments will be considered prior to a final decision.

If LDEQ finds a significant degree of public interest, a public hearing will be held. LDEQ will send notification of the final permit decision to the applicant and to each person who has submitted written comments or a written request for notification of the final permit decision.

The application, draft permit, and fact sheet are available for review at the LDEQ Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday-Friday (except holidays).

Inquiries or requests for additional information regarding this permit action, should be directed to Sonja Loyd, LDEQ, Permits Division, P. O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3090.

Persons wishing to be included on the mailing list for permit actions involving this facility should contact Ms. Soumaya Ghosn in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225)-219-3276, or by email at maillistrequest@ldeq.org.

**All correspondence should specify LA0049492, AI4634, and PER20070002.**

Variable pro1not. = 8
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18
Draft LA0049492

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 001, the intermittent discharge of stormwater from the oily water system (*1)

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

**No discharge of free oil. This means that a discharge shall not cause a film or sheen or a discoloration on the surface of the water or cause a sludge or emulsion to be deposited beneath the surface of the water. Monitoring shall be performed once per day when discharging, during conditions when an observation of a visual sheen on the surface of the receiving water is possible in the vicinity of the discharge, and the facility is manned. The number of days a sheen is observed must be recorded.**

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Outfall 001, at the point of discharge through the sea sump 45 feet below the surface of the water adjacent to the pumping platform at the Marine Terminal, prior to combining with any other waters.

FOOTNOTE:

(*1) Discharges from Outfall 001 fall within the regulatory jurisdiction of the USEPA (Part II.F).

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 004, the intermittent discharge of brine (from the Brine Storage Reservoir) (*1) (*2)

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

| Effluent Characteristic | | Discharge Limitations | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | | |
| | STORET Code | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | Measurement Frequency (*3) | Sample Type |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/day | Estimate |
| Oil and Grease | 03582 | --- | --- | 10 | 15 | 1/day | Grab |
| Total Dissolved Solids | 70295 | --- | --- | Report | Report | 1/month | Grab |
| Chloride | 00940 | --- | --- | Report | Report | 1/month | Grab |
| pH Min/Max Values (Standard Units) | 00400 | --- | --- | 6.0 (*4) (Min) | 9.0 (*4) (Max) | 1/week | Grab |

| WHOLE EFFLUENT (CHRONIC) TOXICITY TESTING | STORET Code | (Percent %, UNLESS STATED) Monthly Avg Minimum | 7- Day Minimum | Maximum | Measurement Frequency (*5) | Sample Type |
|---|---|---|---|---|---|---|
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 7-Day Chronic, *Menidia beryllina* | TLP6B | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 7-Day Chronic, *Menidia beryllina* | TOP6B | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Growth, Static Renewal, 7-Day Chronic, *Menidia beryllina* | TPP6B | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Pass/Fail [0/1], Growth, Static Renewal, 7-Day Chronic, *Menidia beryllina* | TGP6B | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Coefficient of Variation, Static Renewal, 7-Day Chronic, *Menidia beryllina* | TQP6B | --- | --- | Report | 1/quarter | 24-hr. Composite |
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 7-Day Chronic, *Mysidopis bahia* | TLP3E | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 7-Day Chronic *Mysidopis bahia* | TOP3E | Report | Report | --- | 1/quarter | 24-hr. Composite |

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall 004 continued)

| Effluent Characteristic | Discharge Limitations | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|
| WHOLE EFFLUENT (CHRONIC) TOXICITY TESTING | STORET Code | Other units (Percent %, UNLESS STATED) Monthly Avg Minimum | 7-Day Minimum | Maximum | Measurement Frequency (*5) | Sample Type |
| NOEC, Value [%], Growth, Static Renewal, 7-Day Chronic, Mysidopsis bahia | TPP3E | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Pass/Fail [0/1], Growth, Static Renewal, 7-Day Chronic, Mysidopis bahia | TGP3E | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Coefficient of Variation, Static Renewal, 7-Day Chronic, Mysidopsis bahia | TQP3E | --- | --- | Report | 1/quarter | 24-hr. Composite |

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 004, at the point of discharge from the brine diffuser located 2.5 miles southeast of the mouth of Bayou Lafourche approximately 30 to 35 feet below the surface of the water, prior to combining with any other waters.

FOOTNOTES:

(*1) Discharges from Outfall 004 fall within the regulatory jurisdiction of the LDEQ (Part II.F).

(*2) The LDEQ must be notified in writing by the permittee prior to adding an oxygen scavenger or a corrosion inhibitor to the line. The LDEQ shall also be notified prior to discharge of pipeline volume upon termination of static operations. Approval of the discharge of water containing oxygen scavengers and/or corrosion inhibitors must be obtained from the LDEQ prior to discharge. Material Safety Data Sheets and toxicity analyses for the oxygen scavengers and/or the corrosion inhibitors must accompany the written requests. The permittee shall not use any oxygen scavengers and/or corrosion inhibitors that contain mercury compounds. Approval shall be made only after the required information is submitted to the LDEQ. See Part II.J.

(*3) When discharging.

(*4) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

(*5) See Part II.N, Section 5 for the Monitoring Frequency Reduction provision.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 005, the intermittent discharge of marine cargo hose testing water, washwater from the oil spill equipment cleaning activities, and stormwater runoff (*1)

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

| Effluent Characteristic | | Discharge Limitations | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|
| | | | | Other Units | | | |
| | | (lbs/day, UNLESS STATED) | | (mg/L, UNLESS STATED) | | | |
| | STORET Code | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | Measurement Frequency (*2) | Sample Type |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/quarter | Estimate |
| TOC | 00680 | --- | --- | --- | 50 | 1/quarter | Grab |
| Oil and Grease | 03582 | --- | --- | --- | 15 | 1/quarter | Grab |
| pH Min/Max Values (Standard Units) | 00400 | --- | --- | 6.0 (*3) (Min) | 9.0 (*3) (Max) | 1/quarter | Grab |

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 005, at the point of discharge from the pipe exiting the secondary containment area around the Oil/Water Separator tank located at the Small Boat Harbor, prior to combining with any other waters.

FOOTNOTES:

(*1) Discharges from Outfall 005 fall within the regulatory jurisdiction of the LDEQ (Part II.F).
(*2) When discharging.
(*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfalls 012, 018, 020, 021, 025, 026, 027, and 028, the intermittent discharge of stormwater runoff (*1)

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

| Effluent Characteristic | | Discharge Limitations | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | | |
| | STORET Code | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | Measurement Frequency (*2) | Sample Type |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/quarter | Estimate |
| TOC | 00680 | --- | --- | --- | 50 | 1/quarter | Grab |
| Oil and Grease | 03582 | --- | --- | --- | 15 | 1/quarter | Grab |
| pH Min/Max Values (Standard Units) | 00400 | --- | --- | 6.0 (*3) (Min) | 9.0 (*3) (Max) | 1/quarter | Grab |

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken from the following locations:

Outfall 012, at the point of discharge from the pipe exiting the secondary containment area around the Auxiliary Tank (east side of LOOP Access Road) at the Clovelly Dome Storage Facility, prior to combining with any other waters.

Outfall 018, at the point of discharge from the pipe exiting the secondary containment area around the Fourchon Booster Station in Port Fourchon, prior to combining with any other waters.

Outfall 020, at the point of discharge from the pump at the secondary containment area around the gasoline tanks located adjacent to the Warehouse in Cutoff, prior to combining with any other waters.

Outfall 021, at the point of discharge from the pipe exiting the secondary containment area located on the northeast side of the Clovelly Tank Facility, prior to combining with any other waters.

Outfall 025, at the point of discharge from the pipe exiting the secondary containment area located on the northwest side of the Clovelly Tank Facility, prior to combining with any other waters.

Outfall 026, at the point of discharge from the pipe exiting the secondary containment area located on the east side of the Clovelly Tank Facility, prior to combining with any other waters.

Outfall 027, at the point of discharge from the pipe exiting the secondary containment area located on the southeast side of the Clovelly Tank Facility, prior to combining with any other waters.

