



**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION III WATER BRANCH, ENFORCEMENT
AND COMPLIANCE ASSURANCE DIVISION
CLEAN WATER ACT
COMPLIANCE INSPECTION REPORT**

for

Name of Facility: Spring Run Fish Hatchery
Facility Address: Spring Run Road, Dorcas, WV 268847
Mailing Address: 738 Ward Road, PO Box 67, Elkins, WV 26241

Report Prepared on: 1/20/2023

Date

By: Stephen Clark,
Environmental Scientist (PG Environmental)
Signature

Digitally signed by
Stephen Clark
Date: 2023.02.03
11:57:53 -07'00'

Report Final as of: 2/3/2023

Date

By: MARK ZOLANDZ, EPA
Signature

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ZOLANDZ
Date: 2023.02.03
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General Information

Type of Inspection: Industrial Wastewater Treatment Facility CEI
Owner: West Virginia Division of Natural Resources (WVDNR)
Operator: WVDNR
Permittee: WVDNR
NPDES Permit No: WV0112500
NPDES Permit Effective Date: July 1, 2021
NPDES Permit Expiration Date: May 04, 2026
Receiving Water: Spring Run of South Mill Creek of the South Branch of the Potomac River.
Facility Address: Spring Run Road, Dorcas, WV 26847
Facility Latitude and Longitude: 38.919738, -79.085341

On-Site Facility Inspection Overview

On December 8, 2022, a representative from the U.S. Environmental Protection Agency's (EPA's) contract inspector, PG Environmental (the EPA Inspector), conducted a compliance evaluation inspection (CEI) of the Spring Run Fish Hatchery (Facility). WVDNR is identified as the Permittee and owns and operates the Facility. No representative from U.S. EPA Region 3 attended the inspection. Three representatives from the West Virginia Department of Environmental Protection (WVDEP) attended the inspection.

Approximate Entry Time: 8:30 AM (EST) **Approximate Exit Time:** 11:45 AM (EST)

Unique Project Identifier (UPI): 3E23WN011A

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APPENDIX LIST

Appendix A: Photograph Log

Appendix B: Exhibit Log

- Exhibit 1 – EPA ICIS Exceedance Data for Outlet 008 (October 1, 2017 through October 31, 2021)
- Exhibit 2 – EPA ICIS Exceedance Data for Outlet 011 (October 1, 2017 through October 31, 2021)
- Exhibit 3 – EPA ECHO Detailed Facility Report
- Exhibit 4 – Example Chain of Custody Forms
- Exhibit 5 – Spring Run State Fish Hatchery Best Management Practices (Updated 11/16/2020)
- Exhibit 6 – SWPPP Employee Training and Site Inspection Forms

Appendix C: NPDES Permit No. WV0112500

I. INTRODUCTION

On December 8, 2022, a representative from U.S. Environmental Protection Agency's (EPA's) contract inspector, PG Environmental (the EPA Inspector), conducted a compliance evaluation inspection (CEI) of the Spring Run Fish Hatchery in Dorcas, West Virginia (Facility). West Virginia Department of Natural Resources (WVDNR) is identified as the Permittee and owns and operates the Facility. Three representatives from the West Virginia Department of Environmental Protection (WVDEP) attended the inspection.

The primary purpose of the inspection was to review Facility site conditions and operations, to evaluate wastewater treatment processes at the Facility, to review the accuracy and reliability of the Permittee's self-monitoring and reporting program, and to obtain information that will assist EPA in assessing the Permittee's compliance with the requirements of National Pollutant Discharge Elimination System (NPDES) Permit No. WV0112500 (hereinafter, Permit), which became effective on July 1, 2021 and expires on May 4, 2026. The Permit authorizes the discharge of treated and untreated process wastewater and stormwater to Spring Run of South Mill Creek of the South Branch of the Potomac River via four outlets:

- Outlet 008: Untreated aquaculture wastewater.
- Outlet 009: Untreated stormwater runoff.
- Outlet 010: Untreated stormwater runoff.
- Outlet 011: Treated aquaculture wastewater from cleaning of raceways and untreated overflow from raceways.

Per the Permit application, "Spring Run Fish Hatchery produces about 220,000 pounds of trout annually for stocking into state waters. These trout provide fishing opportunities and contribute to the economy of the State. Spring Run also serves as a rearing facility for sub-catchable sized trout that are transferred to other hatchery facilities to fulfill the objectives and mission of the WV Hatchery Program."

II. INSPECTION PROCESS

Inspection Opening Conference

The EPA Inspector arrived at the Facility at 8:30 AM (EST) for the inspection. Stephen Clark of PG Environmental displayed his Clean Water Act inspector credential to the Hatchery Program Manager at the outset of the inspection and explained the purpose of the inspection was to observe compliance with the Permit. A copy of the Permit is provided in Appendix C. Table 1 describes the individuals that participated in the inspection.

Table 1. Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Inspector			
Stephen Clark	PG Environmental (EPA contractor)	(720) 789-8046	stephen.clark@pgenv.com
WVDEP			
Katelyn Crispino	WVDEP	304-822-7266	katelyn.e.crispino@wv.gov
Chad Swick	WVDEP	304-822-7266	chad.c.swick@wv.gov
Levi Thurman	WVDEP	304-822-7266	levi.c.thurman@wv.gov
Facility Representatives			
Jim Hedrick	WVDNR, Hatchery Program Manager	(304) 637-0245	jim.d.hedrick@wv.gov
Eric Hevener	WVDNR, Hatchery Manager	(304) 257-4188	Not Provided

Facility Site Walk

As part of the inspection process, the EPA Inspector visually observed Facility site conditions and the wastewater treatment train in the presence of Facility representatives.

Spring water from Big Spring is piped into the Facility for use in holding pools and raceways. Water is first piped through an aspiration box to increase the concentration of dissolved oxygen in the water. All spring water that flows through the Facility is gravity-fed and single-use.

The Facility receives small trout (2 to 3 inches in length) spawned at other hatcheries operated by WVDNR and places them in nine circular holding pools in which they are fed and reared (refer to [Appendix A, Photographs 1 through 3](#)). Water that passes through the holding pools is discharged untreated to Spring Run via Outlet 008 (refer to [Appendix A, Photographs 4 and 5](#)).

After the holding pools, trout are transferred to the raceways to be reared to greater sizes (refer to [Appendix A, Photographs 6 and 7](#)). The Facility has twenty-four 100-foot long concrete raceways, six 75-foot long raceways, and six 72-foot long raceways. The raceways are located in three general locations and are referred to as the upper, middle, and lower raceways based on the Facility's topography. Process water inside the raceways is discharged untreated via Outlet 011 when the raceways are not being cleaned and a portion of the process water is discharged treated via Outlet 011 after the raceways are cleaned (refer to [Appendix A, Photograph 8](#)).

The raceways have 8-foot quiescent zones that collect waste (refer to [Appendix A, Photograph 9](#)). The zones are cleaned on an alternating bi-weekly basis; half of the zones are cleaned one week and the other half are cleaned the following week. During cleaning, a wooden board is placed on the raceway outlets so that only wastewater from the quiescent zones is conveyed to the clarifier (refer to [Appendix A, Photographs 10 and 11](#)). The "kickstand" inside the quiescent zone is removed to allow wastewater to enter the clarifier (wastewater enters the pipe covered by the kickstand). A pair of valves upstream of the clarifier are used to divert flows either to Outlet 011 or to the clarifier (refer to [Appendix A, Photograph 12](#)).

Facility representatives stated that the kickstands do not form a complete seal; therefore, some wastewater from the quiescent zones is discharged untreated via Outlet 011 during non-raceway cleaning (i.e., when wastewater is not being conveyed to the clarifier).

The clarifier is used as a batch clarifier (refer to [Appendix A, Photographs 13 through 17](#)). Wastewater is allowed to settle for approximately 24 hours in the clarifier and the supernatant is pumped from the clarifier to Outlet 011 via a decanter (refer to [Appendix A, Photograph 13](#)). Facility representative stated a standpipe had been installed in the clarifier to increase the hydraulic capacity of the clarifier (refer to [Appendix A, Photograph 14](#)) but that only the decanter is used to discharge from the clarifier to Outlet 011.

Settled sludge is pumped to the sludge holding tank (refer to [Appendix A, Photographs 18 and 19](#)). Facility representatives stated the sludge holding tank decanter flows to the clarifier.

The pumps used to discharge from the clarifier to Outlet 011 and to transfer sludge to the sludge holding tank are located in a pump house between the clarifier and sludge holding tank (refer to [Appendix A, Photographs 20 through 24](#)). The sludge pumps, piping, and associated valves are configured in such a manner that sludge from the clarifier can be pumped to the sludge holding tank or to Outlet 011. Facility representatives stated that operators are aware of the correct valve configurations (i.e., the configurations that will send only sludge to the sludge holding tank rather than to Outlet 011) and that they are trained accordingly. The piping and valves were clearly labeled to indicate purpose and flow direction/destination. Based on visual observations of Outlet 011 during the inspection, it did not appear that sludge had been discharged via Outlet 011 at the time of the inspection.

Sludge inside the sludge holding tank is pumped to trucks for disposal via land application at various agricultural sites. Per Facility representatives and sludge application records provided by the Permittee, sludge was removed from the holding tank four times in 2022.

Facility representatives stated that one bag of hydrated lime is added to every 1,500 gallons of sludge; the bags stored onsite during the inspection appeared to be 50-pound bags. Facility representatives stated the Permittee is considering the addition of an enzyme inside the sludge holding tank to help process the sludge. The enzyme label states the product is “Sludge Away Bio Jet 7®”, is a “wastewater treatment additive” for residential, commercial, and municipal applications, and is a “solution of non-toxic bacteria designed to enhance biological activity” (refer to [Appendix A, Photograph 24](#)).

The Permittee maintains an automatic composite sampler near the flume for Outlet 011 (refer to [Appendix A, Photographs 25 through 28](#)). At the time of the inspection, the display screen stated the temperature inside the refrigerator was 5.6°C (refer to [Appendix A, Photograph 27](#)). Facility representatives stated a calibrated thermometer is not placed inside the refrigerator. The sampler was not collecting samples during the inspection.

Outlets 009 and 010 are permitted to discharge untreated stormwater to Spring Run (refer to [Appendix A, Photographs 29 through 32](#)). Outlet 009 is located near the southern end of the Facility and Outlet 010 is located near the northern end of the Facility. Per the Permit application, Outlet 009 discharges limited amounts of stormwater runoff from parking and road areas inside the Facility. Outlet 010 discharges stormwater from a county ditch alongside Spring Run Road and from neighboring agriculture.

During the Facility site walk, the EPA Inspector observed what appeared to be an unpermitted stormwater outfall near Outlet 011 (refer to [Observation 3](#) below).

Summary of Observations

The following section summarizes the EPA Inspector’s observations relative to the Permittee’s Permit requirements, including the status of certain treatment units, operation and maintenance practices, and the Permittee’s monitoring and reporting documentation.

Permit Status and Effluent Exceedances

Section A.008 of the Permit defines effluent limitations and monitoring requirements for Outlet 008 discharges.

Observation 1. According to EPA’s ICIS database, the Facility experienced two effluent limit exceedances from Outlet 008 between October 1, 2017 and October 31, 2022 (refer to [Appendix B, Exhibit 1](#) and Table 2 below). These exceedances occurred under the last Permit term (05/01/17 to 6/30/21), and the Permit has since been re-issued.

Table 2. Effluent Limit Exceedances from Outlet 008 (October 1, 2017 – October 31, 2022)

Monitoring Period End Date	Parameter	Limit Type	DMR Vale	Permit Limit	Units	Limit Start Date	Limit End Date
11/30/2017	pH	Instantaneous Maximum	10	9	S.U.	5/1/2017	6/30/2021
03/31/2020	Total Suspended Solids	Monthly Average	54	30	mg/L	5/1/2017	6/30/2021

Section A.011 of the Permit defines effluent limitations and monitoring requirements for Outlet 011 discharges.

Observation 2. According to EPA’s ICIS database, the Facility experienced 31 effluent limit exceedances from Outlet 011 between October 1, 2017 and October 31, 2022 (refer to Appendix B, Exhibit 2 and Table 3 below). 19 of the 31 exceedances occurred under the current Permit term, which became effective on July 1, 2021. Most effluent limit exceedances were for Nitrogen Nitrite. EPA’s Enforcement and Compliance History Online (ECHO) shows the Facility has been in a state of significant noncompliance (SNC) from April 1, 2021 through September 30, 2022 due to exceedances of monthly average effluent limits (refer to Appendix B, Exhibit 3).

Section D.2.b of the Permit states, “Effluent monitoring for [Total Kjeldahl Nitrogen, Nitrate Nitrogen, Nitrite Nitrogen, and Total Phosphorus] shall be conducted using the most sensitive methods and detection levels commercially available and economically feasible.” For the analysis of nitrite nitrogen, the Permit recommends the use of EPA Method 300.0 and an MDL of 0.004 mg/L “unless the permittee desires to use an EPA Approved Method with a lower detection level.”

Facility representatives were unable to explain the causes of the exceedances during the inspection. They stated the contract laboratory’s method detection limit (MDL) for EPA 300.0 is 0.08 mg/L, which is higher than the daily maximum and average monthly nitrogen nitrite Permit limits of 0.06 and 0.03 mg/L, respectively.

Table 3. Effluent Limit Exceedances from Outlet 011 (October 1, 2017 – October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
11/30/2017	pH	Instantaneous Maximum	10	9	S.U.	5/1/2017	6/30/2021
01/31/2018	pH	Instantaneous Maximum	10	9	S.U.	5/1/2017	6/30/2021
05/31/2018	Total Suspended Solids	Monthly Average	112	30	mg/L	5/1/2017	6/30/2021
05/31/2018	Total Suspended Solids	Daily Maximum	112	60	mg/L	5/1/2017	6/30/2021
05/31/2018	Total Suspended Solids	Monthly Average	4459	1189	lbs./d	5/1/2017	6/30/2021
05/31/2018	Total Suspended Solids	Daily Maximum	4459	2378	lbs./d	5/1/2017	6/30/2021
04/30/2021	Nitrogen Nitrite	Monthly Average	0.18	0.03	mg/L	5/1/2017	6/30/2021
04/30/2021	Nitrogen Nitrite	Daily Maximum	0.2	0.06	mg/L	5/1/2017	6/30/2021

Table 3. Effluent Limit Exceedances from Outlet 011 (October 1, 2017 – October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
05/31/2021	Nitrogen Nitrite	Monthly Average	0.16	0.03	mg/L	5/1/2017	6/30/2021
05/31/2021	Nitrogen Nitrite	Daily Maximum	0.16	0.06	mg/L	5/1/2017	6/30/2021
06/30/2021	Nitrogen Nitrite	Monthly Average	0.19	0.03	mg/L	5/1/2017	6/30/2021
06/30/2021	Nitrogen Nitrite	Daily Maximum	0.19	0.06	mg/L	5/1/2017	6/30/2021
08/31/2021	Nitrogen Nitrite	Monthly Average	0.1	0.03	mg/L	7/1/2021	5/4/2026
08/31/2021	Nitrogen Nitrite	Daily Maximum	0.1	0.06	mg/L	7/1/2021	5/4/2026
09/30/2021	Nitrogen Nitrite	Monthly Average	0.105	0.03	mg/L	7/1/2021	5/4/2026
09/30/2021	Nitrogen Nitrite	Daily Maximum	0.11	0.06	mg/L	7/1/2021	5/4/2026
10/31/2021	Nitrogen Nitrite	Monthly Average	0.04	0.03	mg/L	7/1/2021	5/4/2026
10/31/2021	Nitrogen Nitrite	Daily Maximum	0.08	0.06	mg/L	7/1/2021	5/4/2026
11/30/2021	Nitrogen Nitrite	Monthly Average	0.04	0.03	mg/L	7/1/2021	5/4/2026
11/30/2021	Nitrogen Nitrite	Daily Maximum	0.08	0.06	mg/L	7/1/2021	5/4/2026
01/31/2022	Total Suspended Solids	Monthly Average	31.75	30	mg/L	7/1/2021	5/4/2026
01/31/2022	Total Suspended Solids	Daily Maximum	60.5	60	mg/L	7/1/2021	5/4/2026
02/28/2022	Nitrogen Nitrite	Monthly Average	0.115	0.03	mg/L	7/1/2021	5/4/2026
02/28/2022	Nitrogen Nitrite	Daily Maximum	0.12	0.06	mg/L	7/1/2021	5/4/2026
03/31/2022	Nitrogen Nitrite	Monthly Average	0.145	0.03	mg/L	7/1/2021	5/4/2026
03/31/2022	Nitrogen Nitrite	Daily Maximum	0.15	0.06	mg/L	7/1/2021	5/4/2026

Table 3. Effluent Limit Exceedances from Outlet 011 (October 1, 2017 – October 31, 2022)

Monitoring Period End Date	Parameter Name	Limit Type	DMR Value	Permit Limit	Units	Limit Start Date	Limit End Date
04/30/2022	Nitrogen Nitrite	Daily Maximum	0.12	0.06	mg/L	7/1/2021	5/4/2026
06/30/2022	Nitrogen Nitrite	Monthly Average	0.155	0.03	mg/L	7/1/2021	5/4/2026
06/30/2022	Nitrogen Nitrite	Daily Maximum	0.16	0.06	mg/L	7/1/2021	5/4/2026
08/31/2022	Nitrogen Nitrite	Monthly Average	0.05	0.03	mg/L	7/1/2021	5/4/2026
08/31/2022	Nitrogen Nitrite	Daily Maximum	0.1	0.06	mg/L	7/1/2021	5/4/2026

Page 1 of the Permit states the Permittee “is hereby granted a West Virginia NPDES Water Pollution Control Permit to: operate and maintain a flow-through aquaculture system, holding ponds, and best management practices and discharge untreated aquaculture wastewater through Outlet 008, treated aquaculture wastewater from cleaning of raceways and ponds and untreated overflow through Outlet 011 and untreated storm water runoff through Outlets 009 & 010 to Spring Run of South Mill Creek of the South Branch of the Potomac River.”

