[LISTNUM OutlineDefault \l 1 \s I.] COOLING WATER INTAKE STRUCTURE(S)

A. Nothing in this permit authorizes a take of endangered or threatened species under the Endangered Species Act.

B. Technology and operational measures employed at the facility must be operated in a way that minimizes impingement mortality and entrainment to the fullest extent possible.

C. The permittee may not use cooling water from the current intake if the location, design, construction, or capacity of the intake is altered unless it is approved by DEP.

D. The permittee shall retain data and other records for any information developed pursuant to Section 316(b) of the Clean Water Act for a minimum of ten years.

E. Best Technology Available (BTA) Requirements

To meet Best Technology Available (BTA) requirements to minimize adverse impacts from impingement and entrainment the permittee will utilize a closed-cycle recirculating cooling system. To comply with these BTA requirements the permittee shall:

1. Operate a closed cycle recirculating system as defined at 40 CFR §125.92(c).

2. Monitor the actual intake flows into the facility at a minimum frequency of daily, including measurements of cooling water usage, and make-up water and blow down volume or alternatively monitor cycles of concentration at a minimum frequency of daily.

3. Submit the results of monitoring in paragraph E.2 above on the Cooling Water Intake Monitoring Supplemental Report (3800-FM-BCW0010) as an attachment to monthly DMRs.

F. If DEP determines the methods to meet impingement and entrainment BTA requirements are not sufficient, the permittee will employ additional controls to reduce adverse impacts from impingement and entrainment as outlined by DEP.

G. The permittee will only use cooling water from the current intake when the existing barrier net designed to reduce the intake velocity to less than 0.5 feet per second is in operation and has been inspected annually and repaired as needed.

H. The permittee shall, on an annual basis, submit a report describing any modifications or operation at the facility that impacts cooling water withdrawals or operation of the cooling water intake structure(s) during a calendar year. If not applicable, the permittee shall submit a statement certifying that no modifications have occurred in lieu of a report. The annual report or statement is due by January 28 of each year.

I. If the permittee wishes to submit a request for a reduction in permit application requirements as outlined in 40 CFR §125.95(c), it must be submitted to DEP at least two years and six months before the permit expiration date.

J. New Units.

The permittee must submit applicable information in 40 CFR § 122.21(r) at least 180 days prior to the planned commencement of cooling water withdrawals associated with the operation of a new unit (as defined in 40 CFR § 125.92(u)).