Outfall 028, at the point of discharge from the pipe exiting the secondary containment area located on the southeast side of the new tank expansion at the Clovelly Tank Facility, prior to combining with any other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfalls 012 - 028 continued)

FOOTNOTES:

(*1) Discharges from Outfalls 012, 018, 020, 021, 025, 026, 027, and 028 fall within the regulatory jurisdiction of the LDEQ (Part II.F).
(*2) When discharging.
(*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 015, the continuous discharge of non-contact cooling water (*1)

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

| Effluent Characteristic | | Discharge Limitations | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | | |
| | STORET Code | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | Measurement Frequency | Sample Type |
| Flow-MGD | 50050 | 4.32 | 5.4 | --- | --- | 1/month | Estimate |
| TOC (net)(*2) | 00680 | --- | --- | --- | 5 | 1/month | Grab |
| Oil and Grease | 03582 | --- | --- | --- | 15 | 1/month | Grab |
| TRC (*3) | 50060 | --- | --- | 0.43 | 0.5 | 1/week | Grab |
| pH Min/Max Values (Standard Units) | 00400 | --- | --- | 6.0 (*4) (Min) | 9.0 (*4) (Max) | 1/month | Grab |

| WHOLE EFFLUENT (ACUTE) TOXICITY TESTING (*5) | STORET Code | (Percent %, UNLESS STATED) Monthly Avg Minimum | 48-Hour Minimum | | Measurement Frequency (*6) | Sample Type (*7) |
|---|---|---|---|---|---|---|
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 48-Hour Acute, Menidia beryllina | TEM6B | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 48-Hour Acute, Menidia beryllina | TOM6B | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Coeffecient of Variation, Static Renewal, 48-Hour Acute, Menidia beryllina | TQM6B | --- | --- | Report | 1/quarter | 24-hr. Composite |
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 48-Hour Acute, Mysidopsis bahia | TEM3E | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 48-Hour Acute Mysidopsis bahia | TOM3E | Report | Report | --- | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Coeffecient of Variation, Static Renewal, 48-Hour Acute Mysidopsis bahia | TQM3E | --- | --- | Report | 1/quarter | 24-hr. Composite |

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall 015 continued)

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 015, at the point of discharge from the Pumping Platform at the Marine Terminal, prior to combining with any other waters.

FOOTNOTES:

(*1) Discharges from Outfall 015 fall within the regulatory jurisdiction of the USEPA (Part II.F).
(*2) Simultaneous sampling of the effluent and the influent shall be required to establish the net value. The influent, effluent, and net value shall be reported on the DMR.
(*3) Total Residual Chlorine (TRC) shall only be monitored during periods of chlorination or other biocide usage.
(*4) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.
(*5) Biomonitoring shall only be required during periods of chlorination or other biocide usage. The permittee shall notify the LDEQ and USEPA no later than 30 days prior to commencement of its chlorination activities. See Part II.O for Biomonitoring requirements.
(*6) See Part II.O, Section 5 for the Monitoring Frequency Reduction provision.
(*7) See Part II.O, Section 3.d.iii.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfalls 002 (*1), 007, 008, and 024, the discharge of treated sanitary wastewater (*2)

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

| Effluent Characteristic | | Discharge Limitations | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | | |
| | STORET Code | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | Measurement Frequency (*3) | Sample Type |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/6 months | Estimate |
| $BOD_5$ | 00310 | --- | --- | 30 | 45 | 1/6 months | Grab |
| TSS | 00530 | --- | --- | 30 | 45 | 1/6 months | Grab |
| Fecal Coliform colonies/100 ml | 74055 | --- | --- | 200 | 400 | 1/6 months | Grab |
| pH Min/Max Values (Standard Units) | 00400 | --- | --- | 6.0 (*4) (Min) | 9.0 (*4) (Max) | 1/6 months | Grab |

There shall be no discharge of floating solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

The discharge of garbage is prohibited. "Garbage" means all kinds of food waste, wastes generated in living areas on the facility, and operational waste, excluding fresh fish and parts thereof, generated during the normal operation of the facility and liable to be disposed of continuously or periodically, except dishwater, graywater, and those substances that are defined or listed in other Annexes to MARPOL 73/78. [Exception] Comminuted food waste (able to pass through a screen with a mesh no larger than 25 mm, approximately 1 inch) may be discharged when 12 nautical miles or more from land.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations:

Outfall 002, at the point of discharge from the sanitary treatment system located on the Control Platform at the Marine Terminal, prior to combining with any other waters.

Outfall 007, at the point of discharge from the sanitary treatment system located between the Operations Center and Warehouse, prior to combining with any other waters.

Outfall 008, at the point of discharge from the sanitary treatment system located beneath the Control Building at the Clovelly Dome Storage Terminal Facility, prior to combining with any other waters.

Outfall 024, at the point of discharge from the sanitary treatment system located adjacent to the Clovelly Tank Facility expansion, prior to combining with any other waters.

FOOTNOTES:

(*1) The discharge from Outfall 002 shall only be monitored for Flow, TSS, $BOD_5$, and pH.
(*2) Discharges from Outfalls 007, 008, and 024 fall within the regulatory jurisdiction of the LDEQ. Discharges from Outfall 002 fall within the regulatory jurisdiction of the USEPA. See Part II.F.
(*3) When discharging.
(*4) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfalls 006 and 023, the discharge of treated sanitary wastewater (*1)

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

| Effluent Characteristic | | Discharge Limitations | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | | |
| | STORET Code | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | Measurement Frequency (*2) | Sample Type |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/6 months | Estimate |
| $BOD_5$ | 00310 | --- | --- | 30 | 45 | 1/6 months | Grab |
| TSS | 00530 | --- | --- | 30 | 45 | 1/6 months | Grab |
| Fecal Coliform colonies/100 ml | 74055 | --- | --- | 14 | 43 | 1/6 months | Grab |
| pH Min/Max Values (Standard Units) | 00400 | --- | --- | 6.0 (*3) (Min) | 9.0 (*3) (Max) | 1/6 months | Grab |

There shall be no discharge of floating solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations:

Outfall 006, at the point of discharge from the sanitary treatment system located at the Small Boat Harbor, prior to combining with any other waters.

Outfall 023, at the point of discharge from the sanitary treatment system located at the Fourchon Booster Station in Port Fourchon, prior to combining with any other waters.

FOOTNOTES:

(*1) Discharges from Outfalls 006 and 023 fall within the regulatory jurisdiction of the LDEQ. See Part II.F.
(*2) When discharging.
(*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

PART II

OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part III, the Office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations.

A. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.

B. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.

C. For definitions of monitoring and sampling terminology see STANDARD CONDITIONS FOR LPDES PERMITS, Section F.

D. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.6.e.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

Pollutant(s): None

E. 40 CFR PART 136 (See LAC 33:IX.4901) ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (See LAC 33:IX.4901).

F. Please be advised that appeals and the resolution thereof shall be directed to the agency having regulatory jurisdiction over that portion of the permit.

G. FLOW MEASUREMENT "ESTIMATE" SAMPLE TYPE

If the flow measurement sample type in Part I is specified as "estimate", flow measurements shall not be subject to the accuracy provisions established at Part III.C.6 of this permit. The daily flow value may be

OTHER REQUIREMENTS (continued)

estimated using best engineering judgement.

H. The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

Effective date of the permit

I. PERMIT REOPENER CLAUSE

This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(C) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, or more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDLs, if the effluent standard, limitations, water quality studies or TMDLs so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

2. Controls any pollutant not limited in the permit; or

3. Requires reassessment due to change in 303(d) status of waterbody; or

4. Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDLs for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

J. APPLICABLE TO OUTFALL 004

1. The permittee shall operate a diffusion system for the brine disposal to achieve a maximum rate of diffusion while minimizing the area which may be adversely affected.

2. If the permittee uses an oxygen scavenger, the concentration shall be

OTHER REQUIREMENTS (continued)

no greater than 18 ppm $K_2SO_3$/ppm DO or 10 ppm $NH_4HSO_3$/ppm DO. The permittee shall maintain a detectable DO level in the pipeline at all times. The permittee shall not use any oxygen scavengers and/or corrosion inhibitors that contain mercury compounds. A report of the mean DO level and the range of DO shall be provided to LDEQ on a monthly basis as an addendum to the DMRs due by the 15th day of each month.