Observation 3. The EPA Inspector observed a pipe that appeared to be an unpermitted stormwater outfall to Spring Run (refer to [Appendix A, Photographs 34 through 37](#)). The pipe is located near Outlet 011 and appears to discharge stormwater to Spring Run from at least three onsite stormwater drain inlets. At the time of the inspection, the volume of flow being discharged via the pipe appeared to be consistent with the flow rate observed inside the drain inlets that appeared to drain to the apparent unpermitted stormwater outfall.

Observation 4. The EPA Inspector observed six stormwater drain inlets that appeared to drain to Outlet 011. The drain inlets were located between the upper and middle raceways (three are between the upper raceways and three are between the middle raceways). Facility representatives stated the drain inlets drain to the infrastructure that conveys aquaculture wastewater to Outlet 011 (refer to [Appendix A, Photographs 38 through 40](#)). It was unclear to the EPA Inspector if additional stormwater drain inlets at the Facility convey stormwater to outlets permitted to discharge aquaculture wastewater (i.e., Outlets 008 and 011).

Effluent Monitoring

Section A.011 of the Permit requires samples other than pH and dissolved oxygen to be collected as 8-hour composite samples and states “An eight (8) hour composite sample for Outlet No. 011 shall be taken during the decant of the batch clarifier supernate corresponding to the weekly cleanings of raceways and ponds.” Additionally, it states, “Refer to Section D.2 for proper sampling, calculations, and reporting” for flow, total nitrogen, and total phosphorus.

Section D.2.c of the Permit states, “The permittee shall collect eight (8) hour composite samples for total phosphorous and for each constituent of total nitrogen. All sampling shall be collected concurrently and shall be representative of normal operations. The permittee shall sample for total phosphorous and for each constituent of total nitrogen twice per month (2/month) with one sample being taken during the raceway cleaning period and one during the non raceway (sic) cleaning period.”

Observation 5. Per chain of custodies (COCs) provided by the Permittee, it appears that samples collected for Outlet 011 discharges during non-raceway cleaning periods are collected as a grab sample (refer to [Appendix B, Exhibit 4](#)). The COCs document a “011 Preclean” sample collected as a grab sample and a “011 Comp” sample collected as a composite sample. The “011 Preclean” samples are collected the day after the composite sample is collected; it was unclear to the EPA Inspector if obtaining a sample the day after the raceways have been cleaned is representative of normal operations.

Best Management Practice Implementation

Section C.13 of the Permit states, “The Best Management Practice (BMP) Plan (as required by 40 CFR 451), titled "Spring Run State Fish Hatchery, Best Management Practices", updated 11/16/2020 and "Nutrient Management Plan Identification", written 1/4/2018, shall be implemented and maintained at the site and shall be available for inspection by the Division of Water and Waste Management personnel.”

Paragraph E.4 of the BMP Plan, Removal and disposal of fish mortalities, states, “All rearing units at Spring Run Hatchery are screened to prevent live fish and fish mortalities from escaping to Spring Run. Fish mortalities are removed daily to reduce potential spread of disease. This also reduces feed waste. All fish mortalities are frozen on site and removed to a trash transfer station once per week or as needed. This facility records all mortalities daily to maintain inventory accuracy and maintain updated feeding rates.” Refer to [Appendix 2, Exhibit 5](#) for the BMP Plan.

Observation 6. The EPA Inspector observed dead fish inside the clarifier (refer to [Appendix A, Photographs 15 and 16](#)). At the time of the inspection, it was unclear to the EPA Inspector how the fish entered the clarifier, if the fish entered the clarifier dead or alive, or if dead fish could enter Spring Run via Outlet 011.

Stormwater Pollution Prevention Plan Implementation

Section C.12 of the Permit states, “The Groundwater Protection Plan (GPP) and Storm Water Pollution Prevention Plan (SWPPP) shall be maintained at the facility site and shall be available for inspection by the Division of Water and Waste Management personnel.”

Observation 7. Facility representatives stated that the Permittee was not documenting employee training and annual site inspections per the forms contained in its stormwater pollution prevention plan (SWPPP) (refer to [Appendix B, Exhibit 6](#)). The Hatchery Program Manager stated that employee training occurs annually and that site inspections are routinely conducted, but the Permittee does not use the forms contained in the SWPPP to document these activities. Other forms of documentation for these activities were not available for review at the time of the inspection.

Proper Operation and Maintenance

Appendix A, Part II.1 of the Permit states, “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed

or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.”

Observation 8. The EPA Inspector made two observations related to operations and maintenance at the Facility:

- a. The EPA Inspector observed sludge and dead fish inside the clarifier (refer to Appendix A, Photographs 14 through 17). Facility representatives stated that the clarifier is not cleaned frequently.
- b. The EPA Inspector observed brown-colored staining inside the refrigerator of the automatic composite sampler for Outlet 011 (refer to Appendix A, Photograph 26).

Records Review

The EPA Inspector conducted a records review to evaluate the Permittee’s compliance with the Permit. Records and reports required by the Permit were available for review prior to and after the inspection, except for records of employee training and annual site inspections (refer to Observation 4 above). The following were reviewed:

- EPA Integrated Compliance Information System (ICIS) data during the period from October 1, 2017 through October 31, 2022.
- DMRs and associated contract laboratory analytical data for 2021 and 2022.
- Nutrient calculation spreadsheets associated with DMRs for 2021 and 2022.
- Sludge Application Logs for 2021 and 2022.
- Stormwater Pollution Prevention Plan, dated December 9, 2019.
- Best Management Practices, dated November 16, 2020.
- Ground Water Protection Plan, dated November 16, 2020.
- Nutrient Management Plan Identification, dated January 4, 2018.

Closing Conference

After the Facility site walk, the EPA Inspector met with Facility representatives for a closing conference and shared his preliminary observations. The EPA Inspector reiterated that all preliminary observations discussed were not compliance determinations. Any and all preliminary observations shared were subject to further investigation by the EPA Inspector upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after the additional review of materials following the inspection.

The inspection concluded at approximately 11:45 AM (EST).

Appendix A

Photograph Log



Photograph 1. (DSCN0031) View of the holding pools. Water that passes through these pools is discharged untreated to Spring Run via Outlet 008.



Photograph 2. (DSCN0033) View of the holding pools. Water that passes through these pools is discharged untreated to Spring Run via Outlet 008.



Photograph 3. (DSCN0035) View of the holding pools. Water that passes through these pools is discharged untreated to Spring Run via Outlet 008.



Photograph 4. (DSCN0038) View of Outlet 008.



Photograph 5. (DSCN0042) View of the discharge to Spring Run via Outlet 008.



Photograph 6. (DSCN0046). View of the lower raceways.



Photograph 7. (DSCN0044). View of the middle raceways.



Photograph 8. (DSCN0092) View of Outlet 011.



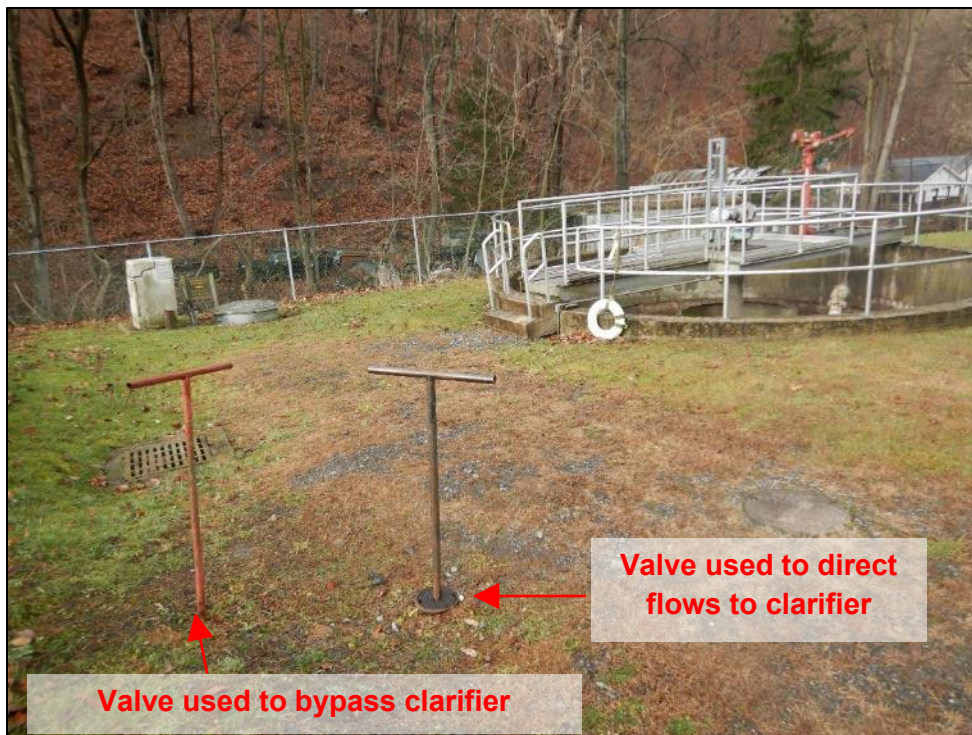
Photograph 9. (DSCN0047). View of one of quiescent zones in the middle raceways. The “kickstand” in the quiescent zone is removed during cleaning, thereby allowing the water to drain to the clarifier.



Photograph 10. (DSCN0051) View of the northern end of one of the middle raceways. During cleaning of the quiescent zones, the raceway outlets are covered so that only wastewater from the quiescent zones is conveyed to the clarifier.



Photograph 11. (DSCN0052) View of a wooden board that is placed over raceway outlets during quiescent zone cleaning.



Photograph 12. (DSCN0060) View of two valve handles and the clarifier that treats raceway cleaning wastewater. The valve on the left is used to direct water to Outlet 011 during normal operations and the valve on the right is used to direct wastewater to the clarifier during raceway cleaning.



Photograph 13. (DSCN0066) View inside the clarifier. A decanter is used to discharge from the clarifier to Outlet 011.



Photograph 14. (DSCN0061) View inside the clarifier. A standpipe had been installed to provide additional hydraulic capacity. Facility representative stated a standpipe had been installed in the clarifier to increase the hydraulic capacity of the clarifier but that only the decanter is used to discharge from the clarifier to Outlet 011. Facility representatives stated the opening near the standpipe flows back into the clarifier.



Photograph 15. (DSCN0065) Additional view inside clarifier. The clarifier contained sludge and dead fish at the time of the inspection; Facility representatives stated that the clarifier is not cleaned frequently.



Photograph 16. (DSCN0063) Additional view inside clarifier. The clarifier contained sludge and dead fish at the time of the inspection; Facility representatives stated that the clarifier is not cleaned frequently.



Photograph 17. (DSCN0064) Additional view inside clarifier. The clarifier contained sludge and dead fish at the time of the inspection; Facility representatives stated that the clarifier is not cleaned frequently.



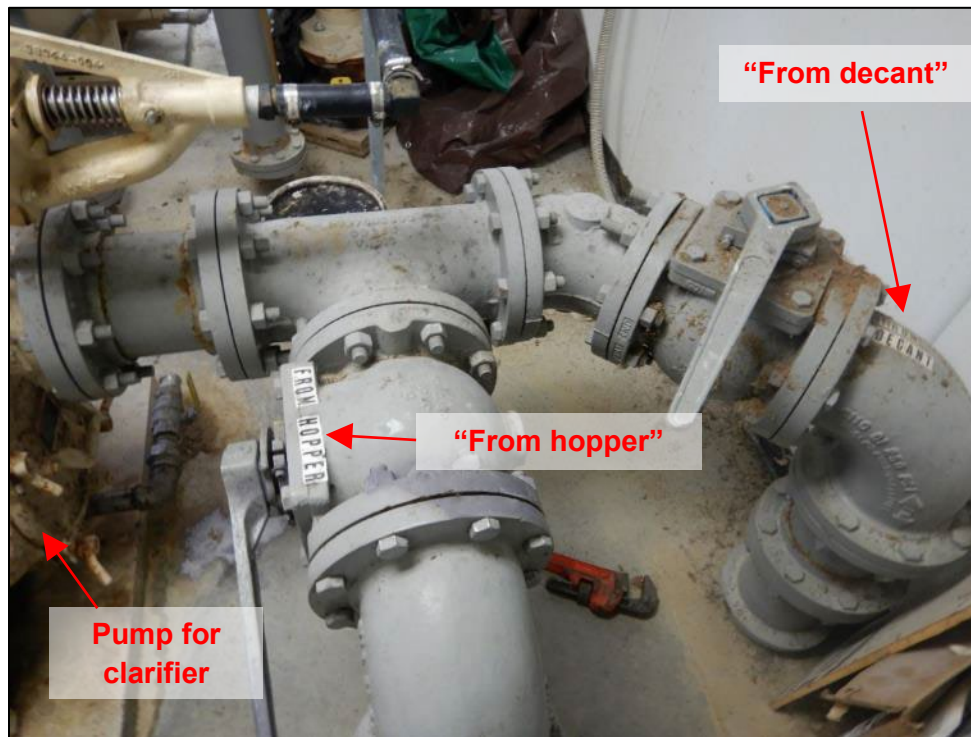
Photograph 18. (DSCN0056) View of the sludge holding tank and pump house. The clarifier is behind the pump house obscured from view.