3. After leaching operations are completed and during prolonged periods of static operations (i.e. no discharge) a corrosion inhibitor may be used to protect the brine line from corrosion. Permittee will notify the LDEQ prior to addition of inhibitor, and also prior to discharge of pipeline volume upon termination of static operations. Discharge concentration shall in no case exceed 100 mg/L.

K. REOPENER CLAUSE FOR ENDANGERED SPECIES PROTECTION

This permit may be modified or revoked and reissued based on the results of
the Endangered Species Act, Section 7 consultation with the National Marine Fisheries Services.

L. STORMWATER DISCHARGES

1. This section applies to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. The purpose of the pollution prevention plan is to identify potential sources of pollution that would reasonably be expected to affect the quality of stormwater and identify the practices that will be used to prevent or reduce the pollutants in stormwater discharges.

2. Any runoff leaving the developed areas of the facility, other than the permitted outfall(s), exceeding 50 mg/L TOC, 15 mg/L Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually as described in Paragraph 4 below.

3. **For first time permit issuance**, the permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. **For renewal permit issuance**, the permittee shall review and update, if

OTHER REQUIREMENTS (continued)

necessary, a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The terms and conditions of the SWP3 shall be an enforceable Part of the permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. EPA document 833-B-09-002 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained at the following website: http://cfpub.epa.gov/npdes/stormwater/indust/cfm.

4. The following conditions are applicable to all facilities and shall be included in the SWP3 for the facility.

   a. The permittee shall conduct an annual inspection of the facility site to identify areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed.

   b. The permittee shall develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantities leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff.

   c. Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural condition of (e.g. precipitation), or other circumstances which result in significant amounts of pollutants reaching surface waters, the SWP3 should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

   d. The permittee shall maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the SWP3, and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the date and time of inspection, name of inspector(s),

conditions found, and changes to be made to the SWP3.

e. The summary report and the following certification shall be signed in accordance with LAC 33:IX.2503. The summary report is to be attached to the SWP3 and provided to the Department upon request.

"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."

Signatory requirements for the certification may be found in Part III, Section D.10 of this permit.

f. The permittee shall make available to the Department, upon request, a copy of the SWP3 and any supporting documentation.

5. The following shall be included in the SWP3, if applicable.

a. The permittee shall utilize all reasonable methods to minimize any adverse impact on the drainage system including but not limited to:

i. maintaining adequate roads and driveway surfaces;
ii. removing debris and accumulated solids from the drainage system; and
iii. cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods.

b. All spilled product and other spilled wastes shall be immediately cleaned up and disposed of according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with State or Federal safety regulations (i.e., requirement for non-slippery work surface) except where the cleanup practice does not result in a discharge and does not leave residues exposed to future storm

OTHER REQUIREMENTS (continued)

events. In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.

c. All equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other materials exposed to stormwater shall be maintained in a manner which prevents contamination of stormwater by pollutants.

d. All waste fuel, lubricants, coolants, solvents, or other fluids used in the repair or maintenance of vehicles or equipment shall be recycled or contained for proper disposal. Spills of these materials are to be cleaned up by dry means whenever possible.

e. If applicable, all storage tank installations (with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area) shall be constructed so that a secondary means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.

f. All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. All drains from diked areas shall be equipped with valves which shall be kept in the closed condition except during periods of supervised discharge.

g. All check valves, tanks, drains, or other potential sources of pollutant releases shall be inspected and maintained on a regular basis to assure their proper operation and to prevent the discharge of pollutants.

h. The permittee shall assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law (L.R.S. 30:2151, etc.). Management practices required under above regulations shall be referenced in the SWP3.

i. The permittee shall amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

OTHER REQUIREMENTS (continued)

j. If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements.

6. Facility Specific SWP3 Conditions:

None

M. DISCHARGE MONITORING REPORTS

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit.

If there is no discharge during the reporting period, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report for that outfall.

Monitoring results for each reporting period shall be summarized on a Discharge Monitoring Report (DMR) Form (one DMR form per monitoring period per outfall) and submitted to the Office of Environmental Compliance either hand delivered, postmarked, or electronically submitted in accordance with LAC 33:I.2101.A and B no later than the 15th day of the month following each reporting period.

1. For parameter(s) with monitoring frequencies of 1/month or more frequent (i.e. continuous, 1/batch, 1/discharge event, 1/day, 3/week, 2/week, 1/week, 2/month, etc.), DMRs shall be submitted in accordance with the following schedule:

   Submit DMR postmarked by the 15th day of the following month.

2. For parameter(s) that require a monitoring frequency of 1/2 months, DMRs shall be submitted in accordance with the following schedule:

| Monitoring Period | DMR Postmark Date |
|---|---|
| Jan-Feb, Mar-Apr, & May-Jun | July 15th |
| Jul-Aug. Sept-Oct, & Nov-Dec | January 15th |

OTHER REQUIREMENTS (continued)

OTHER REQUIREMENTS (continued)

3. For parameter(s) that require a monitoring frequency of quarterly, DMRs shall be submitted in accordance with the following schedule:

| Monitoring Period | DMR Postmark Date |
|---|---|
| January, February, March | April 15th |
| April, May, June | July 15th |
| July, August, September | October 15th |
| October, November, December | January 15th |

4. For parameter(s) that require a semiannual monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

| Monitoring Period | DMR Postmark Date |
|---|---|
| January - June | July 15th |
| July - December | January 15th |

5. For parameter(s) that require an annual monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

| Monitoring Period | DMR Postmark Date |
|---|---|
| January-December | January 15th |

LPDES/NPDES permit LA0049492 is being reissued jointly by the LDEQ and the USEPA. If not submitting electronically, duplicate sets of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503, and all other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit at the following address:

Department of Environmental Quality
Office of Environmental Compliance
Permit Compliance Unit
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312

For USEPA reporting, DMR forms and all other reports (i.e. noncompliance reports, etc.) pertaining to these outfalls must be submitted to the following address:

United States Environmental Protection Agency, Region 6
Water Enforcement Branch, 6EN-WC

OTHER REQUIREMENTS (continued)

1445 Ross Avenue
Dallas, Texas 75202

N. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC MARINE)

It is unlawful and a violation of this permit for a permittee or the designated agent to manipulate test samples in any manner, to delay shipment, or to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by the Louisiana Department of Environmental Quality.

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

| | |
|---|---|
| APPLICABLE TO OUTFALL(S): | 004 |
| CRITICAL DILUTION: | 7.63% |
| EFFLUENT DILUTION SERIES: | 3.22%, 4.29%, 5.72%, 7.63%, and 10.17% |
| COMPOSITE SAMPLE TYPE: | Defined in Part I |
| TEST SPECIES/METHODS: | 40 CFR Part 136 (See LAC 33:IX.4901) |

*Mysidopsis bahia* (Mysid shrimp) chronic static renewal 7-day survival and growth test using Method 1007.0, EPA 821-R-02-014, or the most recent update thereof. A minimum of eight (8) replicates with five (5) organisms per replicate must be used in the control and in each effluent dilution of this test.

*Menidia beryllina* (Inland Silverside minnow) chronic static renewal 7-day larval survival and growth test, Method 1006.0, EPA 821-R-02-
014, or the most recent update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The survival NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. The NOEC for growth is

OTHER REQUIREMENTS (continued)

defined as the greatest effluent dilution at and below which sub-lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. Lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth) at test completion to a test species at or below the critical dilution.

2. PERSISTENT LETHALITY

The requirements of this section apply only when a toxicity test demonstrates significant lethal and/or sub-lethal effects at or below the critical dilution.

If any valid test demonstrates significant lethal or sub-lethal effects to a test species at or below the critical dilution, the frequency of testing for that species is automatically increased to once per quarter for the term of the permit.

a. The permittee shall conduct a total of three (3) additional tests for any species that demonstrates statistically significant lethal or sub-lethal toxic effects at the critical dilution or lower effluent dilutions. The additional tests shall be conducted monthly during the next three consecutive months in which discharge occurs to determine if toxicity is persistent or occurs on a periodic basis. The purpose of this testing is to determine whether toxicity is present at a level and frequency that will provide toxic sample results to use in performing a Toxicity Reduction Evaluation (TRE). If no additional test failures occur during the retest monitoring period, the testing frequency will be once per quarter for the term of the permit or until another test failure occurs. The permittee may substitute one of the additional tests in lieu of one routine toxicity test. A full report shall be prepared for each test required by this section in accordance with procedures outlined in Item 4 of this section and submitted with the period discharge monitoring report (DMR) to the permitting authority for review.

OTHER REQUIREMENTS (continued)

b. IF LETHAL EFFECTS HAVE BEEN DEMONSTRATED: If any of the valid additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall initiate Toxicity Reduction Evaluation (TRE) requirements as specified in Item 6 of this section. The permittee shall notify the Department of Environmental Quality, Office of Environmental Compliance - Permit Compliance Unit in writing within 5 days of the failure of any retest, and the TRE initiation date will be the test completion date of the first failed retest. A TRE may also be required due to a demonstration of intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.

c. IF ONLY SUB-LETHAL EFFECTS HAVE BEEN DEMONSTRATED: If any two of the three valid additional tests demonstrate significant sub-lethal effects at 75% effluent dilution or lower, the permittee shall initiate the Toxicity Reduction Evaluation (TRE) requirements (emphasizing investigations pertaining to sub-lethal toxicity) as specified in Item 6 of this section. The permittee shall notify the Department of Environmental Quality, Office of Environmental Compliance - Permit Compliance Unit in writing within 5 days of the failure of any retest, and the TRE initiation date will be the test completion date of the second failed retest. A TRE concentrating on sub-lethal effects may also be required for failure to perform the required tests.

d. The provisions of Item 2.a. are suspended upon completion of the two additional tests and submittal of the TRE Action Plan.

3. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

i. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.

ii. The mean dry weight of surviving Mysid shrimp at the end of the 7 days in the control (0% effluent) must be 0.20 mg per mysid or greater. Should the mean dry weight in the control be less than 0.20 mg per mysid, the toxicity test, including the control and all effluent dilutions shall be repeated.

OTHER REQUIREMENTS (continued)

iii. The mean dry weight of surviving unpreserved Inland Silverside minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.50 mg per larva or greater. The mean dry weight of surviving preserved Inland Silverside minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.43 mg per larva or greater.

iv. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: the growth and survival endpoints in the Mysid shrimp test; and the growth and survival endpoints of the Inland Silverside minnow test.

v. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal or nonlethal effects are exhibited for: the growth and survival endpoints in the Mysid shrimp test; and the growth and survival endpoints of the Inland Silverside minnow test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

For the Mysid shrimp and the Inland Silverside minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA 821-R-02-014, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test regardless of the NOEC, and the permittee shall report a survival NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

c. Dilution Water

OTHER REQUIREMENTS (continued)

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness and salinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;

(B) the test indicating receiving water toxicity has been carried out to completion (i.e., 7 days);

(C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 4 below; and

(D) the synthetic dilution water shall have a pH, hardness and salinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

i. The permittee shall collect a minimum of three flow-weighted 24-hour composite samples from the outfall(s) listed at Item 1.a above. A 24-hour composite sample consists of a minimum of 4 effluent portions collected at equal time intervals representative of a 24-hour operating day and combined

OTHER REQUIREMENTS (continued)

proportional to flow or a sample continuously collected proportional to flow over a 24-hour operating day.

ii. The permittee shall collect second and third 24-hour composite samples for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the 24-hour composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iii. The permittee must collect the 24-hour composite samples so that the maximum holding time for any effluent sample shall not exceed 72 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first 24-hour composite sample. Samples shall be chilled to 0-6 degrees Centigrade during collection, shipping and/or storage.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 4 of this section.

v. MULTIPLE OUTFALLS: If the provisions of this section are applicable to multiple outfalls, the permittee shall combine the composite effluent samples in proportion to the average flow from the outfalls listed in Item 1.a. above for the day the sample was collected. The permittee shall perform the toxicity test on the flow-weighted composite of the outfall samples.

4. REPORTING

OTHER REQUIREMENTS (continued)

a. A valid test must be completed and test results must be submitted for each species during each Monitoring Period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA 821-R-02-014, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C of this permit. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review. Any available information relevant to the test failure (e.g., faulty equipment, severe weather conditions) should be included in this report to assist the agency in assessing proper controls to prevent future toxic discharges. The permittee shall submit the first full report to the following address:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

b. The permittee shall submit the results of each valid toxicity test on the DMR for that Monitoring Period in accordance with Part III.D and the DMR Monitoring Period schedule contained in Part II of this permit. Submit retest information clearly marked as such on the DMR for the Monitoring Period in which the retest occurred. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 1 and 2 summary sheets with each valid test.

i. *Menidia beryllina* (Inland Silverside minnow)

(A) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0". Parameter No. TLP6B.

(B) Report the NOEC value for survival, Parameter No. TOP6B.

(C) Report the NOEC value for growth, Parameter No. TPP6B.

(D) If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP6B.

OTHER REQUIREMENTS (continued)

(E) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6B.

ii. Mysidopsis bahia (Mysid shrimp)

(A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0". Parameter No. TLP3E.
(B) Report the NOEC value for survival, Parameter No. TOP3E.

(C) Report the NOEC value for growth, Parameter No. TPP3E.

(D) If the No Observed Effect Concentration (NOEC) for reproduction is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP3E.

(E) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP3E.

iii. The permittee shall report the following results for all VALID toxicity retests on the DMR for that Monitoring Period.

(A) Retest #1 (STORET 22415): If the first monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0."

Retest #1 (STORET 22418): If the first monthly retest following failure of a routine test for either test species results in an NOEC for growth that is less than the critical dilution, report a "1"; otherwise report a "0".

(B) Retest #2 (STORET 22416): If the second monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0."

Retest #2 (STORET 22419): If the second monthly retest following failure of a routine test for either test species results in an NOEC for growth that is less than the critical dilution, report a "1"; otherwise report a "0".

(C) Retest #3 (STORET 51443): If the third monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the

OTHER REQUIREMENTS (continued)

critical dilution, report a "1"; otherwise, report a "0".

Retest #3 (STORET 51444): If the third monthly retest following failure of a routine test for either test species results in an NOEC for growth that is less than the critical dilution, report a "1"; otherwise report a "0".

If, for any reason, a retest cannot be performed during the Monitoring Period in which the triggering routine test failure is experienced, the permittee shall report it on the following Monitoring Period's DMR, and the comments section of both DMRs shall be annotated to that effect. If retesting is not required during a given Monitoring Period, the permittee shall leave these DMR fields blank.

The permittee shall submit the toxicity testing information contained in Tables 1 and 2 of this permit with the DMR subsequent to each and every toxicity test reporting period. The DMR and the summary tables should be sent to the address indicated in 4.a.

5. MONITORING FREQUENCY REDUCTION

a. Upon successfully passing the first four quarters of WET testing after permit issuance/reissuance and in the absence of subsequent lethal and/or sublethal toxicity for one or both test species at or below the critical dilution, the permittee may apply for a testing frequency reduction. If granted, the monitoring frequency for that test species may be reduced to not less than once per year for the less sensitive species (usually the Inland Silverside minnow) and not less than twice per year for the more sensitive test species (usually the Mysid Shrimp).

b. CERTIFICATION - The permittee must certify in writing that no test failures have occurred and that all tests meet all test acceptability criteria in Item 3.a. above. In addition, the permittee must provide a list with each test performed including test initiation date, species, NOEC's for lethal and sub-lethal effects and the maximum coefficient of variation for the controls. Upon review and acceptance of this information the agency will issue a letter of confirmation of the monitoring frequency reduction. A copy of the letter will be forwarded to the agency's Permit Compliance Unit to update the permit reporting requirements.