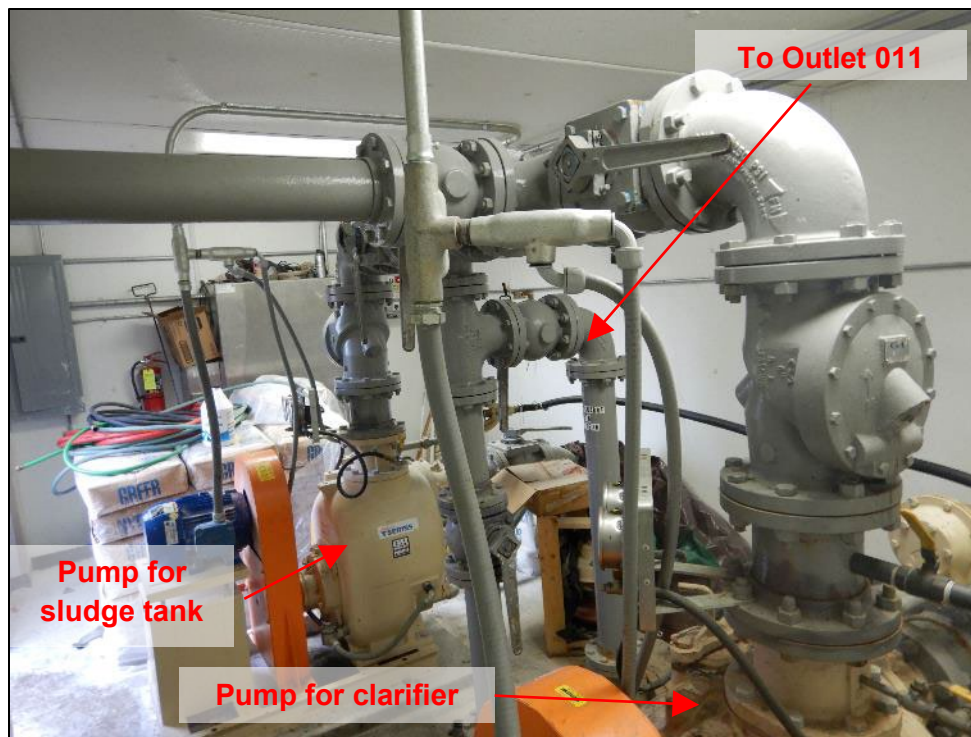
Photograph 19. (DSCN0088) View inside the sludge holding tank. Facility representatives stated the decanter flows to the clarifier.



Photograph 20. (DSCN0067) View of the two pumps and associated piping and valves inside the pump house. The pumps, piping, and valves were configured such that sludge from the clarifier can be discharged to the sludge holding tank or to Spring Run via Outlet 011.



Photograph 21. (DSCN0070) View of the lines from the clarifier and from the clarifier decanter. The pumps, piping, and valves were configured such that sludge from the clarifier can be discharged to the sludge holding tank or to Spring Run via Outlet 011.



Photograph 22. (DSCN0072) View of piping associated with the sludge pumps. The pumps, piping, and valves were configured such that sludge from the clarifier can be discharged to the sludge holding tank or to Spring Run via Outlet 011.



Photograph 23. (DSCN0074) View of piping associated with the sludge pumps. The pumps, piping, and valves were configured such that sludge from the clarifier can be discharged to the sludge holding tank or to Spring Run via Outlet 011.



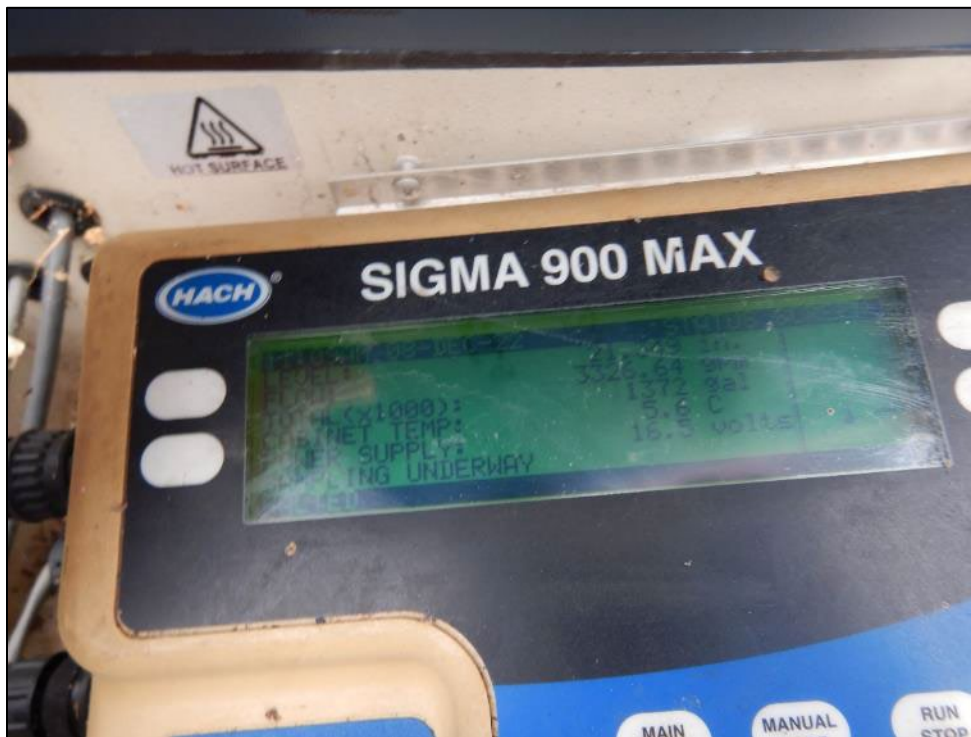
Photograph 24. (DSCN0079) View of the enzyme the Permittee was considering using inside the sludge holding tank. The label states the product is “Sludge Away Bio Jet 7®”. It is a “wastewater treatment additive” for residential, commercial, and municipal applications and is a “solution of non-toxic bacteria designed to enhance biological activity”



Photograph 25. (DSCN0089). View of the automatic composite sampler and flume vault for Outlet 011.



Photograph 26. (DSCN0106). View inside the refrigerator of the automatic composite sampler for Outlet 011. Permittee representatives stated that a calibrated thermometer is not placed inside the refrigerator during sampling. Brown-colored staining was present inside the refrigerator.



Photograph 27. (DSCN00104) View of the display screen for the automatic composite sampler. The screen stated the refrigerator was 5.6°C at the time of the inspection. The sampler was not collecting samples at the time of the inspection.



Photograph 28. (DSCN00090) View of the effluent flume for Outlet 011.



Photograph 29. (DSCN0125) View of the Outlet 009 sign.



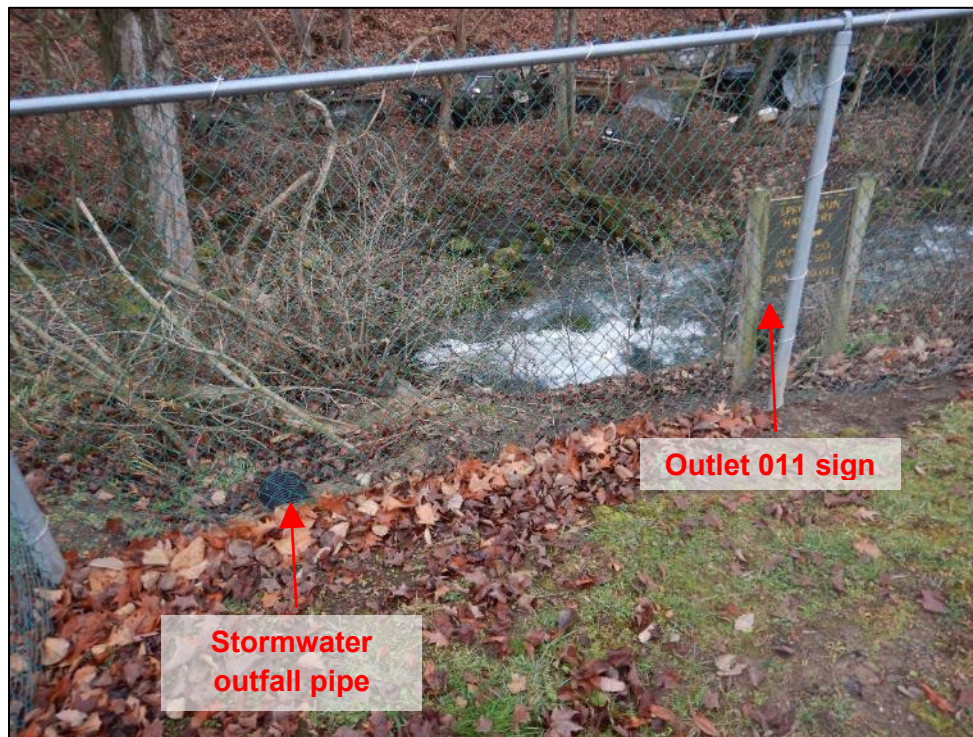
Photograph 30. (DSCN0124) View of the Outlet 009 pipe.



Photograph 31. (DSCN0112) View of Outlet 010.



Photograph 32. (DSCN0111) Additional view of Outlet 010.



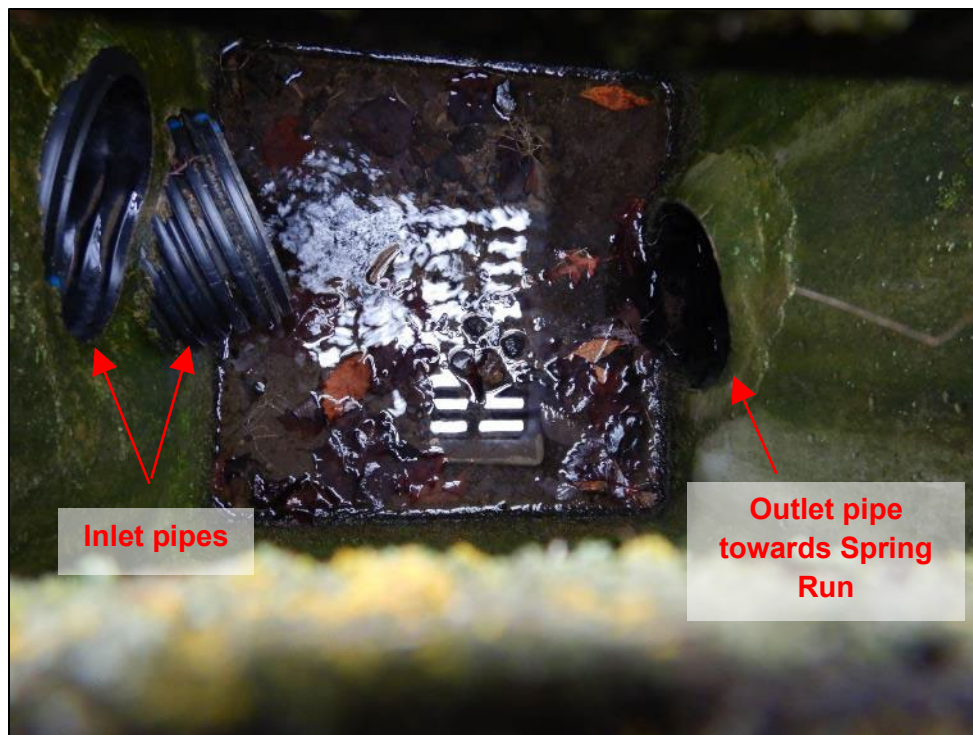
Photograph 33. (DSCN0093) View of what appeared to be an unpermitted stormwater outfall near Outlet 011.



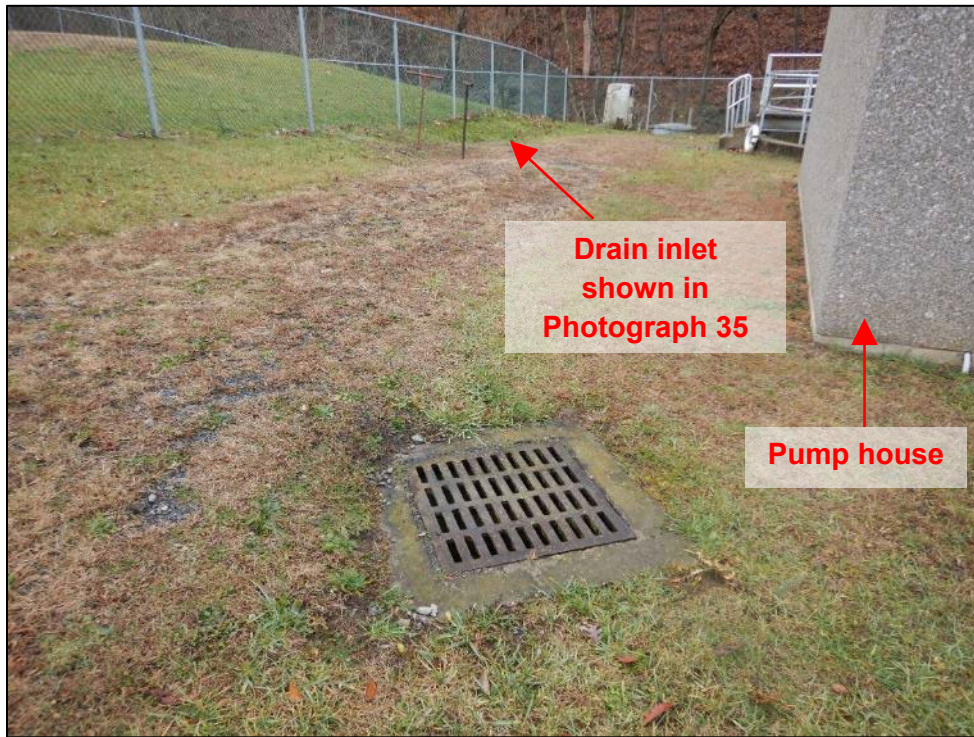
Photograph 34. (DSCN0095) View of the unpermitted outfall pipe near Outlet 011.



Photograph 35. (DSCN0096) View of the stormwater drain inlet upgradient of the unpermitted outfall pipe. The arrow call-out is pointing in the general location of the pipe.



Photograph 36. (DSCN0097) View inside the stormwater drain inlet shown in Photograph 35.



Photograph 37. (DSCN0101) View of a stormwater drain inlet that appeared to drain to the drain inlet immediately upgradient of the unpermitted outfall. This drain inlet is located near the pump house and sludge holding tank.



Photograph 38. (DSCN0119) View of a stormwater drain inlet between the upper raceways. Facility representatives stated that the stormwater drain inlets between the upper and middle raceways drain the infrastructure that conveys aquaculture wastewater to Outlet 011.



Photograph 39. (DSCN0121) View of a stormwater drain inlet between the upper raceways. Facility representatives stated that the stormwater drain inlets between the upper and middle raceways drain the infrastructure that conveys aquaculture wastewater to Outlet 011.



Photograph 40. (DSCN0120) View of a stormwater drain inlet between the middle raceways. Facility representatives stated that the stormwater drain inlets between the upper and middle raceways drain the infrastructure that conveys aquaculture wastewater to Outlet 011.