OTHER REQUIREMENTS (continued)

c. This monitoring frequency reduction applies only until the expiration date of this permit, at which time the Monitoring Frequency/Monitoring Period for both test species reverts to once per quarter until the permit is re-issued.

d. LETHAL AND/OR SUB-LETHAL FAILURES - If any test fails the lethal and/or sub-lethal endpoint at any time during the term of this permit, three monthly retests are required and the monitoring frequency for the affected test species shall be increased to once per quarter until the permit is reissued. Monthly retesting is not required if the permittee is performing a TRE.

6. TOXICITY REDUCTION EVALUATION (TRE)

a. The permittee shall submit a Toxicity Reduction Evaluation (TRE) Action Plan and Schedule for conducting a TRE for the following:

i. If lethal effects have been demonstrated within (90) days of confirming lethality in any retest; or

ii. If only sub-lethal effect have been demonstrated within (90) days of confirming sub-lethality at 75% effluent dilution or lower in any two out of three retests.

The TRE Action Plan shall specify the approach and methodology to be used in performing the TRE. A Toxicity Reduction Evaluation is an investigation intended to determine those actions necessary to achieve compliance with water quality-based effluent requirements and/or chemical specific limits by reducing an effluent's toxicity (includes sub-lethal toxicity, if applicable) to an acceptable level. A TRE is defined as a step-wise process which combines toxicity testing and analyses of the physical and chemical characteristics of a toxic effluent to identify the constituents causing effluent lethal and/or sub-lethal toxicity and/or treatment methods which will reduce the effluent toxicity. The TRE Action Plan shall lead to the successful elimination of effluent lethal and/or sub-lethal toxicity at the critical dilution and include the following:

i. Specific Activities. The plan shall detail the specific approach the permittee intends to utilize in conducting the TRE. The approach may include toxicity characterizations, identifications and confirmation activities, source evaluation, treatability studies, or alternative approaches.

OTHER REQUIREMENTS (continued)

When the permittee conducts Toxicity Characterization Procedures the permittee shall perform multiple characterizations and follow the procedures specified in the documents "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA-600/6-91/003) and "Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I" (EPA-600/6-91/005F), or alternate procedures. When the permittee conducts Toxicity Identification Evaluations and Confirmations, the permittee shall perform multiple identifications and follow the methods specified in the documents "Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081), as appropriate.

The documents referenced above may be obtained through the National Technical Information Service (NTIS) by phone at (703) 487-4650, or by writing:

United States Department of Commerce
National Technical Information Service
5285 Port Royal Road
Springfield, Virginia 22161

ii. Sampling Plan (e.g., locations, methods, holding times, chain of custody, preservation, etc.). The effluent sample volume collected for all tests shall be adequate to perform the toxicity test, toxicity characterization, identification and confirmation procedures, and conduct chemical specific analyses when a probable toxicant has been identified;

Where the permittee has identified or suspects specific pollutant(s) and/or source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical specific analyses for the identified and/or suspected pollutant(s) and/or source(s) of effluent toxicity. Where lethality was demonstrated within 48 hours of test initiation, each 24-hour composite sample shall be analyzed independently. Otherwise the permittee may substitute a 24-hour composite sample, comprised of equal portions of the individual composite samples, for the

OTHER REQUIREMENTS (continued)

chemical specific analysis;

iii. Quality Assurance Plan (e.g., QA/QC implementation, corrective actions, etc.); and

iv. Project Organization (e.g., project staff, project manager, consulting services, etc.).

b. The permittee shall initiate the TRE Action Plan within thirty (30) days of plan and schedule submittal. The permittee shall assume all risks for failure to achieve the required toxicity reduction.

c. The permittee shall submit a quarterly TRE Activities Report, with the Discharge Monitoring Report in the months of January, April, July and October, containing information on toxicity reduction evaluation activities including:

i. any data and/or substantiating documentation which identify the pollutant(s) and/or source(s) of effluent lethal and/or sub-
lethal toxicity;

ii. any studies/evaluations and results on the treatability of the facility's effluent lethal and/or sub-lethal toxicity; and

iii. any data which identify effluent toxicity control mechanisms that will reduce effluent toxicity to active compliance with permit biomonitoring requirements and/or chemical-specific limits.

The TRE Activities Report shall be submitted to the following addresses:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

d. The permittee shall submit a Final Report on Toxicity Reduction Evaluation Activities no later than twenty-eight (28) months from confirming lethality and/or sub-lethality (if applicable) in the retests, which provides information pertaining to the specific

OTHER REQUIREMENTS (continued)

control mechanism selected that will, when implemented, result in the permittee achieving compliance with permit biomonitoring requirements and/or chemical-specific limits. The report will also provide a specific corrective action schedule for implementing the selected control mechanism.

A copy of the Final Report on Toxicity Reduction Evaluation Activities shall also be submitted to the above addresses.

e. Quarterly testing during the TRE is a minimum monitoring requirement. LDEQ recommends that permittees required to perform a TRE not rely on quarterly testing alone to ensure success in the TRE, and that additional screening tests be performed to capture toxic samples for identification of toxicants. At the end of the TRE, LDEQ will consider all information submitted and establish appropriate controls to prevent future toxic discharges, including WET and/or chemical-specific limits per state regulations at LAC 33:IX.2707.D.1.e.

O. 48-HR ACUTE BIOMONITORING REQUIREMENTS: MARINE

It is unlawful and a violation of this permit for a permittee or the designated agent to manipulate test samples in any manner, to delay shipment, or to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by the Louisiana Department of Environmental Quality.

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

| | |
|---|---|
| APPLICABLE TO OUTFALL(S): | 015 |
| CRITICAL DILUTION: | 2.6% |
| EFFLUENT DILUTION SERIES: | 1.1%, 1.5%, 2.0%, 2.6%, and 3.5% |
| COMPOSITE SAMPLE TYPE: | Defined at Part I |
| TEST SPECIES/METHODS: | 40 CFR Part 136 (See LAC 33:IX.4901) |

*Mysidopsis bahia* (Mysid shrimp) acute static renewal 48-hour

OTHER REQUIREMENTS (continued)

definitive toxicity test using EPA 821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.
Menidia beryllina (Inland Silverside minnow) acute static renewal 48-hour definitive toxicity test using EPA 821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. Test failure is defined as a demonstration of statistically significant lethal effects to a test species at or below the effluent critical dilution.

2. PERSISTENT LETHALITY

The requirements of this subsection apply only when a toxicity test demonstrates significant lethal effects at or below the critical dilution. Significant lethal effects are herein defined as a statistically significant difference at the 95% confidence level between the survival of the appropriate test organism in a specified effluent dilution and the control (0% effluent).

If any valid test demonstrates significant lethal effects to a test species at or below the critical dilution, the frequency of testing for that species is automatically increased to once per quarter for the term of the permit.

a. The permittee shall conduct a total of three (3) additional tests for any species that demonstrates statistically significant lethal toxic effects at the critical dilution or lower effluent dilutions. The additional tests shall be conducted monthly during the next three consecutive months in which a discharge occurs to determine if toxicity is persistent or occurs on a periodic basis. The purpose of this testing is to determine whether toxicity is present at a level and frequency that will provide toxic sample

OTHER REQUIREMENTS (continued)

results to use in performing a Toxicity Reduction Evaluation (TRE). If no additional test failures occur during the retest monitoring period, the testing frequency will be once per quarter for the term of the permit or until another test failure occurs. The permittee may substitute one of the additional tests in lieu of one routine toxicity test. A full report shall be prepared for each test required by this section in accordance with procedures outlined in Item 4 of this section and submitted with the period discharge monitoring report (DMR) to the permitting authority for review.

b. If any of the valid additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall initiate Toxicity Reduction Evaluation (TRE) requirements as specified in Item 6 of this section. The permittee shall notify the Department of Environmental Quality, Office of Environmental Compliance - Permit Compliance Unit in writing within 5 days of the failure in any retest, and the TRE initiation date will be the test completion date of the first failed retest. A TRE may also be required due to a demonstration of intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.

c. The provisions of Item 2.a are suspended upon submittal of the TRE Action Plan.

3. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

i. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.

ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: Mysid shrimp survival test; and Inland Silverside minnow survival test.

iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless

OTHER REQUIREMENTS (continued)

significant lethal effects are exhibited for: Mysid shrimp survival test; and Inland Silverside minnow survival test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

For the Mysid shrimp survival test and the Inland Silverside minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA 821-R-02-012, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 90% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test regardless of the NOEC, and the permittee shall report a NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

c. Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness and salinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute

OTHER REQUIREMENTS (continued)

synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;

(B) the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);

(C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 4. below; and

(D) the synthetic dilution water shall have a pH, hardness and salinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

i. The permittee shall collect two 24-hour flow-weighted composite samples from the outfall(s) listed at Item 1.a above. A 24-hour composite sample consists of a minimum of 4 effluent portions collected at equal time intervals representative of a 24-hour operating day and combined proportional to flow or a sample continuously collected proportional to flow over a 24-hour operating day.

ii. The permittee shall collect a second 24-hour composite sample for use during the 24-hour renewal of each dilution concentration for both tests. The permittee must collect the 24-hour composite samples so that the maximum holding time for any effluent sample shall not exceed 36 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first 24-hour composite sample. Samples shall be chilled to 0-6 degrees Centigrade during collection, shipping and/or storage.

OTHER REQUIREMENTS (continued)

iii. The permittee must collect the 24-hour composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 4 of this section.

v. MULTIPLE OUTFALLS: If the provisions of this section are applicable to multiple outfalls, the permittee shall combine the composite effluent samples in proportion to the average flow from the outfalls listed in Item 1.a above for the day the sample was collected. The permittee shall perform the toxicity test on the flow-weighted composite of the outfall samples.

4. REPORTING

a. A valid test must be completed and test results must be submitted for each species during each Monitoring Period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA 821-R-02-012, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C.3 of this permit. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review. Any available information relevant to the test failure (e.g., faulty equipment, severe weather conditions) should be included in this report to assist the agency in assessing proper controls to prevent future toxic discharges. The permittee shall submit the

OTHER REQUIREMENTS (continued)

first full report to the following address:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

United States Environmental Protection Agency, Region 6
Water Enforcement Branch, 6EN-WC
1445 Ross Avenue
Dallas, Texas 75202

b. The permittee shall submit the results of each valid toxicity test on the DMR for that Monitoring Period in accordance with Part III.D.4 of this permit. Submit retest information clearly marked as such on the DMR for the Monitoring Period in which the retest occurred. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 3 and 4 Summary Sheets with each valid test.

i. Menidia beryllina (Inland Silverside minnow)

(A) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM6B.

(B) Report the NOEC value for survival, Parameter No. TOM6B.

(C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM6B.

ii. Mysidopsis bahia (Mysid shrimp)

(A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM3E.

(B) Report the NOEC value for survival, Parameter No. TOM3E.

(C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM3E.

iii. The permittee shall report the following results for all

OTHER REQUIREMENTS (continued)

VALID toxicity retests on the DMR for that Monitoring Period.

(A) Retest #1 (STORET 22415): If the first monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0."

(B) Retest #2 (STORET 22416): If the second monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0."

(C) Retest #3 (STORET 51443): If the third monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0".

If, for any reason, a retest cannot be performed during the reporting period in which the triggering routine test failure is experienced, the permittee shall report it on the following reporting period's DMR, and the comments section of both DMRs shall be annotated to that effect. If retesting is not required during a given reporting period, the permittee shall leave these DMR fields blank.

The permittee shall submit the toxicity testing information contained in Tables 3 and 4 of this permit with the DMR subsequent to each and every toxicity test reporting period. The DMR and the summary tables should be sent to the address indicated in 4.a. The permittee is not required to send the first complete report nor summary tables to EPA.

5. MONITORING FREQUENCY REDUCTION

a. Upon successfully passing the first four quarters of WET testing after permit issuance/reissuance and in the absence of subsequent lethal toxicity for one or both test species at or below the critical dilution, the permittee may apply for a testing frequency reduction. If granted, the monitoring frequency for that test species may be reduced to not less than once per year for the less sensitive species (usually the Inland Silverside minnow) and not

OTHER REQUIREMENTS (continued)

less than once per six months for the more sensitive test species (usually the Mysid Shrimp). Monitoring frequency reduction shall not apply to monitoring frequencies of once per year.

b. CERTIFICATION - The permittee must certify in writing that no test failures have occurred and that all tests meet all test acceptability criteria in Item 3.a. above. In addition, the permittee must provide a list with each test performed including test initiation date, species, NOEC's for lethal and sub-lethal effects and the maximum coefficient of variation for the controls. Upon review and acceptance of this information the agency will issue a letter of confirmation of the monitoring frequency reduction. A copy of the letter will be forwarded to the agency's Permit Compliance Unit to update the permit reporting requirements.

c. This monitoring frequency reduction applies only until the expiration date of this permit, at which time the Monitoring Frequency/Monitoring Period for both test species reverts to once per quarter until the permit is re-issued.

d. SURVIVAL FAILURES - If any test fails the survival endpoint at any time during the term of this permit, three monthly retests are required and the monitoring frequency for the affected test species shall be increased to once per quarter until the permit is reissued. Monthly retesting is not required if the permittee is performing a TRE.

6. TOXICITY REDUCTION EVALUATION (TRE)

a. Within ninety (90) days of confirming lethality in the retests, the permittee shall submit a Toxicity Reduction Evaluation (TRE) Action Plan and Schedule for conducting a TRE. The TRE Action Plan shall specify the approach and methodology to be used in performing the TRE. A Toxicity Reduction Evaluation is an investigation intended to determine those actions necessary to achieve compliance with water quality-based effluent requirements and/or chemical specific limits by reducing an effluent's toxicity to an acceptable level. A TRE is defined as a step-wise process which combines toxicity testing and analyses of the physical and chemical characteristics of a toxic effluent to identify the constituents causing effluent toxicity and/or treatment methods which will reduce the effluent toxicity. The TRE Action Plan shall lead to the successful elimination of effluent toxicity at the critical dilution and include the following:

OTHER REQUIREMENTS (continued)

i. Specific Activities. The plan shall detail the specific ap proach the permittee intends to utilize in conducting the TRE. The approach may include toxicity characterizations, identifications and confirmation activities, source evaluation, treatability studies, or alternative approaches. When the permittee conducts Toxicity Characterization Procedures the permittee shall perform multiple characterizations and follow the procedures specified in the document "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA-600/6-91/003) or alternate procedures. When the permittee conducts Toxicity Identification Evaluations and Confirmations, the permittee shall perform multiple identifications and follow the methods specified in the documents "Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081), as appropriate.

The documents referenced above may be obtained through the National Technical Information Service (NTIS) by phone at (703) 487-4650, or by writing:

United States Department of Commerce
National Technical Information Service
5285 Port Royal Road
Springfield, Virginia 22161

ii. Sampling Plan (e.g., locations, methods, holding times, chain of custody, preservation, etc.). The effluent sample volume collected for all tests shall be adequate to perform the toxicity test, toxicity characterization, identification and confirmation procedures, and conduct chemical specific analyses when a probable toxicant has been identified;

Where the permittee has identified or suspects specific pollutant(s) and/or source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical specific analyses for the identified and/or suspected pollutant(s) and/or source(s) of effluent toxicity. Where lethality was demonstrated within 24 hours

OTHER REQUIREMENTS (continued)

of test initiation, each composite sample shall be analyzed independently. Otherwise the permittee may substitute a composite sample, comprised of equal portions of the individual composite samples, for the chemical specific analysis;

iii. Quality Assurance Plan (e.g., QA/QC implementation, corrective actions, etc.); and

iv. Project Organization (e.g., project staff, project manager, consulting services, etc.).

b. The permittee shall initiate the TRE Action Plan within thirty (30) days of plan and schedule submittal. The permittee shall assume all risks for failure to achieve the required toxicity reduction.

c. The permittee shall submit a quarterly TRE Activities Report, with the Discharge Monitoring Report in the months of January, April, July and October, containing information on toxicity reduction evaluation activities including:

i. any data and/or substantiating documentation which identifies the pollutant(s) and/or source(s) of effluent toxicity;

ii. any studies/evaluations and results on the treatability of the facility's effluent toxicity; and

iii. any data which identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to achieve compliance with permit biomonitoring requirements and/or chemical-specific limits.