Appendix B

Exhibit Log

Exhibit 1
EPA ICIS Exceedance Data for Outlet 008
(October 1, 2017 through October 31, 2021)

NPDES ID	Permit Name	Monitoring Period End Date	Limit Set	Parameter	Mon. Loc. Desc.	Limit Value Qualifier Code	Limit Value	Limit Type	Quantity 1	Quantity 2	Quantity Units	Concentration 1	Concentration 2	Concentration 3	Concentration Units	Effluent Violation? Y/N	Max Percent Exceedence	Non-Receipt Violation? Y/N	Limit Start Date	Limit End Date
WV0112500	WV DIVISION OF NATURAL RESOURCES	03/31/2020	008-A	Solids, total suspended	Effluent Gross	<=	30.	MO AVG					54		mg/L	Y	80	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	11/30/2017	008-A	pH	Effluent Gross	<=	9.	INST MAX						10	SU	Y		N	5/1/2017	6/30/2021

Exhibit 2
EPA ICIS Exceedance Data for Outlet 011
(October 1, 2017 through October 31, 2021)

NPDES ID	Permit Name	Monitoring Period End Date	Limit Set	Parameter	Mon. Loc. Desc.	Limit Value Qualifier Code	Limit Value	Limit Type	Quantity 1	Quantity 2	Quantity Units	Concentration 1	Concentration 2	Concentration 3	Concentration Units	Effluent Violation? Y/N	Max Percent Exceedence	Non-Receipt Violation? Y/N	Limit Start Date	Limit End Date
WV0112500	WV DIVISION OF NATURAL RESOURCES	08/31/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.05		mg/L	Y	67	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	08/31/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.1	mg/L	Y	67	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	06/30/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.155		mg/L	Y	417	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	06/30/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.16	mg/L	Y	167	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	04/30/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.12	mg/L	Y	100	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	03/31/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.145		mg/L	Y	383	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	03/31/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.15	mg/L	Y	150	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	02/28/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.115		mg/L	Y	283	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	02/28/2022	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.12	mg/L	Y	100	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	01/31/2022	011-A	Solids, total suspended	Effluent Gross	<=	30.	MO AVG					31.75		mg/L	Y	6	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	01/31/2022	011-A	Solids, total suspended	Effluent Gross	<=	60.	DAILY MX						60.5	mg/L	Y	1	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	11/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.04		mg/L	Y	33	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	11/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.08	mg/L	Y	33	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	10/31/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.04		mg/L	Y	33	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	10/31/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.08	mg/L	Y	33	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	09/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.105		mg/L	Y	250	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	09/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.11	mg/L	Y	83	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	08/31/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.1		mg/L	Y	233	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	08/31/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.1	mg/L	Y	67	N	7/1/2021	5/4/2026
WV0112500	WV DIVISION OF NATURAL RESOURCES	06/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.19		mg/L	Y	533	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	06/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.19	mg/L	Y	217	N	5/1/2017	6/30/2021

NPDES ID	Permit Name	Monitoring Period End Date	Limit Set	Parameter	Mon. Loc. Desc.	Limit Value Qualifier Code	Limit Value	Limit Type	Quantity 1	Quantity 2	Quantity Units	Concentration 1	Concentration 2	Concentration 3	Concentration Units	Effluent Violation? Y/N	Max Percent Exceedence	Non-Receipt Violation? Y/N	Limit Start Date	Limit End Date
WV0112500	WV DIVISION OF NATURAL RESOURCES	05/31/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.16		mg/L	Y	433	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	05/31/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.16	mg/L	Y	167	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	04/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.03	MO AVG					.18		mg/L	Y	500	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	04/30/2021	011-A	Nitrogen, nitrite total [as N]	Effluent Gross	<=	.06	DAILY MX						.2	mg/L	Y	233	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	05/31/2018	011-A	Solids, total suspended	Effluent Gross	<=	30.	MO AVG					112		mg/L	Y	273	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	05/31/2018	011-A	Solids, total suspended	Effluent Gross	<=	60.	DAILY MX						112	mg/L	Y	87	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	05/31/2018	011-A	Solids, total suspended	Effluent Gross	<=	1189.	MO AVG	4459		lb/d					Y	275	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	05/31/2018	011-A	Solids, total suspended	Effluent Gross	<=	2378.	DAILY MX		4459	lb/d					Y	88	N	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	01/31/2018	011-A	pH	Effluent Gross	<=	9.	INST MAX						10	SU	Y		Y	5/1/2017	6/30/2021
WV0112500	WV DIVISION OF NATURAL RESOURCES	11/30/2017	011-A	pH	Effluent Gross	<=	9.	INST MAX						10	SU	Y		N	5/1/2017	6/30/2021

Exhibit 3

EPA ECHO Detailed Facility Report

Detailed Facility Report



Detailed Facility Report

Facility Summary

SPRING RUN FISH HATCHERY

HC BOX 33, DORCAS, WV 26847

FRS (Facility Registry Service) ID: 110010858330
EPA Region: 03
Latitude: 38.920338
Longitude: -79.085841
Locational Data Source: NPDES
Industries: --
Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	1
Date of Last Compliance Monitoring Activity	04/24/2019
Compliance Status	Significant/Category I Noncompliance
Qtrs in Noncompliance (of 12)	9
Qtrs with Significant Violation	6
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Effective (WV0112500)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

[Go To Enforcement/Compliance Details](#)
[Known Data Problems](#)

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110010858330					N	38.920338	-79.085841
ICIS-NPDES	CWA	WV0112500	Minor: NPDES Individual Permit	Effective		05/04/2026	N	38.92	-79.0867

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110010858330	SPRING RUN FISH HATCHERY	HC BOX 33, DORCAS, WV 26847	Grant County
ICIS-NPDES	CWA	WV0112500	SPRING RUN FISH HATCHERY	SPRING RUN ROAD, DORCAS, WV 26847	Grant County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	WV0112500	0921	Fish Hatcheries And Preserves
ICIS-NPDES	WV0112500	4522	Air Transportation, Nonscheduled

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
No data records returned		

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
CWA	WV0112500	ICIS-NPDES	Inspection/Evaluation	Base Program - Evaluation	State	04/24/2019	

Entries in italics are not counted in EPA compliance monitoring strategies or annual results.

Compliance Summary Data

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type				QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA (Source ID: WV0112500)					07/01-09/30/19	10/01-12/31/19	01/01-03/31/20	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-11/11/22
	Facility-Level Status				Violation Identified	No Violation Identified	Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	Significant Category I Noncompliance	Significant Category I Noncompliance	Significant Category I Noncompliance	Significant Category I Noncompliance	Significant Category I Noncompliance	Significant Category I Noncompliance	Violation Identified
	Quarterly Noncompliance Report History				Other Violation		Other Violation		Resolved		Failure to Report DMR - Not Received	Effluent - Monthly Average Limit	Effluent - Monthly Average Limit	Effluent - Monthly Average Limit	Effluent - Monthly Average Limit	Effluent - Monthly Average Limit	
	Pollutant	Disch Point	Mon Loc	Freq													
► CWA	Solids, total suspended	008 - A	Effluent Gross	Mthly			80%										
► CWA	Nitrogen, nitrite total (as N)	011 - A	Effluent Gross	Mthly								533%	250%	33%	383%	417%	67%
► CWA	Nitrogen, nitrite total (as N)	011 - A	Effluent Gross	NMth								233%	83%	33%	150%	167%	67%
► CWA	Solids, total suspended	011 - A	Effluent Gross	Mthly											6%		
► CWA	Solids, total suspended	011 - A	Effluent Gross	NMth											1%		
	Single Event Violations				Agency												
CWA	Management Practice Violations - Violation of a milestone in an order				State	04/24/2019	12/20/2019										
CWA	Monitoring Violations - Analysis not Conducted				State	04/24/2019	12/20/2019										
Late or Missing Discharge Monitoring Report (DMR) Measurements																	
	Counts of Late DMR Measurements								56		124						

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Cost	Comp Action Cost
No data records returned															

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD / Reach Address Database)	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD / Reach Address Database)	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
020700010401	South Mill Creek	SPRING RUN	No	No	--	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
WV	2016	WVPSB-25-C-2_00	Spring Run	Good	--	Fully Supporting	Fully Supporting	--	Fully Supporting	Fully Supporting

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-Site Releases	Total Off-Site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

Community

EJScreen EJ Indexes

Twelve environmental justice (EJ) indexes of EJScreen, EPA's screening tool for EJ concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. The index values below are for the Census block group or 1-mile maximum (US or State) in which the facility is located. Note that use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the [EJScreen home page](#).

Show EJ Indexes calculated based on:

Census Block Group - US

Census Block Group EJ Indexes (percentile)	
Particulate Matter 2.5	9
Ozone	29
Diesel Particulate Matter	7
Air Toxics Cancer Risk	26
Air Toxics Respiratory Hazard Index	15
Traffic Proximity	–
Lead Paint	50
Risk Management Plan (RMP) Facility Proximity	10
Hazardous Waste Proximity	16
Superfund Proximity	12
Underground Storage Tanks (UST)	0
Wastewater Discharge	47

Number of EJ Indexes Above 80th Percentile
0

[View EJScreen Report](#) (US/regional/state percentiles, 1-mile average)

Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2015 - 2019 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the [DFR Data Dictionary](#).

General Statistics (U.S. Census)	
Total Persons	56
Population Density	20/sq.mi.
Housing Units in Area	35

General Statistics (ACS (American Community Survey))	
Total Persons	90
Percent People of Color	4%
Households in Area	35
Households on Public Assistance	2
Persons With Low Income	58
Percent With Low Income	65%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	38.920338
Center Longitude	-79.085841
Land Area	100%
Water Area	0%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	7 (20.59%)
\$15,000 - \$25,000	3 (8.82%)
\$25,000 - \$50,000	12 (35.29%)
\$50,000 - \$75,000	6 (17.65%)
Greater than \$75,000	6 (17.65%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	2 (4%)
Minors 17 years and younger	11 (20%)
Adults 18 years and older	45 (80%)
Seniors 65 years and older	11 (20%)

Race Breakdown (U.S. Census) - Persons (%)	
White	53 (95%)
African-American	0 (0%)
Hispanic-Origin	0 (0%)
Asian/Pacific Islander	1 (2%)
American Indian	0 (0%)
Other/Multiracial	2 (4%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	8 (13.56%)
9th through 12th Grade	4 (6.78%)
High School Diploma	27 (45.76%)
Some College/2-year	9 (15.25%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	11 (18.64%)

LAST UPDATED ON SEPTEMBER 21, 2022

[DATA REFRESH INFORMATION](#)

Exhibit 4

Example Chain of Custody Forms

WO#: 7392272



7392272

RECORD

v13-0516

Pace use ONLY

CLIENT ID _____ DATE _____ SHEET _____

Client: WVDNR - Hatchery Program (Spring Run Hatchery) PO # _____
 Contact Person: Eric Hevener CC Jim Hedrick, Frank Williams Phone: 304-257-4188 / 681-245-9167
 Address: 1988 Spring Run Road, Unit 1 City: Petersburg State: WV Zip: 26847
 Billing Address (if different): Dawn Hale - PO Box 67
 City: Elkins State: WV Zip: 26241
 Site ID & State: WV0112500 Proj ID: Spring Run Monthly Sampler: *Daren Reinhardt*

MAIN WV LABORATORY

P.O. Box 286 • 225 Industrial Park Rd, Beaver, WV 25813
 800-999-0105 • 304-255-2500 • www.pacelabs.com

LEXINGTON Service Center
 782 N Lee Hwy
 Lexington, VA 24450
 540-777-1276

MORGANTOWN Service Center
 16 Commerce Drive
 Westover, WV 26501
 304-241-5861

TURNAROUND TIME

RUSH TURNAROUND*

☒ NORMAL ☐ 5 DAY ☐ 3 DAY ☐ 2 DAY ☐ 1 DAY

*Rush work needs prior laboratory approval and will incur additional charges

Send Results Via:

☒ Email
☐ Fax

All analytical requests are subject to Pace's Standard Terms and Conditions.

ANALYSIS & METHOD REQUESTED

BOD, TSS

NH3N, Total Nitrogen, P, TKN

NO2, NO3

Cu, Zn, Al

ENTER PRESERVATIVE CODE(S):

- | | |
|--|---|
| 0 None | 7 Ascorbic Acid |
| 1 Hydrochloric Acid | 8 Sodium Bisulfate/Methanol |
| 2 Nitric Acid | 9 Ammonium Chloride |
| 3 Sulfuric Acid | 10 CR6 Buffer |
| 4 Sodium Thiosulfate | 11 Sodium Sulfite/
Hydrochloric Acid |
| 5 Sodium Hydroxide/
Sodium Arsenite | 12 _____ * |
| 6 Sodium Hydroxide | |

*(Use blank for a preservative not listed.)

COMMENTS:

008: Flow *NA* pH *8.1* DO *8.68*
 011: Flow *NA* pH *7.7* DO *7.57*

CUSTODY SEALS [] Y [*AN*]

SAMPLE ID	No. & Type of Containers	Sampling Date/Time	Matrix	Sample Comp/Grab	a0	a3	a0	a2	a	a	a	a	a
008 Preclean	2P	10-6-21 7:47 AM	W Water	Grab		X	X						
008 Comp	5P	10-5-21 0730	W Water	Comp	X	X	X	X					
011 Preclean	2P	10-6-21 7:39 AM	W Water	Grab		X	X						
011 Comp	5P	10-5-21 0730	W Water	Comp	X	X	X	X					

Corrected temp at arrival: °C ICED? ☒ Y ☐ N IR # _____ Containers provided by: [☒ Pace] [☐ Client] Delivered by: [☐ Client] [☒ Pace] [☐ UPS] [☐ FedEx] [☐ USPS]

REL'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REL'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REL'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>
REC'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REC'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REC'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>
REL'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REL'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REL'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>
REC'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REC'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>	REC'D <i>[Signature]</i>	Date/Time <i>10/6/21 11:00</i>

WO# : 30503424



30503424

v13-0516

Pace use
ONLY

CLIENT ID _____ DATE _____ SHEET _____

Client: WVDNR - Hatchery Program (Spring Run Hatchery)

PO # _____

Contact Person Eric Hevener CC Jim Hedrick, Frank Williams

Phone 304-257-4188 / 681-245-9167

Address 1988 Spring Run Road, Unit 1 City Petersburg State WV Zip 26847

Billing Address (if different) Dawn Hale - PO Box 67

City Elkins State WV Zip 26241

Site ID & State WV0112500 Proj ID Spring Run Semi Annual

Sampler Daren Reinhart

MAIN WV LABORATORY

P.O. Box 286 • 225 Industrial Park Rd, Beaver, WV 25813
800-999-0105 • 304-255-2500 • www.pacelabs.com

LEXINGTON Service Center

782 N Lee Hwy
Lexington, VA 24450
540-777-1276

MORGANTOWN Service Center

16 Commerce Drive
Westover, WV 26501
304-241-5861

TURNAROUND TIME

RUSH TURNAROUND*



NORMAL



5 DAY



3 DAY



2 DAY



1 DAY

*Rush work needs prior laboratory approval and will incur additional charges

Send Results Via:



Email



Fax

All analytical requests are subject to Pace's Standard Terms and Conditions.

ANALYSIS & METHOD REQUESTED

BOD, TSS

NH3N, Total Nitrogen, P, TKN

NO2, NO3

Cu, Zn, Al

TSS

Fe

ENTER PRESERVATIVE CODE(S):

- | | |
|--|---|
| 0 None | 7 Ascorbic Acid |
| 1 Hydrochloric Acid | 8 Sodium Bisulfate/Methanol |
| 2 Nitric Acid | 9 Ammonium Chloride |
| 3 Sulfuric Acid | 10 CR6 Buffer |
| 4 Sodium Thiosulfate | 11 Sodium Sulfite/
Hydrochloric Acid |
| 5 Sodium Hydroxide/
Sodium Arsenite | 12 _____ * |
| 6 Sodium Hydroxide | |

* (Use blank for a preservative not listed.)

COMMENTS:

008: Flow pH 8.5 DO 10.10 mg/L
 011: Flow pH 8.1 DO 10.04 mg/L
 009: Flow NF pH
 010: Flow NF pH see SCUR

CUSTODY SEALS [] Y [] N

SAMPLE ID	No. & Type of Containers	Sampling Date/Time	Matrix	Sample Comp/Grab	a 0	a 3	a 0	a 2	a 0	a 2	a	a
					b	b	b	b	b	b	b	b
008 Preclean	5P	7-6-22/0730	W Water	Grab	X	X	X	X				
008 Comp	5P	7-5-22/0730	W Water	Comp	X	X	X	X				
011 Preclean	5P	7-6-22/0730	W Water	Grab	X	X	X	X				
011 Comp	5P	7-5-22/0730	W Water	Comp	X	X	X	X				
009 Grab	2P	NO FLOW	W Water	Grab					X	X		
010 Grab	2P	NO FLOW	W Water	Grab					X	X		

Corrected temp at arrival: °C ICED? Y ___ N ___ IR # _____ Containers provided by: [] Pace [] Client Delivered by: [] Client [] Pace [] UPS [] FedEx [] USPS

REL'D	Date/Time	REL'D	Date/Time	REL'D	Date/Time	REL'D	Date/Time
REC'D	7-6-22	REC'D	7-6-22	REC'D	7-6-22	REC'D	7-6-22
REL'D	7-6-22	REL'D	7-6-22	REL'D	7-6-22	REL'D	7-6-22
REC'D	7-6-22	REC'D	7-6-22	REC'D	7-6-22	REC'D	7-6-22

CHAIN OF CUSTODY RECORD

WO#: 30534832



30534832

MAIN WV LABORATORY

P.O. Box 286 • 225 Industrial Park Rd, Beaver, WV 25813
800-999-0105 • 304-255-2500 • www.pacelabs.com

LEXINGTON Service Center
782 N Lee Hwy
Lexington, VA 24450
540-777-1276

MORGANTOWN Service Center
16 Commerce Drive
Westover, WV 26501
304-241-5861

TURNAROUND TIME

RUSH TURNAROUND*

☒ NORMAL ☐ 5 DAY ☐ 3 DAY ☐ 2 DAY ☐ 1 DAY

*Rush work needs prior laboratory approval and will incur additional charges

Send Results Via:

☒ Email ☐ Fax

All analytical requests are subject to Pace's Standard Terms and Conditions.

v13-0516

Pace use ONLY

CLIENT ID _____ DATE _____ SHEET _____

Client: WVDNR - Hatchery Program (Spring Run Hatchery) PO # _____

Contact Person: Eric Hevener CC Jim Hedrick, Frank Williams Phone: 304-257-4188 / 681-245-9167

Address: 1988 Spring Run Road, Unit 1 City: Petersburg State: WV Zip: 26847

Billing Address (if different): Dawn Hale - PO Box 67

City: Elkins State: WV Zip: 26241

Site ID & State: WV0112500 Proj ID: Spring Run Monthly Sampler: Daren Reinhart

ANALYSIS & METHOD REQUESTED

BOD, TSS

NH3N, Total Nitrogen, P, TKN

NO2, NO3

Cu, Zn, Al

ENTER PRESERVATIVE CODE(S):

- | | |
|------------------------------------|-------------------------------------|
| 0 None | 7 Ascorbic Acid |
| 1 Hydrochloric Acid | 8 Sodium Bisulfate/Methanol |
| 2 Nitric Acid | 9 Ammonium Chloride |
| 3 Sulfuric Acid | 10 CR6 Buffer |
| 4 Sodium Thiosulfate | 11 Sodium Sulfite/Hydrochloric Acid |
| 5 Sodium Hydroxide/Sodium Arsenite | |
| 6 Sodium Hydroxide | 12 _____* |

*(Use blank for a preservative not listed.)

COMMENTS:

008: Flow pH 8.4 DO 10.35
011: Flow pH 7.9 DO 8.65

CUSTODY SEALS [] Y [] N

Corrected temp at arrival: °C ICED? Y ___ N ___ IR # _____ Containers provided by: [] Pace [] Client Delivered by: [] Client [] Pace [] UPS [] FedEx [] USPS

REL'D	Date/Time	REL'D	Date/Time	REL'D	Date/Time
REC'D	11-2-22 12:30	REC'D	11-2-22 1630	REC'D	11-2-22
REL'D	11-2-22 1400	REL'D	11-2-22 1830	REL'D	
REC'D	11-2-22 1500	REC'D	11-2-22 1830	REC'D	

Exhibit 5

**Spring Run State Fish Hatchery Best Management Practices
(Updated 11/16/2020)**

Spring Run State Fish Hatchery
Best Management Practices

Updated: 11/16/2020
NPDES Permit No. WV0112500
Facility Manager: Eric Hevener

A. Description of Facility

Spring Run State Fish Hatchery is located approximately 2 miles south east of Dorcas, WV on Spring Run road. Spring Run Hatchery produces approximately 220,000 pounds of rainbow trout annually. The facility was originally constructed in 1952 and has twenty-four 100-foot long concrete raceways, six 75-foot long raceways, six 72-foot long raceways and nine circular pools. The hatchery is located near the source of Spring Run. At present the facility has 4 discharge sites all of which go directly into Spring Run.

B. Water Source

Spring Run Hatchery uses water from Big Spring which is the source of Spring Run itself. This spring has an average flow of approximately 3,000 gallons a minute with fairly consistent temperatures of 55° F and pH of 7.5. The water is piped underground via 12- and 16-inch diameter iron ductile pipes to an aspiration box. In the hatchery, all spring water flows are gravity-fed and single-use (flow-through). The aspiration box allows the dissolved oxygen to reach atmospheric saturation and strip excess nitrogen.

C. Treatment Systems Used

A treatment system, consisting of a batch clarifier and sludge storage tank was completed and began operation in June, 2007. Wastewater generated during weekly raceway cleaning operations is kept separate from non-cleaning water and piped to the clarifier. After a 24 to 48-hour settling time, water is decanted from the clarifier and the resultant sludge is transferred to a sludge holding tank for later disposal.

D. Other Information

Engineering designs for the treatment system are available the WVDNR, Elkins Operations Center, Hatchery Program Administrative Office.

E. Solids Control

1. Efficient feed management, limits feed input to the minimum amount necessary to achieve production goals and sustain targeted rates of growth.

Spring Run Hatchery recognizes that fish feed management is critical in operating an environmentally friendly and efficient fish hatchery. An average of 220,000 pounds of trout is produced per year on an average of 305,800 pounds of feed, for a conversion rate of 1.39. Feed used is presently from Cargill Inc. using the WVDNR Hatchery Program custom formula.

Spring Run Hatchery is presently using slow sinking extruded pellets to feed our fish. Specific quantities of feed are calculated via a U.S. Fish & Wildlife based computer program for each individual rearing unit. The fish food is weighed for each of the rearing units on location and fed by hand. This allows hatchery employees to observe the individual rearing units feeding characteristics thus allowing little feed waste due to the fish going off feed.

2. Procedures for routine cleaning of rearing units.

The 8-foot quiescent zones of $\frac{1}{2}$ of the raceways are cleaned on a weekly basis. Using an alternating schedule each raceway is cleaned every other week. A blocking weir is used so that only the water and sludge from the quiescent zone go to the batch clarifier.

3. Procedures for fish inventory and harvest

Fish rearing units are not cleaned prior to harvesting or during the inventorying of fish. After harvesting a rearing unit will be cleaned on an individual basis before being refilled with fish.

4. Removal and disposal of fish mortalities

All rearing units at Spring Run Hatchery are screened to prevent live fish and fish mortalities from escaping to Spring Run. Fish mortalities are removed daily to reduce potential spread of disease. This also reduces feed waste. All fish mortalities are frozen on site and removed to a trash transfer station once per week or as needed. This facility records all mortalities daily to maintain inventory accuracy and maintain updated feeding rates.

F. Material Storage

1. Proper storage of drugs, fuels, and feed to prevent spills that may discharge to Spring Run.

To ensure proper storage of drugs, fuels and feed at Spring Run Hatchery, employees have been instructed on the importance of proper handling of these substances through facility-based training programs.

Bagged feed is stored in a cool, dry area and used on a "first-in, first-out" basis to prevent lengthy storage of feed. Use of fresh feed improves dietary efficiency.

All chemicals are stored in a laboratory cabinet or in a secure area. The chemical cabinet is in a dry, well ventilated area. The drugs and disinfectants are stored in a cool, dry area adjacent to the feed storage room. All drugs, chemicals and disinfectants are stored in their original containers and all hatchery employees are instructed to keep container lids secure. All liquid materials at our facility are stored in self-containment systems to prevent possible spills from escaping. These containment systems are inspected monthly for functional integrity.

All fuels such as gasoline, diesel fuel and heating oil are stored in well-ventilated, dry and secure environments. Home heating oil is stored in two 500-gallon above-ground tanks. Gasoline and diesel fuels are stored in above-ground tanks contained by a block reservoir designed to hold 200% of total maximum volume. The containment system is visually inspected daily and locked for security.

2. Procedures for properly containing, cleaning and disposing of any spilled materials.

Spring Run Hatchery has developed the follow spill response and prevention plan to ensure that the facility properly contains and disposes of spilled materials. The plan provides stop, contain, and clean a spill instructions. Hatchery personnel are trained to prevent and control future spills and the plan is reviewed during our required annual employee training program.

In the event of a spill of petroleum products or other liquids, a spill response kit (Chemtex SPK55B-U Drum Spill Kit, Universal, 55-Gallon) and other absorbents are stored on-site. If a fuel storage tank develops a leak, hatchery staff should immediately call the local fuel supplier to conduct emergency tank pump out to stop further leaking and potential groundwater contamination. If a spill occurs, the Petersburg Volunteer Fire Company and Grant Com Emergency Center will be notified immediately, equipment and personnel will be dispatched according to the level of emergency. Any spilled hazardous materials will be disposed of in accordance with WVDEP guidelines.

(A) Inside the containment area: go to the area and check to ensure the spill is contained within the structure and the absorbent booms have been put in place to prevent the spill from spreading outside the structure. Notify the Hatchery Program Manager, who will notify the Wildlife Resources Section Chief so Accounts Payable can authorize emergency funding. Notify the WVDEP State Emergency Spill Unit at (800) 642-3074 and the WVDEP Romney office if the spill occurs during business hours at 304-822-7266. Put on eye protection, respirator, rubberized pants, coat, gloves, boots and go to the spill area to ensure the fuel spill instructions are being followed. Go to the entrance of the facility to direct emergency response teams to the location of the spill.

(B) Outside the containment area: If the fuel containment walls were to fail, an absorbent material will be used to take up pooled fuel by ensuring that absorbent booms have been placed at the lower end of the spill. Immediately contact the Fire Department and notify the same people and organization as outlined in section A. Put on eye protections, respirator, rubberized pants, coat, gloves, boots and go to the spill area to ensure the spill instructions are being followed. A hazardous waste company will be contacted by the Hatchery Program Manager to remove contaminated soil. Go to the entrance of the facility to direct emergency response teams to the locations of the spill.

G. Structural Maintenance

1. Routinely inspect production systems and wastewater treatment systems to identify and promptly repair damage.

Hatchery personnel inspect all rearing units and quiescent zones daily. All drain structures and supply valves are checked to verify that they are operating properly. Rearing units are checked for structural integrity and are replaced or repaired as necessary. Routine inspections of aeration systems, filters and associated equipment are performed.

2. Regularly conduct maintenance of production systems and wastewater treatment systems to ensure their proper function.

Hatchery personnel perform maintenance on equipment that requires periodic maintenance or adjustments based on manufacture's recommendations.

H. Record-keeping

1. Maintain records for fish rearing units documenting feed amounts and mortalities to maintain inventories and feed conversion ratios.

Records are kept of the amount of feed fed daily along with daily mortalities to adjust feeding efficiency and reduce feed waste. These records are maintained in the hatchery office and updated as information is collected.

I. Training

1. Train all relevant personnel in spill prevention and how to respond in the event of a spill to ensure proper clean-up and disposal of spilled materials.

All new employees are required to attend training on spill prevention and response. Current employees must attend refresher training once each

year. The proper use of safety equipment and other materials are updated and the appropriate procedures for hazard materials handling along with who to contact for help are reinforced during these training sessions.

2. Train personnel on proper operation and cleaning of production and wastewater treatment systems, including feeding procedures and proper use of equipment.

All new employees are required to attend training on proper operation and cleaning of production systems and treatment systems at our facility. Management reviews employee performance in operating the facility and provides additional training for those not operating the facility according to the Standard Operating Procedures.

J. Diagram or Map

1. A diagram/map (Figure 1) of the facility (to illustrate the layout of the operation) is included at the end of this BMP.

K. Review and Endorsement of the BMP Plan.

Facility manager and the individuals responsible for implementing the BMP Plan, have reviewed and endorsed this BMP Plan.

Facility: Spring Run Hatchery **NPDES #** WV0112500

Facility Manager Eric Hevener **Signature** 

Assistant Manager Sheldon Thompson **Signature** 

Assistant Manager Jeremy Hedrick **Signature** 

L. Certifying the BMP Plan with the West Virginia Department of Environmental Protection.

A copy of the BMP Plan is available in Spring Run Hatchery office. It is available to any employee at the facility, EPA, WVDEP and any state agency upon request by contacting the facility manager.

A signed copy has been submitted to the following agencies:

Permitting
WV Division of Water and & Waste Management
601-57th Street
Charleston, WV 25304

WV/DEP
Environmental Enforcement
HC 63, Box 2545
Romney, WV 26757

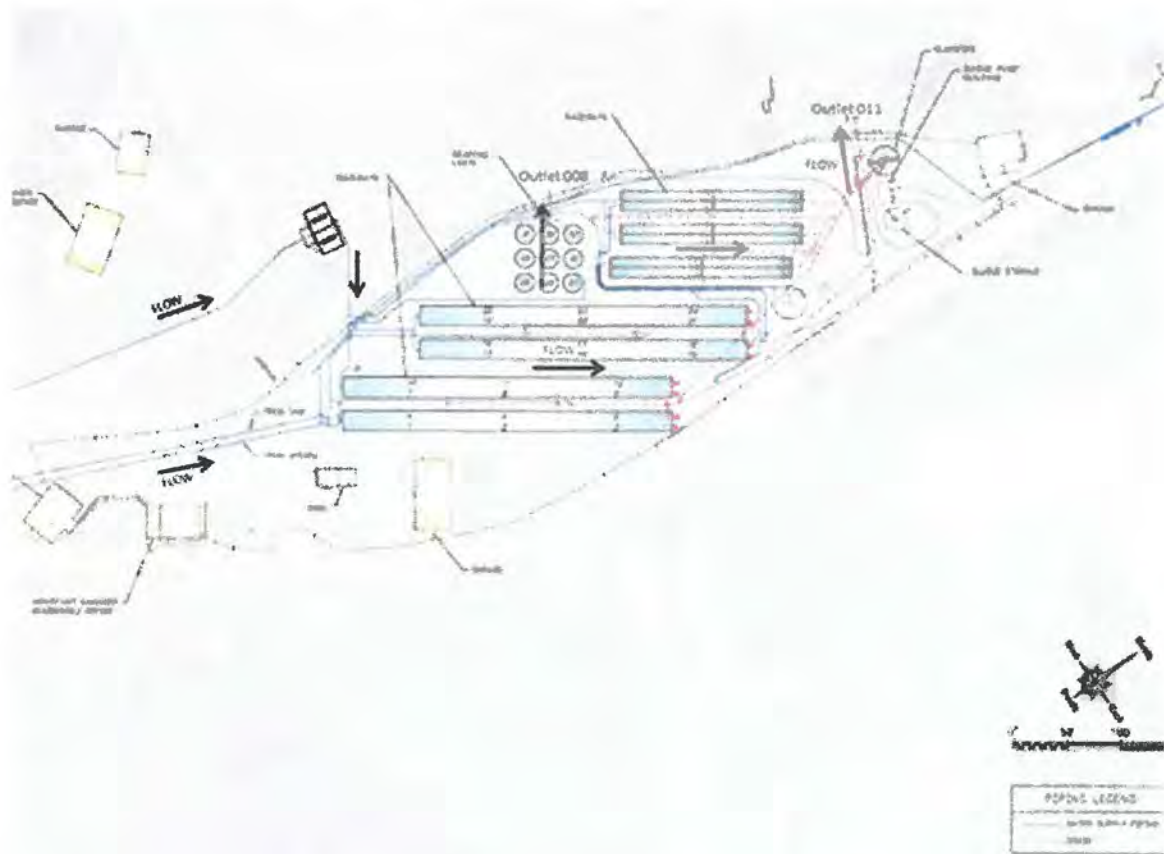


Figure 1. Spring Run Hatchery layout and water flow schematic.

Exhibit 6

SWPPP Employee Training and Site Inspection Forms

Employee Training

The hatchery manager shall regularly inform hatchery personnel about the components and goals of the storm water pollution prevention plan. Spill response procedures, good housekeeping and materials management practices will be a routine part of employee training at the facility. Training sessions will be scheduled annually for continuing employees and will be a part of new employee orientation. An employee training log will be maintained at the hatchery facility utilizing the following form.

[illegible]

12. Site Inspection

The hatchery manager shall perform an annual site inspection of the hatchery facility to ensure the accuracy of the information contained in the *Storm Water Management Control Plan*, with specific emphasis on the accuracy of the information on potential pollutants identified in Section 2, page 6, the drainage information provided on the Site Map, and the implementation of structural and non-structural measures to control potential pollution of storm water associated with the hatchery. The hatchery manager will maintain a three-year record of these annual inspections utilizing the following form.

Record of Annual Inspection		
Date Inspected	Inspector	Results of Inspection

Appendix C
NPDES Permit No. WV0112500



west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street SE
Charleston, West Virginia 25304-2345
Phone: 304-926-0495/Fax: 304-926-0496

Harold D. Ward, Cabinet Secretary
<https://dep.wv.gov>

May 05, 2021

JIM HEDRICK, PROGRAM MANAGER
WV DIVISION OF NATURAL RESOURCES
738 WARD ROAD
PO BOX 67
ELKINS, WV 26241

CERTIFIED RETURN RECEIPT REQUESTED

Dear Permittee:

Enclosed please find WV/NPDES Permit Number WV0112500 dated May 05, 2021.

Please note that a Discharge Monitoring Report (DMR) is to be completed and submitted to this Division each month.