OTHER REQUIREMENTS (continued)

The TRE Activities Report shall be submitted to the following addresses:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

United States Environmental Protection Agency, Region 6
Water Enforcement Branch, 6EN-WC
1445 Ross Avenue
Dallas, Texas 75202

d. The permittee shall submit a Final Report on Toxicity Reduction Evaluation Activities no later than twenty-eight (28) months from confirming lethality in the retests, which provides information pertaining to the specific control mechanism selected that will, when implemented, result in the permittee achieving compliance with permit biomonitoring requirements and/or chemical-specific limits. The report will also provide a specific corrective action schedule for implementing the selected control mechanism.

   A copy of the Final Report on Toxicity Reduction Evaluation Activities shall also be submitted to the above addresses.

e. Quarterly testing during the TRE is a minimum monitoring requirement. LDEQ recommends that permittees required to perform a TRE not rely on quarterly testing alone to ensure success in the TRE, and that additional screening tests be performed to capture toxic samples for identification of toxicants. At the end of the TRE, LDEQ will consider all information submitted and establish appropriate controls to prevent future toxic discharges, including WET and/or chemical-specific limits per state regulations at LAC 33:IX.2707.D.1.e.

TABLE 3

**SUMMARY SHEET**

**Mysidopsis bahia** ACUTE SURVIVAL TEST RESULTS

PERMITTEE: LOOP LLC

FACILITY SITE: Deepwater Port Complex

LPDES PERMIT NUMBER: LA0049492, AI 4634

OUTFALL IDENTIFICATION: 015

OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGES

BIOMONITORING LABORATORY: _____

DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER

CRITICAL DILUTION 2.6% DATE TEST INITIATED _____

1. LOW-FLOW LETHALITY:

   Is the mean survival at 48 hours significantly less (p=0.05) than the control survival for the low flow or critical dilution?

   _____Yes _____No

**DILUTION SERIES RESULTS - MYSIDOPSIS**

| TIME OF READING | REP | 0% | 1.1% | 1.5% | 2.0% | 2.6% | 3.5% |
|---|---|---|---|---|---|---|---|
| 24-HOUR | A | | | | | | |
| | B | | | | | | |
| | C | | | | | | |
| | D | | | | | | |
| | E | | | | | | |
| 48-HOUR | A | | | | | | |
| | B | | | | | | |
| | C | | | | | | |
| | D | | | | | | |
| | E | | | | | | |
| MEAN | | | | | | | |

2. Are the test results to be considered valid? _____Yes _____ No

   If __X__no (test invalid), what are the reasons for invalidity?

3. Is this a retest of a previous invalid test? _____ Yes_____No

   Is this a retest of a previous test failure? _____ Yes_____No

4. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Mysidopsis:

   NOEC = ____% effluent

   $LC_{50}48$ = ____% effluent

TABLE 4

**SUMMARY SHEET**

**Menidia beryllina** ACUTE SURVIVAL TEST RESULTS

PERMITTEE: _____ LOOP _____ LLC

FACILITY SITE: Deepwater Port Complex

LPDES PERMIT NUMBER: LA0049492, AI 4634

OUTFALL IDENTIFICATION: 015

OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGES

BIOMONITORING LABORATORY: _____

DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER

CRITICAL DILUTION 2.6% DATE TEST INITIATED _____

1. LOW-FLOW LETHALITY:
   Is the mean survival at 48 hours significantly less (p=0.05) than the control survival for the low flow or critical dilution?
   _____Yes _____No

**DILUTION SERIES RESULTS - MENIDIA**

| TIME OF READING | REP | 0% | 1.1% | 1.5% | 2.0% | 2.6% | 3.5% |
|---|---|---|---|---|---|---|---|
| 24-HOUR | A | | | | | | |
| | B | | | | | | |
| | C | | | | | | |
| | D | | | | | | |
| | E | | | | | | |
| 48-HOUR | A | | | | | | |
| | B | | | | | | |
| | C | | | | | | |
| | D | | | | | | |
| | E | | | | | | |
| MEAN | | | | | | | |

2. Are the test results to be considered valid? _____Yes _____ No
   If X no (test invalid), what are the reasons for invalidity?

3. Is this a retest of a previous invalid test? _____ Yes_____No
   Is this a retest of a previous test failure? _____ Yes_____No

4. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Menidia:
   NOEC = ____% effluent
   $LC_{50}48$ = ____% effluent

TABLE 1
**SUMMARY SHEET**

**Mysidopsis bahia** SURVIVAL AND GROWTH RESULTS TEST

PERMITTEE: LOOP LLC
FACILITY SITE: Deepwater Port Complex
LPDES PERMIT NUMBER: LA0049492, AI 4634
OUTFALL IDENTIFICATION: 004
OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGES
BIOMONITORING LABORATORY: _____
DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
CRITICAL DILUTION 7.63% DATE TEST INITIATED _____

1. LOW-FLOW LETHALITY:
   Is the mean survival at 7 days significantly less (p=0.05) than the control survival at the low-flow or critical dilution? ____yes ____no

**PERCENT SURVIVAL-MYSIDOPSIS**

| TIME OF READING | PERCENT EFFLUENT | | | | | |
|---|---|---|---|---|---|---|
| | 0% | 3.22% | 4.29% | 5.72% | 7.63% | 10.17% |
| 24-HOUR | | | | | | |
| 48-HOUR | | | | | | |
| 7-DAY | | | | | | |

2. LOW-FLOW SUB-LETHALITY:
   Is the mean dry weight (growth) at 7 days significantly less (p=0.05) than the control's dry weight (growth) for the low-flow or critical dilution? ____yes ____no

**DATA TABLE FOR GROWTH-MYSIDOPSIS**

| PERCENT EFFLUENT | AVERAGE DRY WEIGHT IN MILLIGRAMS IN REPLICATE CHAMBERS | | | | | | | | MEAN DRY WEIGHT | CV%* |
|---|---|---|---|---|---|---|---|---|---|---|
| | A | B | C | D | E | F | G | H | | |
| 0% | | | | | | | | | | |
| 3.22% | | | | | | | | | | |
| 4.29% | | | | | | | | | | |
| 5.72% | | | | | | | | | | |
| 7.63% | | | | | | | | | | |
| 10.17% | | | | | | | | | | |

* Coefficient of variation = standard deviation x 100/mean

TABLE 1

**SUMMARY SHEET**

**Mysidopsis bahia** SURVIVAL AND GROWTH RESULTS TEST continued

3. Are the test results to be considered valid? ____yes ____no
   If __X__no (test invalid), what are the reasons for invalidity?

4. Is this a retest of a previous invalid test? ____ yes____no
   Is this a retest of a previous test failure? ____ yes____no

5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Mysidopsis:

   a.NOEC SURVIVAL = ____% effluent
   b.NOEC GROWTH = ____% effluent

TABLE 2

**SUMMARY SHEET**

**Menidia beryllina** SURVIVAL AND GROWTH RESULTS TEST

PERMITTEE: _____ LOOP _____ LLC _____
FACILITY SITE: Deepwater Port Complex
LPDES PERMIT NUMBER: LA0049492, AI 4634
OUTFALL IDENTIFICATION: 004
OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGES
BIOMONITORING LABORATORY: _____
DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
CRITICAL DILUTION 7.63% DATE TEST INITIATED _____

1. LOW-FLOW LETHALITY:
   Is the mean survival at 7 days significantly less (p=0.05) than the control survival at the low-flow or critical dilution? ____yes ____no

**PERCENT SURVIVAL-MENIDIA**

| PERCENT EFFLUENT | % SURVIVAL / REPLICATES | | | | | MEAN % SURVIVAL | | | CV%* |
|---|---|---|---|---|---|---|---|---|---|
| | A | B | C | D | E | 24-HR | 48-HR | 7DAY | |
| 0% | | | | | | | | | |
| 3.22% | | | | | | | | | |
| 4.29% | | | | | | | | | |
| 5.72% | | | | | | | | | |
| 7.63% | | | | | | | | | |
| 10.17% | | | | | | | | | |