Finally note that copies of all future correspondence regarding the permit must be forwarded to the Field Inspector and Field Supervisor at the following address:

Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, WV 26757

Also, please note the attachment to this permit which describes the annual permit fee requirement. Reissuance of your permit does not change the annual fee billing cycle.

If you have any questions, please contact Ryan McGlothen, P.E. of this Division at (304) 926-0499 at extension 43819, or by email at Ryan.K.McGlothen@wv.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yogesh Patel'.

Yogesh Patel, P.E.
Chief Engineer

YP:rkm

Enclosures

Permit Number: WV0112500

Permittee: WV DIVISION OF NATURAL RESOURCES

cc: Env. Insp. Supv.
Env. Insp.



STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
601 57TH STREET SE
CHARLESTON, WV 25304-2345

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WATER POLLUTION CONTROL PERMIT

NPDES PERMIT NO.: WV0112500

SUBJECT: Industrial Waste

ISSUE DATE: May 05, 2021

EFFECTIVE DATE : July 01, 2021

EXPIRATION DATE: May 04, 2026

SUPERSEDES: Permit No. WV0112500
dated March 07, 2017

LOCATION: PETERSBURG
(City)

Grant
(County)

S. Potomac River
(Drainage Basin)

See the next page for a list of Outlets.

TO WHOM IT MAY CONCERN:

This is to certify that: WV DIVISION OF NATURAL RESOURCES
738 WARD ROAD
PO BOX 67
ELKINS, WV 26241

is hereby granted a West Virginia NPDES Water Pollution Control Permit to:

operate and maintain a flow-through aquaculture system, holding ponds, and best management practices and discharge untreated aquaculture wastewater through Outlet 008, treated aquaculture wastewater from cleaning of raceways and ponds and untreated overflow through Outlet 011 and untreated storm water runoff through Outlets 009 & 010 to Spring Run of South Mill Creek of the South Branch of the Potomac River.

This permit is subject to the following terms and conditions :

The information submitted on, and with, Permit Application No. WV0112500, dated the 11th day of December 2021, is all hereby made terms and conditions of this Permit with like effect as if all such permit application information were set forth herein and with other conditions set forth in Sections A, B, C, D and Appendix A.

The validity of this permit is contingent upon the payment of the applicable annual permit fee, as required by Chapter 22, Article 11, Section 10 of the Code of West Virginia.

Inspectable Unit	Latitude	Longitude	Receiving Stream	Dist. to Stream Mouth (in Mile)	Milepost
008	38°55'11"	79°05'08"	SPRING RN	1.64	N/A
009	38°55'11"	79°05'08"	SPRING RN	1.72	N/A
010	38°55'11"	79°05'08"	SPRING RN	1.55	N/A
011	38°55'13"	79°05'10"	SPRING RN	1.6	N/A

A.008 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2021 and lasting through midnight 5/4/2026 the permittee is authorized to discharge from Outlet Number(s) 008 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>			
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Mill. Galls/Mon	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/daily measured
Refer to Section D.2 for proper sampling, calculations, and reporting.								
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-1) (RF-A)	65.1 Avg. Monthly	141.2 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month 8 hr comp
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-A)	65.1 Avg. Monthly	141.2 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month 8 hr comp
00400 - (pH) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	1/month Grab
00300 - (Dissolved Oxygen) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	N/A	mg/l	1/month Grab
00610 - (Ammonia Nitrogen) (Year Round) (ML-1) (RF-A)	12.9 Avg. Monthly	25.7 Max. Daily	Lbs/Day	N/A	5.93 Avg. Monthly	11.86 Max. Daily	mg/l	1/month 8 hr comp
00620 - (Nitrogen Nitrate) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month 8 hr comp
00615 - (Nitrogen Nitrite) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month 8 hr comp

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

Untreated wastewater from round rearing ponds. Refer to Section D for nitrogen and phosphorus requirements.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.008 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2021 and lasting through midnight 5/4/2026 the permittee is authorized to discharge from Outlet Number(s) 008 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>	
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>			
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
Refer to Section D.2 for proper sampling, calculations, and reporting.									
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-D)	N/A	10000 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
Refer to Section D.2 for proper sampling, calculations, and reporting.									
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-D)	N/A	1000 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
Refer to Section D.2 for proper sampling, calculations, and reporting.									
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
Refer to Section D.2 for proper sampling, calculations, and reporting.									
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp

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

Untreated wastewater from round rearing ponds. Refer to Section D for nitrogen and phosphorus requirements.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.009 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2021 and lasting through midnight 5/4/2026 the permittee is authorized to discharge from Outlet Number(s) 009 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/6 months	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

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

Untreated storm water runoff.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.010 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2021 and lasting through midnight 5/4/2026 the permittee is authorized to discharge from Outlet Number(s) 010 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/6 months	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

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

Untreated storm water runoff.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.011 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2021 and lasting through midnight 5/4/2026 the permittee is authorized to discharge from Outlet Number(s) 011 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>			
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
50050 - (Flow, in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Mill. Galls/Mon	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/daily measured
Refer to Section D.2 for proper sampling, calculations, and reporting.								
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-1) (RF-A)	1254 Avg. Monthly	2507 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month 8 hr comp
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-A)	1254 Avg. Monthly	2507 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month 8 hr comp
00400 - (pH) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	1/month Grab
00300 - (Dissolved Oxygen) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	N/A	mg/l	1/month Grab
00610 - (Ammonia Nitrogen) (Year Round) (ML-1) (RF-A)	248 Avg. Monthly	496 Max. Daily	Lbs/Day	N/A	5.93 Avg. Monthly	11.86 Max. Daily	mg/l	1/month 8 hr comp
00620 - (Nitrogen Nitrate) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	10 Avg. Monthly	29.2 Max. Daily	mg/l	1/month 8 hr comp
00615 - (Nitrogen Nitrite) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	0.03 Avg. Monthly	0.06 Max. Daily	mg/l	1/month 8 hr comp

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

Treated wastewater from round & square rearing pond and raceways. An eight(8) hour composite sample for Outlet No. 011 shall be taken during the decant of the batch clarifier supernate corresponding to the weekly cleanings of raceways and ponds.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.011 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2021 and lasting through midnight 5/4/2026 the permittee is authorized to discharge from Outlet Number(s) 011 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>			
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
Refer to Section D.2 for proper sampling, calculations, and reporting.									
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-D)	N/A	55480 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
Refer to Section D.2 for proper sampling, calculations, and reporting.									
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
Refer to Section D.2 for proper sampling, calculations, and reporting.									
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-D)	N/A	5548 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
Refer to Section D.2 for proper sampling, calculations, and reporting.									
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp

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

Treated wastewater from round & square rearing pond and raceways. An eight(8) hour composite sample for Outlet No. 011 shall be taken during the decant of the batch clarifier supernate corresponding to the weekly cleanings of raceways and ponds.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.101 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning 7/1/2021 and lasting through midnight 5/4/2026 the permittee is authorized to discharge from Outlet Number(s) 101 (Process Water, Other)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>	
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
45603 - (Fish Feed Used) (Year Round) (ML-N/A) (RF-A)	N/A	Rpt Only Monthly Total	Lbs/Month	N/A	N/A	N/A	1/month	measured
Total pounds of fish feed used per month.								
45604 - (Biomass, Fish) (Year Round) (ML-N/A) (RF-A)	N/A	Rpt Only Monthly Total	Lbs/Month	N/A	N/A	N/A	1/month	measured
Total pounds of fish produced per month.								

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

Outlet 101, internal outlet solely for reporting total annual aquatic animal's produced (in lbs) and the maximum feed rate during each calendar month (in lbs) determine applicability of CAAP regulations 40 CFR 451 / 47 CSR 10-13.2).

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the provisions for waste treatment and the monitoring requirements specified in the permit in accordance with the following schedule :

Effective date of permit.

2. Reports of compliance or non-compliance with, and progress reports on interim and final requirements contained in the above compliance schedule, if any, shall be postmarked no later than 14 days following each schedule date.

Section C - Other Requirements

01. The permittee shall practice good housekeeping including maintaining the facility grounds. There shall be no scattered parts, equipment, debris, etc. Any and all drums shall be either stored in a covered area or kept upon pallets and properly sealed.
02. The issuance of this permit shall not relieve the permittee of the obligation to comply with any other federal, state or local laws. Compliance with this permit does not relieve the permittee from the obligation of Section 311 of the Clean Water Act. This permit does not authorize spills of hazardous substances/wastes from any permitted outlet into waters of the State. Such incidents are to be reported in accordance with Sections IV.1 and IV.2 of Appendix A of this permit.
03. Upon review of information submitted under terms and conditions of this permit, the permit may be modified to require additional effluent limitations/monitoring requirements and/or improved best management practices.
04. The permittee shall notify the Division of Water and Waste Management immediately when it becomes aware of any migration of any pollutant from any unpermitted source (such as contaminated groundwater and/or storm water) into surface waters of the State.
05. Without prior approval from the agency, the permittee shall not accept and treat wastewater from any other facility.
06. The permittee shall submit each month according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration and/or quantities the values of the constituents listed in Section A analytically determined to be in the plant effluent(s). Additional information pertaining to effluent monitoring and reporting can be found in Section III of Appendix A.
07. The required DMRs shall be received by the agency no later than 25 days following the end of the reporting period in accordance with the following requirements. The agency encourages the permittee to utilize our electronic discharge monitoring report (eDMR) system. If the permittee uses the eDMR system, the permittee is not required to submit hard copies of the DMRs to the addresses listed below. However, if the permittee elects to not use the eDMR system, then the permittee is required to send hard copies to the addresses below. The permittee may contact the agency for more information about the eDMR system. Regardless, in accordance with Appendix A, Section III.6 of this permit, the permittee shall maintain copies of DMRs (either hard copies or electronic copies) at the plant site and the DMRs shall be made readily available upon request from DEP personnel.

Director
Division of Water and Waste Management
601 57th Street SE
Charleston, West Virginia 25304
Attention: Permitting Section

Department of Environmental Protection
Environmental Enforcement
HC 63, Box 2545
Romney, West Virginia 26757

08. In conjunction with all other reporting requirements of this permit, copies of all future correspondence regarding this permit will be forwarded to the Environmental Inspector and Environmental Inspector Supervisor at the following address:

Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, West Virginia 26757

09. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee should use actual analytical results when these results are greater than or equal to the MDL and should use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee should use the actual MDL in the calculation for averaging and report the result as less than the average calculation.

Section C - Other Requirements

10. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If a MDL is not sensitive enough to confirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.
11. The permittee shall not use alternate DMRs without prior approval from this Agency.
12. The Groundwater Protection Plan (GPP) and Storm Water Pollution Prevention Plan (SWPPP) shall be maintained at the facility site and shall be available for inspection by the Division of Water and Waste Management personnel.
13. The Best Management Practice (BMP) Plan (as required by 40CFR451), titled "Spring Run State Fish Hatchery, Best Management Practices", updated 11/16/2020 and "Nutrient Management Plan Identification", written 1/4/2018, shall be implemented and maintained at the site and shall be available for inspection by the Division of Water and Waste Management personnel.
14. The following storm water requirements apply to Outlet 009 and Outlet 010:
 - a. Samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Samples shall be taken during the first thirty (30) minutes, or as soon thereafter as practicable, of the storm event.
 - b. Each outlet shall be monitored separately.
 - c.

Pollutant	Benchmark Value
Total Suspended Solids	100 mg/l
pH	6.0 to 9.0 S.U.
Iron	1.5 mg/l

When the concentration results from a minimum of four consecutive samples of a pollutant are all less than the corresponding benchmark value for the pollutant, additional monitoring for the pollutant is not required (all pH values of the samples must be within the range 6.0 to 9.0 S.U.). The facility shall submit, each year, to the Division of Water and Waste Management, in lieu of the monitoring data, a certification (form will be provided upon request) that there has not been a significant change in the industrial activity or the pollution prevention measures in the area of the facility that drains to the outlet for which sampling is to be waived. If the concentration of a pollutant exceeds the corresponding benchmark concentration or a pH value is not within the range of 6.0 to 9.0 S.U., monitoring shall be continued and storm water pollution prevention practices shall be revised and implemented. A letter stating the revised and implemented storm water pollution prevention practices shall be submitted to the Division of Water and Waste Management at the address listed in Section C.07.
15. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the permit may be promptly modified and/or reissued to include effluent limitations and/or other requirements to control such storm water discharges.
16. The sludge generated at the permittee's facility shall be land applied in accordance with the requirements of the West Virginia Department of Agriculture.
17. Sampling requirements for total nitrogen and total phosphorus at Outlets 008 and 011 shall be performed in accordance with Sections D.02.c and D.02.d of this permit. The sampling requirements for the rest of the pollutants listed in Section A.008 and A.011 shall be performed during raceway cleaning.

Eight (8) hour composite samples shall be obtained at Outlet 001 as prescribed in Sections A.008 and A.011. For Outlet 011, eight (8) hour composite samples shall be collected during decanting of the batch clarifier as a result of cleaning operations of the aquaculture raceways and ponds.

Section C - Other Requirements

18. If any portion of the Permittee's discharge that is identified as being subject to Federal Effluent Guideline(s) and the new or revised requirements of the Federal Effluent Guideline(s) are not currently in this permit, the Director may reopen or reissue this permit to incorporate additional, more stringent requirements or limitations.
19. If the permittee participates in the Investigational New Animal Drug (INAD) program, the permittee shall notify the Division of Water and Waste Management in accordance with 40 CFR 451.3(a).
20. Any structural damage of the aquatic animal containment system or spill of drugs, pesticides or feed that result in a discharge to waters of the state, the permittee shall report to the Division in accordance with 40 CFR 451.3(b) and 40 CFR 451.3(c) respectfully.
21. The Materials Safety Data Sheet (MSDS) for Halamid Aqua indicates a minimum LC50 of 31 mg/l for poecilia reticulata and therefore, to be protective of narrative water quality criteria, at no time shall the concentration of the product or its residuals exceed 3.1 mg/l at any outlet.

In addition, the permittee may use the following treatment chemicals (or their formulational equivalents) in its processes:

Oxytetracycline
Hydrogen Peroxide
Chorulon
Sulfadimethoxide-ormetorprin
Tricaine-S
Florfenicol
Formalin
Romet 30
Chloramin-T

The permittee shall use each chemical per the manufacturer's directions. At no time shall the concentration of any product or its residuals exceed 1/10th of its minimum freshwater fish/invertebrate LC50 (if established) for non-bioaccumulative products or 1/100th of its minimum freshwater fish/invertebrate LC50 (if established) for bioaccumulative products at any outlet.

Section D - Nutrient Requirements

01. The permittee discharges to Spring Run, which is a tributary to the Potomac River Basin, which is a tributary to the Chesapeake Bay. In accordance with the EPA Chesapeake Bay TMDL, the following requirements apply to the permittee.

The Chesapeake Bay Total Maximum Daily Load (TMDL) and the West Virginia Watershed Implementation Plan provide individual total nitrogen and total phosphorous aggregate wasteload allocations of 65,480 pounds per year and 6,548 pounds per year respectively.

02. Permit limitations for total nitrogen and total phosphorous are being implemented on an Annual Total Load basis. The Annual Total Load Limitations shall be attained in accordance with the following:
- a. The Division recognizes there is not an EPA approved method to directly test for Total Nitrogen. The Total Nitrogen value to be reported on the permittee's Discharge Monitoring Reports (DMRs) shall be the sum of the following parameters; Total Kjeldahl Nitrogen, Nitrate, and Nitrite.
 - 1) If all three (3) constituents of total nitrogen are not detected at their method detection limit (MDL), the permittee shall sum the actual MDLs for each constituent and report the result as less than the calculation.
 - 2) When calculating the sum of the constituents for total nitrogen, the permittee shall use actual analytical results when these results are greater than or equal to the MDL for a particular constituent and should use zero (0) for a constituent if one or two of the constituents are less than the MDL.
 - b. Effluent monitoring for the following pollutants shall be conducted using the most sensitive methods and detection levels commercially available and economically feasible. The following methods and detection levels are recommended to be used unless the permittee desires to use an EPA Approved Method with a lower detection level:

Parameter	EPA Method No.	Method Detection Limit (mg/l)
-----	-----	-----
Total Kjeldahl Nitrogen	351.4	0.03
Nitrate Nitrogen	300.0	0.002
Nitrite Nitrogen	300.0	0.004
Total Phosphorous	365.4	0.01

Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used (See also Section 2.a for Total Nitrogen). The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

- c. The permittee shall collect eight (8) hour composite samples for total phosphorous and for each constituent of total nitrogen. All sampling shall be collected concurrently and shall be representative of normal operations.