2. LOW-FLOW SUB-LETHALITY:
   Is the mean dry weight (growth) at 7 days significantly less (p=0.05) than the control's dry weight (growth) for the low-flow or critical dilution? ____yes ____no

**DATA TABLE FOR GROWTH-MENIDIA**

| PERCENT EFFLUENT | AVERAGE DRY WEIGHT IN MILLIGRAMS IN REPLICATE CHAMBERS | | | | | MEAN DRY WEIGHT | CV%* |
|---|---|---|---|---|---|---|---|
| | A | B | C | D | E | | |
| 0% | | | | | | | |
| 3.22% | | | | | | | |
| 4.29% | | | | | | | |
| 5.72% | | | | | | | |
| 7.63% | | | | | | | |
| 10.17% | | | | | | | |

* Coefficient of variation = standard deviation x 100/mean

TABLE 2

**SUMMARY SHEET**

**Menidia beryllina** SURVIVAL AND GROWTH RESULTS TEST continued

3. Are the test results to be considered valid? ____yes ____no
   If __X__no (test invalid), what reasons for invalidity?

4. Is this a retest of a previous invalid test? ____yes____no
   Is this a retest of a previous test failure? ____yes____no

5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Menidia:

   a.NOEC SURVIVAL = ____% effluent
   b.NOEC GROWTH = ____% effluent

LOUISIANA WATER POLLUTION CONTROL FEE SYSTEM
RATING WORKSHEET

PERMIT NO. **LA0049492** AI NO. **4634** Activity No.: **PER20130001**

1.a. Company Name **LOOP LLC**

1.b. Facility Name **Deepwater Port Complex**

2. Local Mailing Address **137 Northpark Boulevard**
**Covington, Louisiana 70433-5071**

3. Billing Address (If different)

4.a. Facility Location **224 East 101st Place in Cutoff**

4.b. Parish **Lafourche**

5. Facility Type **offshore deepwater port and onshore pipeline and storage facilities**

6. Products Produced

6.a. Raw materials stored or used

6.b. By-products produced

7. Primary SIC Code **4612** 7.a. Other SIC Codes **4491 and 5171**

8. Fac. Manager_____ 8.a. Telephone

9. Owner_____ 9.a. Telephone

10. Env. Contact **Cynthia Gardner-LeBlanc** 10.a. Telephone **985)276-6299**

| | |
|---|---|
| 11. State Permit No.__ | 12. LPDES Permit No. **LA0049492** |
| 11.a. Date Issued__ | 12.a. Effective Date **10/01/08** |
| 11.b. New_____Modified | 12.b. Expiration Date **09/30/13** |

13. Number and Identification of Outfalls **001, 012, 018, 020, 021, 025, 026, 027, and 028 - sw; 002, 006, 007, 008, 023, and 024 - treated sanitary ww; 004 - brine; 005 - marine cargo hose testing water, washwater, and sw; and 015 - non-contact cooling water**

14. Number of Injection Wells **N/A**

15. Water Source(s)

16. Receiving Water(s) **Gulf of Mexico, Bayou Lafourche, Breton Canal, Bayou Moreau, Little Lake, LL&E Canal, and the Reservoir Canal**

17. River Basin **Barataria** 18. Basin Segment No. **020403, 020801, 020905, and 021102**

**Federal Tax I. D. No.:**

TOTAL RATING POINTS ASSIGNED **93.44**

**sl** Initials of Rater

**PERMIT NO. LA0049492, AI No. 4634, PER20130001**

1. FACILITY COMPLEXITY DESIGNATION

Primary SIC **4612** Other SIC **4491, 5171**

Complexity Designation =

| | | |
|---|---|---|
| | I | ( 0 points) |
| ✓ | II | (10 points) |
| | III | (20 points) |
| | IV | (30 points) |
| | V | (40 points) |
| | VI | (50 points) |

**COMPLEXITY DESIGNATION POINTS** **10**

2. FLOW VOLUME AND TYPE

A. Wastewater Type I

Is total Daily Average Discharge greater than 400 mgd?

___ _____ Yes, then points = 200

___ _____ No, then

Points = 0.5 X Total Daily Average Discharge (mgd)

Points = 0.5 X **4.28** = **2.14**

Total points = **2.14**

B. Wastewater Type II

Points = 10 X Total Daily Average Discharge (mgd)

Points = 10 X **5.13** = **51.3**

Total points = **51.3**

C. Wastewater Type III

Points = 2 X Total Daily Average Discharge (mgd)

Points = 2 X _____ = **0**

Total points = **0**

**FLOW VOLUME AND TYPE POINTS** **53.44**

3. POLLUTANTS

A. BOD or _____

Daily Average Load =

| | | |
|---|---|---|
| ✓ | ≤ 50 lb/day | (0 points) |
| | > 50 - 500 | (5 points) |
| | > 500 - 1000 | (10 points) |
| | > 1000 - 3000 | (20 points) |
| | > 3000 - 5000 | (30 points) |
| | > 5000 lb/day | (calculate) |

Points = 0.008 X Daily Average Load (lbs)

Points = 0.008 X **0** = **0**

___ _____ COD or TOC

Daily Average Load =

| | | |
|---|---|---|
| | ≤ 100 lb/day | ( 0 points) |
| ✓ | > 100 - 500 | ( 5 points) |
| | > 500 - 1000 | (10 points) |
| | > 1000 - 5000 | (20 points) |
| | > 5000 - 10000 | (30 points) |
| | > 10000 lb/day | (calculate) |

Points = 0.004 X Daily Average Load (lbs)

Points = 0.004 X **0** = **0**

BOD OR COD DEMAND POINTS 5
(whichever is greater)

B. TSS
Daily Average Load =

| | | |
|---|---|---|
| ✓ | ≤ 100 lb/day | ( 0 points) |
| | > 100 - 500 | ( 5 points) |
| | > 500 - 1000 | (10 points) |
| | > 1000 - 5000 | (20 points) |
| | > 5000 - 10000 | (30 points) |
| | > 10000 lb/day | (calculate) |

Points = 0.004 X Daily Average Load (lbs)
Points = 0.004 X 0 = 0

TSS POINTS 0

C. TOXICS
Total Annual Discharge to Water = 0 (lbs)

Points = 0.01 X Annual discharge (lbs)
Points = 0.01 X 0 = 0

TOXIC POINTS 0

**TOTAL POLLUTANT POINTS** 5

4. TEMPERATURE (HEAT LOAD)
Heat Load = Average Summer flow (mgd) X ΔT X 0.00834
where ΔT = Permit Limit (Max. Temp.) -70°
Heat Load = 0 (mgd) X 0 X 0.00834 = 0 Billion BTU

Heat Load = 0

| | | |
|---|---|---|
| | ≤ 4 billion BTU | ( 0 points) |
| | > 4-20 billion BTU | ( 5 points) |
| | > 20-100 billion BTU | (10 points) |
| | > 100-200 billion BTU | (15 points) |
| | > 200 billion BTU | (20 points) |

**HEAT LOAD POINTS** 0

5. POTENTIAL PUBLIC HEALTH IMPACTS
Is the receiving water to which the wastewater is discharged or a water body to which it is a tributary used as a drinking water supply source within 50 miles downstream?

✓ No (0 points)
Yes, then . . . Complexity Designation

| | | |
|---|---|---|
| | I, II | ( 0 points) |
| | III | ( 5 points) |
| | IV | (10 points) |
| | V | (20 points) |
| | VI | (30 points) |

**POTENTIAL PUBLIC HEALTH IMPACT POINTS** 0

6. MAJOR/MINOR FACILITY DESIGNATION
Has your facility been designated a Major Facility by the administrative authority?

✓ Yes, then Points = 25
No, then

were effluent limitations assigned to the discharge based on water quality factors in the receiving stream?

✓ No, then Points = 0
Yes, then Points = 5

**TOTAL MAJOR/MINOR POINTS** 25

TOTAL RATING POINTS ASSIGNED **93.44**