The permittee shall sample for total phosphorous and for each constituent of total nitrogen twice per month (2/month) with one sample being taken during the raceway cleaning period and one during the non raceway cleaning period.

Section D - Nutrient Requirements

02. d. The actual total (not the average) monthly flow during the raceway cleaning days and actual total flow during the non-raceway cleaning days shall be used in conjunction with the corresponding total nitrogen and total phosphorous concentration results in order to determine the total monthly mass results for DMR reporting purposes.

The total flow discharged during the raceway cleaning days is the sum of the daily flow in million gallons per day during the days in a month when the raceways were cleaned.

The total flow discharged during the non-raceway cleaning days is the sum of the daily flow in million gallons per day during the days in a month when the raceways were not cleaned.

$$[\text{Total Flow Discharged during raceway cleaning days in a Month (mgd)}] * [\text{Average Monthly Nutrient Concentration during raceway cleaning days (mg/l)}] * [8.34] + [\text{Total Flow Discharged during non-raceway cleaning days in a Month (mgd)}] * [\text{Average Monthly Nutrient Concentration during non-raceway cleaning days (mg/l)}] * [8.34] = \text{Monthly Load (lbs/month)}$$

- e. The sum of total monthly mass results for total nitrogen and total phosphorous shall not exceed the following annual mass limitations for any year.

Outlet 008	
Parameter	Annual Total Load Limit
-----	-----
Total Nitrogen	10,000 lbs/yr
Total Phosphorous	1,000 lbs/yr

Outlet 011	
Parameter	Annual Total Load Limit
-----	-----
Total Nitrogen	55,480 lbs/yr
Total Phosphorous	5,548 lbs/yr

- f. As a guideline, the permittee for Outlet No. 008 shall measure its monthly performance to determine if operations will achieve the annual total load limits. If the total monthly load exceeds 833 lbs/month for nitrogen or 83 lbs/month for phosphorous, the permittee shall submit written documentation which explains the elevated monthly totals and the rationale for ensuring that the annual loads will still be achieved in future months.

As a guideline, the permittee for Outlet No. 011 shall measure its monthly performance to determine if operations are achieving the annual total load limits. If the total monthly load exceeds 4,623 lbs/month for nitrogen or 462 lbs/month for phosphorous, the permittee shall submit written documentation which explains the elevated monthly totals and the rationale for ensuring that the annual loads will still be achieved in future months.

03. Expansion of the wastewater treatment plant beyond annual total load limits in D.2.e shall require the permittee to obtain offsets. Said offsets shall be submitted to the Director for approval, and the permit subsequently modified prior to any expansion.
- a. At present, no trading or offset program has been established by the state. Proposals will continue to be evaluated on a case-by-case basis until a trading and/or offset program has been established.
04. The annual monitoring period for total nitrogen and total phosphorous is prescribed as July 1st through June 30th of each year. As such, the permittee shall report the total annual mass load for total nitrogen and total phosphorous based on monthly totals from July 1st through June 30th on its June DMR.
05. The permittee shall submit an annual report on, or before, August 1 each year which summarizes the following information.
- a. The permittee shall summarize the previous year's nutrient data. This may be accomplished in letter form and shall include all calculations of the year's mass loadings reported. In general, this report shall include a table depicting the monthly loadings discharged for the previous year as well as an assessment of compliance with the nitrogen and phosphorus annual limitations in Sections A.008 and A.011.

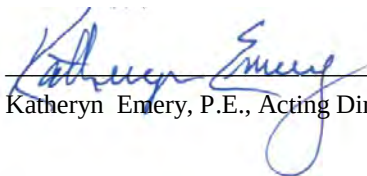
Section D - Nutrient Requirements

05. b. For the purpose of this condition, a year is defined as July 1st through June 30th.

The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0112500; with the plan of maintenance and method of operation thereof submitted with such application(s); and with any applicable rules and regulations promulgated by the Environmental Quality Board and the Secretary of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0112500; and with the plan of maintenance and method of operation thereof submitted with such application(s) shall constitute grounds for the revocation or suspension of this permit and the invocation of all the enforcement procedures set forth in Chapter 22, Article 11, or 15 of the Code of West Virginia.

This permit is issued in accordance with the provisions of Chapter 22, Article 11 and 12 and/or 15 of the Code of West Virginia and is transferable under the terms of Section 11 of Article 11.


Kathryn Emery, P.E., Acting Director

Appendix A

I. MANAGEMENT CONDITIONS:

1. Duty to Comply

- a) The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the CWA and State Act and is grounds for enforcement action; for permit modification, revocation and reissuance, suspension or revocation; or for denial of a permit renewal application.
- b) The permittee shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

2. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit at least 180 days prior to expiration of the permit.

3. Duty to Mitigate

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

4. Permit Actions

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

5. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

6. Signatory Requirements

All applications, reports, or information submitted to the Director shall be signed and certified as required in Title 47, Series 10, Section 4.6 of the West Virginia Legislative Rules.

7. Transfers

This permit is not transferrable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

8. Duty to Provide Information

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

9. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

10. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a) Enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;
- b) Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the State Act, any substances or parameters at any location.

11. Permit Modification

This permit may be modified, suspended, or revoked in whole or in part during its term in accordance with the provisions of Chapter 22-11-12 of the Code of West Virginia.

12. Water Quality

This discharge shall not cause or materially contribute to: distinctly visible floating or settable solids, suspended solids, scum, foam or oily slicks; deposits or sludge bank on the bottom; odors in the vicinity of the waters; taste or odor that would adversely affect the designated uses of the affected waters; distinctly visible color which may impair or interfere with the designated uses of the affected waters; and shall not cause a fish or mussel kill. The limitations and conditions in this permit for the discharges identified in this permit are limitations and conditions that are necessary to meet applicable West Virginia water quality standards, Requirements Governing Water Quality Standards 47 CSR 2.

13. Outlet Markers

A permanent marker at the establishment shall be posted in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.

14. Liabilities

- a) Any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, 308 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.
- b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- c) Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- d) Nothing in I.14 a), b), and c) shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11.

II. OPERATION AND MAINTENANCE:

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit. For domestic waste treatment facilities, waste treatment operators as classified by the WV Bureau of Public Health Laws, W. Va. Code Chapter 16-1, will be required except that in circumstances where the domestic waste treatment facility is receiving any type of industrial waste, the Director may require a more highly skilled operator.

2. Need to Halt or Reduce Activity Not a Defense

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

3. Bypass

- a) Definitions
 - (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility; and
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of II.3.c) and II.3.d) of this permit.
- c)
 - (1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass;
 - (2) If the permittee does not know in advance of the need for bypass, notice shall be submitted as required in IV.2.b) of this permit.
- d) Prohibition of bypass
 - (1) Bypass is permitted only under the following conditions, and the Director may take enforcement action against a permittee for a bypass, unless;
 - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (C) The permittee submitted notices as required under II.3.c) of this permit.
 - (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in II.3.d.(1) of this permit.

4. Upset

- a) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitation if the requirements of II.4.c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in IV.2.b) of this permit.
 - (4) The permittee complied with any remedial measures required under I.3. of this permit.
- d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances

Where removed substances are not otherwise covered by the terms and conditions of this permit or other existing permit by the Director, any solids, sludges, filter backwash or other pollutants (removed in the course of treatment or control of wastewaters) and which are intended for disposal within the State, shall be disposed of only in a manner and at a site subject to the approval by the Director. If such substances are intended for disposal outside the State or for reuse, i.e., as a material used for making another product, which in turn has another use, the permittee shall notify the Director in writing of the proposed disposal or use of such substances, the identity of the prospective disposer or users, and the intended place of disposal or use, as appropriate.

III. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Reporting

- a) Permittee shall submit, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration, and/or quantities, the values of the constituents listed in Part A analytically determined to be in the plant effluent(s). DMR submissions shall be made in accordance with the terms contained in Section C of this permit.
- b) Enter reported average and maximum values under "Quantity" and "Concentration" in the units specified for each parameter, as appropriate.
- c) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled "N.E." (i.e., number exceeding).
- d) Specify frequency of analysis for each parameter as number of analyses/specified period (e.g., 3/month is equivalent to 3 analyses performed every calendar month). If continuous, enter "Cont.". The frequency listed on format is the minimum required.

3. Test Procedures

Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless other test procedures have been specified elsewhere in this permit.

4. Recording of Results

For each measurement or sample taken pursuant to the permit, the permittee shall record the following information.

- a) The date, exact place, and time of sampling or measurement;
- b) The date(s) analyses were performed;
- c) The individual(s) who performed the sampling or measurement;
- d) The individual(s) who performed the analyses; if a commercial laboratory is used, the name and address of the laboratory;
- e) The analytical techniques or methods used, and
- f) The results of such analyses. Information not required by the DMR form is not to be submitted to this agency, but is to be retained as required in III.6.

5. Additional Monitoring by Permittee

If the permittee monitors any pollutant at any monitoring point specified in this permit more frequently than required by this permit, using approved test procedures or others as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

6. Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

7. Definitions

- a) "Daily discharge" means the discharge of a pollutant measured during a calendar day or within any specified period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.
- b) "Average monthly discharge limitation" means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
- c) "Maximum daily discharge limitation" means the highest allowable daily discharge.
- d) "Composite Sample" is a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite. The maximum time period between individual samples shall be two hours.
- e) "Grab Sample" is an individual sample collected in less than 15 minutes.
- f) "is" = immersion stabilization - a calibrated device is immersed in the effluent stream until the reading is stabilized.
- g) The "daily average temperature" means the arithmetic average of temperature measurements made on an hourly basis, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar month, or during the operating month if flows are of shorter duration.
- h) The "daily maximum temperature" means the highest arithmetic average of the temperatures observed for any two (2) consecutive hours during a 24 hour day, or during the operating day if flows are of shorter duration.
- i) The "monthly average fecal coliform" bacteria is the geometric average of all samples collected during the month.
- j) "Measured Flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or which a relationship to absolute volume has been obtained.
- k) "Estimate" means to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to pump capabilities, water meters and batch discharge volumes.
- l) "Non-contact cooling water" means the water that is contained in a leak-free system, i.e., no contact with any gas, liquid, or solid other than the container for transport; the water shall have no net poundage addition of any pollutant over intake water levels, exclusive of approved anti-fouling agents.

IV. OTHER REPORTING

1. Reporting Spills and Accidental Discharges

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to Title 47, Series 11, Section 2 of the West Virginia Legislative Rules promulgated pursuant to Chapter 22, Article 11. Attached is a copy of the West Virginia Spill Alert System for use in complying with Title 47, Series 11, Section 2 of the Legislative rules as they pertain to the reporting of spills and accidental discharges.

2. Immediate Reporting

- a) The permittee shall report any noncompliance which may endanger health or the environment immediately after becoming aware of the circumstances by using the Agency's designated spill alert telephone number. A written submission shall be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- b) The following shall also be reported immediately:
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
 - (2) Any upset which exceeds any effluent limitation in the permit; and
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit shall be reported immediately. This list shall include any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance.
- c) The Director may waive the written report on a case-by-case basis if the oral report has been received in accordance with the above.
- d) Compliance with the requirements of IV.2 of this section, shall not relieve a person of compliance with Title 47, Series 11, Section 2.

3. Reporting Requirements

- a) Planned changes. The permittee shall give notice to the Director of any planned physical alterations or additions to the permitted facility which may affect the nature or quantity of the discharge. Notice is required when:
 - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Section 13.7.b of Series 10, Title 47; or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under IV.2 of this section.
- b) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- c) In addition to the above reporting requirements, all existing manufacturing, commercial, and silvicultural discharges must notify the Director in writing as soon as they know or have reason to believe:
 - (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, or any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) One hundred micrograms per liter (100 ug/l);
 - (B) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitro phenol; and for 2-methyl 4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (C) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.9 of Series 10, Title 47.
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47;
 - (2) That any activity has occurred or will occur which would result in any discharge (on a non-routine or infrequent basis) of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) Five hundred micrograms per liter (500 ug/l);
 - (B) One milligram per liter (1 mg/l) for antimony;
 - (C) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.7 of Series 10, Title 47;
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47.
 - (3) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a routine or frequent basis of that toxic pollutant at levels which exceed five times the detection limit for that pollutant under approved analytical procedure.
 - (4) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a non-routine or infrequent basis of that toxic pollutant at levels which exceed ten times the detection limit for that pollutant under approved analytical procedure.

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain the information listed in IV.2.a). Should other applicable noncompliance reporting be required, these terms and conditions will be found in Section C of this permit.

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 008

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-A Flow,in Conduit or thru plant Year Round	Reported			Mill. Galls/Mon					N/A	mgd			
	Permit Limits	Rpt Only Monthly Total	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/daily	measured
00310 (ML-1) RF-A BOD, 5-Day 20 Deg.C Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	65.1 Avg. Monthly	141.2 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00530 (ML-1) RF-A Total Suspended Solids Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	65.1 Avg. Monthly	141.2 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00400 (ML-1) RF-A pH Year Round	Reported								N/A	S.U.			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.				1/month	Grab
00300 (ML-1) RF-A Dissolved Oxygen Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	N/A				1/month	Grab
00610 (ML-1) RF-A Ammonia Nitrogen Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	12.9 Avg. Monthly	25.7 Max. Daily			N/A	5.93 Avg. Monthly	11.86 Max. Daily				1/month	8 hr comp

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer 	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer 			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 008

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
00620 (ML-1) RF-A	Reported												
Nitrogen Nitrate	Permit Limits	N/A	N/A			N/A	Rpt Only	Rpt Only	N/A	mg/l		1/month	8 hr comp
Year Round							Avg. Monthly	Max. Daily					
00615 (ML-1) RF-A	Reported												
Nitrogen Nitrite	Permit Limits	N/A	N/A			N/A	Rpt Only	Rpt Only	N/A	mg/l		1/month	8 hr comp
Year Round							Avg. Monthly	Max. Daily					
00600 (ML-1) RF-D	Reported												
Nitrogen, Total (as N)	Permit Limits	N/A	10000	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated
Year Round			Annual Total										
00600 (ML-1) RF-A	Reported												
Nitrogen, Total (as N)	Permit Limits	Rpt Only	N/A	Lbs/Month		N/A	Rpt Only	Rpt Only	N/A	mg/l		2/month	8 hr comp
Year Round		Monthly Total					Avg. Monthly	Max. Daily					
00665 (ML-1) RF-A	Reported												
Phosphorus, Total	Permit Limits	Rpt Only	N/A	Lbs/Month		N/A	Rpt Only	Rpt Only	N/A	mg/l		2/month	8 hr comp
Year Round		Monthly Total					Avg. Monthly	Max. Daily					
00665 (ML-1) RF-D	Reported												
Phosphorus, Total	Permit Limits	N/A	1000	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated
Year Round			Annual Total										

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 008

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
01119 (ML-1) RF-A Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01094 (ML-1) RF-A Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01104 (ML-1) RF-A Aluminum, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 009

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-C Flow, in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/6 months	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 010

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-C Flow,in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/6 months	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 011

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-A Flow, in Conduit or thru plant Year Round	Reported			Mill. Galls/Mon					N/A	mgd			
	Permit Limits	Rpt Only Monthly Total	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/daily	measured
00310 (ML-1) RF-A BOD, 5-Day 20 Deg.C Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	1254 Avg. Monthly	2507 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00530 (ML-1) RF-A Total Suspended Solids Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	1254 Avg. Monthly	2507 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00400 (ML-1) RF-A pH Year Round	Reported								N/A	S.U.			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.				1/month	Grab
00300 (ML-1) RF-A Dissolved Oxygen Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	N/A				1/month	Grab
00610 (ML-1) RF-A Ammonia Nitrogen Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	248 Avg. Monthly	496 Max. Daily			N/A	5.93 Avg. Monthly	11.86 Max. Daily				1/month	8 hr comp

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 011

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
00620 (ML-1) RF-A Nitrogen Nitrate Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	10 Avg. Monthly	29.2 Max. Daily	N/A	mg/l		1/month	8 hr comp
00615 (ML-1) RF-A Nitrogen Nitrite Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0.03 Avg. Monthly	0.06 Max. Daily	N/A	mg/l		1/month	8 hr comp
00600 (ML-1) RF-A Nitrogen, Total (as N) Year Round	Reported												
	Permit Limits	Rpt Only Monthly Total	N/A	Lbs/Month		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		2/month	8 hr comp
00600 (ML-1) RF-D Nitrogen, Total (as N) Year Round	Reported												
	Permit Limits	N/A	55480 Annual Total	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated
00665 (ML-1) RF-A Phosphorus, Total Year Round	Reported												
	Permit Limits	Rpt Only Monthly Total	N/A	Lbs/Month		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		2/month	8 hr comp
00665 (ML-1) RF-D Phosphorus, Total Year Round	Reported												
	Permit Limits	N/A	5548 Annual Total	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed
		Signature of Principal Executive Officer or Authorized Agent
Title of Officer 		

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 011

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
01119 (ML-1) RF-A Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01094 (ML-1) RF-A Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01104 (ML-1) RF-A Aluminum, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 101

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
45603 (ML-N/A) RF-A Fish Feed Used Year Round	Reported			Lbs/Month					N/A				
	Permit Limits	N/A	Rpt Only Monthly Total			N/A	N/A	N/A				1/month	measured
45604 (ML-N/A) RF-A Biomass, Fish Year Round	Reported			Lbs/Month					N/A				
	Permit Limits	N/A	Rpt Only Monthly Total			N/A	N/A	N/A				1/month	measured

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer 	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer 			

**EMERGENCY RESPONSE SPILL ALERT SYSTEM
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

REQUIREMENTS:

Title 47, Series 11, Section 2 of the West Virginia Legislative Rules, Environmental Protection, Water Resources - Waste Management, Effective July 1, 1994.

RESPONSIBILITY FOR REPORTING:

Each and every person who may cause or be responsible for any spill or accidental discharge of pollutants into the waters of the State shall give immediate notification to the Division of Water and Waste Management's Emergency Notification Number, 1-800-642-3074. Such notification shall set forth insofar as possible and as soon thereafter as practical the time and place of such spill or discharge, type or types and quantity or quantities of the material or materials therein, action or actions taken to stop such spill or discharge and to minimize the polluting effect thereof, the measure or measures taken or to be taken in order to prevent a recurrence of any such spill or discharge and such additional information as may be requested by the Division of Water and Waste Management. This also applies to spills to the waters of the State resulting from accidents to common carriers by highway, rail and water.

It shall be the responsibility of each industrial establishment or other entity discharging directly to a stream to have available the following information pertaining to those substances that are employed or handled in its operation in sufficiently large amounts as to constitute a hazard in case of an accidental spill or discharge into a public stream:

- (1) Potential toxicity in water to man, animals and aquatic life;
- (2) Details on analytical procedures for the quantitative estimation of such substances in water and
- (3) Suggestions on safeguards or other precautionary measures to nullify the toxic effects of a substance once it has gotten into a stream.

Failure to furnish such information as required by Section 14, Article 11, Chapter 22, Code of West Virginia may be punishable under Section 24, Article 11, Chapter 22, and/or Section 22, Article 11, Chapter 22, Code of West Virginia.

It shall be the responsibility of any person who causes or contributes in any way to the spill or accidental discharge of any pollutant or pollutants into State waters to immediately take any and all measures necessary to contain such spill or discharge. It shall further be the responsibility of such person to take any and all measures necessary to clean-up, remove and otherwise render such spill or discharge harmless to the waters of the State.

When the Director determines it necessary for the effective containment and abatement of spills and accidental discharges, the Director may require the person or persons responsible for such spill or discharge to monitor affected waters in a manner prescribed by the Director until the possibility of any adverse effect on the waters of the State no longer exists.

VOLUNTARY REPORTING BY LAW OFFICERS, U. S. COAST GUARD, LOCK MASTERS AND OTHERS:

In cases involving river and highway accidents where the responsible party may or may not be available to report the incident, law officers, U. S. Coast Guard, Lock Masters and other interested person(s) should make the report.

WHO TO CONTACT:

Notify the following number: **1-800-642-3074**

INFORMATION NEEDED:

- | | |
|--|---------------------------------------|
| - Source of spill or discharge | - Personnel at the scene |
| - Location of incident | - Actions initiated |
| - Time of incident | - Shipper/Manufacturer identification |
| - Material spilled or discharged | - Railcar/Truck identification number |
| - Amount spilled or discharged | - Container type |
| - Toxicity of material spilled or discharged | |

NOTICE TO PERMITTEES

The 1999 regular session of the West Virginia legislature revised the Water Pollution Control Act, Chapter 22, Article 11, Section 10 of the Code of West Virginia relating to fees associated with permits. This section of the Code requires all holders of a State water pollution control permit or a national pollutant discharge elimination system permit to be assessed an annual permit fee, based upon rules promulgated by the Secretary of the Department of Environmental Protection. The Secretary has promulgated a final rule in accordance with the code revision to this effect and these rules were effective May 4, 2000. The rules establish an annual permit fee based upon the relative potential to degrade the waters of the State which, in most instances, relate to volume of discharge. However, for sewage facilities, the annual permit fee is based upon the number of customers served by the facility. You may contact the Secretary of State's Office, State Capitol Building, Charleston, WV 25305, to obtain a copy of the rules. The reference is Title 47, Legislative Rules, Department of Environmental Protection, Division of Water Resources, Series 26 Water Pollution Control Permit Fee Schedules.

Based upon the volume of discharge for which your facility is currently permitted, the number of customers served by your facility or for the category you fall within, pursuant to Section 7 of Title 47, Series 26, your annual permit fee is **\$1000.00**. This fee is due no later than the anniversary date of permit issuance in each year of the term of the permit or in the case of coverage under a general permit, the fee is due no later than the anniversary date of your coverage under the general permit. **You will be invoiced by this agency at the appropriate time for the fee.** Failure to submit the annual fee within ninety(90) days of the due date will render your permit void upon the date you are mailed a certified written notice to that effect.

RIGHT OF APPEAL

Notice is hereby given of your right to appeal the terms and conditions of this permit which you are aggrieved by to the Environmental Quality Board by filing a NOTICE OF APPEAL on the form prescribed by such Board for this purpose, with the Board, in accordance with the provisions of Section 21, Article 11, Chapter 22 of the Code of West Virginia within thirty (30) days after the date of receipt of the above permit.

Devereux, Lori K

From: Sweeney, Matthew L
Sent: Monday, April 19, 2021 9:41 PM
To: Devereux, Lori K
Subject: Fw: [External] WVDNR Spring Run Fish Hatchery (WV0112500)

EPA approval

From: Fulton, Jennifer <Fulton.Jennifer@epa.gov>
Sent: Monday, April 19, 2021 9:16 PM
To: Sweeney, Matthew L <Matthew.L.Sweeney@wv.gov>
Cc: Patel, Yogesh P <Yogesh.P.Patel@wv.gov>; Moncavage, Carissa <Moncavage.Carissa@epa.gov>
Subject: [External] WVDNR Spring Run Fish Hatchery (WV0112500)

CAUTION: External email. Do not click links or open attachments unless you verify sender.

Matt,

According to our Memorandum of Agreement, the Environmental Protection Agency (EPA) Region III has received the draft National Pollutant Discharge Elimination System (NPDES) permit for:

WV DNR Spring Run Fish Hatchery
NPDES Number: WV0112500
EPA Received: March 23, 2021
30-day Due Date: April 22, 2021

This is a minor permit discharging to Spring Run and is affected by the Chesapeake Bay TMDL. EPA has chosen to perform a limited review based on the assumptions and requirements of the Bay TMDL. EPA completed its review and has no comments.

If any changes are made to the draft permit and/or fact sheet, please submit those changes for review. Carissa Moncavage, copied in this email, is the contact on my staff.

Thank you,

Jennifer Fulton, Acting Chief
Clean Water Branch
Water Division (3WD40)
U.S. EPA Region 3
304-234-0248

DATE DRAFT PREP'D _____ MAJOR _____ MINOR _____

03/30/21 PN DATE

DATE E-MAILED TO PIO

SEND DRAFT TO EPA YES ☒ NO ☐

SEND DRAFT TO ORSANCO YES ☐ NO ☒

DATE RECEIVED AFFIDAVIT ON PN

WV DNR

FACILITY NAME

Ryan WV0112500

ENGINEER

PERMIT NO.

Grant

COUNTY

PN UP-30 DAYS

PROCESSING 04/29/21

COMMENTS RECEIVED _____

DATE DRAFT PREP'D _____ MAJOR _____ MINOR _____

PN DATE

DATE E-MAILED TO PIO

SEND DRAFT TO EPA YES ☐ NO ☐

SEND DRAFT TO ORSANCO YES ☐ NO ☐

DATE RECEIVED AFFIDAVIT ON PN

WV DNR

FACILITY NAME

ENGINEER **PERMIT NO.**

ENGINEER

PERMIT NO.

COUNTY

PN UP-30 DAYS

PROCESSING _____

COMMENTS RECEIVED _____

Certificate of Publication

State of West Virginia
County of Grant, to-wit:

The undersigned hereby certifies
that the annexed notice was duly
published in the

Grant County Press

a weekly newspaper published at
Petersburg, Grant County, West
Virginia, for 1 consecutive
weeks ending on the 30 day of
March, 2021.

GRANT COUNTY PRESS

By Tara W. Pratt
Tara W. Pratt, Advertising Manager.

Publishing Notice \$ 100.51

Hand Bills _____

Miscellaneous _____

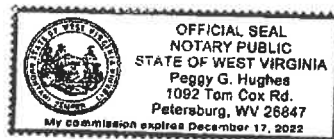
Total \$ 100.51

Sworn before me on this the 31

day of March, 2021

Peggy G. Hughes
Notary Public

Dec 17, 2022
My Commission Expires



STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION DIVISION OF WATER AND WASTE MANAGEMENT PUBLIC NOTICE

WEST VIRGINIA DEPARTMENT OF
ENVIRONMENTAL PROTECTION'S,
PUBLIC INFORMATION OFFICE,
601 57TH STREET,
CHARLESTON SE, WEST VIRGINIA 25304-2345
TELEPHONE: (304) 926-0440.
APPLICATION FOR A WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM WATER POLLUTION
CONTROL PERMIT

Public Notice No.: L-30-21

Public Notice Date: March 30, 2021

Paper: Grant County Press

The following has applied for a WV NPDES Water Pollution
Control Permit for this facility or activity:

Appl. No.: WV0112500

Applicant: WV DIVISION OF NATURAL RESOURCES

738 WARD ROAD

PO BOX 67

ELKINS, WV 26241

Location: PETERSBURG, GRANT COUNTY

Latitude: 38:55:12

Longitude: 79:05:12

Receiving Stream: Spring Run

Activity: To operate and maintain a flow-through aquaculture
system, holding ponds, and best management practices,
and to discharge untreated aquacultural wastewater through
Outlet 008, treated aquaculture wastewater from cleaning of
raceways and ponds and untreated overflow through Outlet
011, and untreated storm water runoff through Outlets 009
and 010 to Spring Run of South Mill Creek of the South
Branch of the Potomac River. An antidegradation review has
been conducted and Tier 1 protection is provided for the uses
specified in Title 47, Series 2, Section 6.

Business conducted: Aquaculture

Implementation: N/A

On the basis of review of the application, the "Water Pol-
lution Control Act (Chapter 22, Article 11-8(a))," and the "West
Virginia Legislative Rules," the State of West Virginia will act
on the above application.

Any interested person may submit written comments on
the draft permit and may request a public hearing by address-
ing such to the Director of the Division of Water and Waste
Management within 30 days of the date of the public notice.
Such comments or requests should be addressed to:

Director, Division of Water
and Waste Management, DEP

ATTN: Lori Devereux, Permitting Section
601 57th Street SE

Charleston, WV 25304-2345

The public comment period begins March 30, 2021 and
ends April 29, 2021.

Comments received within this period will be considered
prior to acting on the permit application. Correspondence
should include the name, address and the telephone num-
ber of the writer and a concise statement of the nature of the
issues raised. The Director shall hold a public hearing when-
ever a finding is made, on the basis of requests, that there is
a significant degree of public interest on issues relevant to the
Draft Permit(s). Interested persons may contact the public
information office to obtain further information.

The application, draft permit and any required fact sheet
may be inspected, by appointment, at the Division of Water
and Waste Management Public Information Office, at 601
57th Street SE, Charleston, WV 25304-2345, between 8:00
a.m. and 4:00 p.m. on business days.

Devereux, Lori K

To: ads@grantcountypress.com
Subject: Class I Legal Ad
Attachments: L-30-21.rtf; SFB-for billing purpose only.pdf

If you could verify receipt of request I would Greatly Appreciate it. Thanks

To Whom It May Concern:

Please publish the attached public notice as class I legal advertisement on Tuesday March 30, 2021

Send the affidavit of publication and invoice to:

WV DNR
PO Box 67
Elkins, WV 26241
(SFB is attached)

The statement of billing is enclosed. Please send a copy of the affidavit Lori Devereux, Division of Water and Waste Management, 601 57th Street, SE, Charleston, WV 25304.

Lori. K. Devereux
Environmental Resource Associate
Dept. of Environmental Protection
Division of Water and Waste MGMT
601 57th St SE
Charleston, WV 25304
Phone(304)926-0499 x 43863
Fax(304)926-0496



west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street SE
Charleston, WV 25304
Telephone Number: (304) 926-0495
Fax Number: (304) 926-0496

Harold D. Ward, Cabinet Secretary
dep.wv.gov

March 23, 2021

Jim Hedrick, Program Manager
WV DNR
PO Box 67
Elkins, WV 26241

RE: WV/NPDES Permit Application No.
WV0112500-Grant County

Dear Sir or Madam:

Your forms for WV/NPDES Individual Permit have been found to be complete.

For your information, the public notice period prescribed in Title 47, Series 10, Section 12.1.b of the West Virginia Legislative Rules issued pursuant to Chapter 22, Article 11 commences on the 30th day of March, 2021 in the *Grant County Press*.

Within twenty (20) days after publication of the public notice, you are required to send to the Office a certificate of publication. This should be sent to:

Director, Division of Water and Waste Management, DEP
Permitting Section
601 57th Street, SE
Charleston, WV 25304-2345
Attention: Lori Devereux

Enclosed are copies of your draft permit, any required fact sheet and the public notice. If you have any questions, please do not hesitate to contact this office at 304-926-0495.

Sincerely,

Lori Devereux
NPDES Team

Enclosures

**STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT**

PUBLIC NOTICE

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S, PUBLIC INFORMATION OFFICE, 601 57TH STREET, CHARLESTON SE, WEST VIRGINIA 25304-2345 TELEPHONE: (304) 926-0440.

APPLICATION FOR A WEST VIRGINIA NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WATER POLLUTION CONTROL PERMIT

Public Notice No.: L-30-21

Public Notice Date: March 30, 2021

Paper: *Grant County Press*

The following has applied for a WV NPDES Water Pollution Control Permit for this facility or activity:

Appl. No.: WV0112500

Applicant: WV DIVISION OF NATURAL RESOURCES
738 WARD ROAD
PO BOX 67
ELKINS, WV 26241

Location: PETERSBURG, GRANT COUNTY

Latitude: 38:55:12

Longitude: 79:05:12

Receiving Stream:
Spring Run

Activity:

To operate and maintain a flow-through aquaculture system, holding ponds, and best management practices, and to discharge untreated aquacultural wastewater through Outlet 008, treated aquaculture wastewater from cleaning of raceways and ponds and untreated overflow through Outlet 011, and untreated storm water runoff through Outlets 009 and 010 to Spring Run of South Mill Creek of the South Branch of the Potomac River. An antidegradation review has been conducted and Tier 1 protection is provided for the uses specified in Title 47, Series 2, Section 6.

Business conducted:
Aquaculture

Implementation:
N/A

On the basis of review of the application, the "Water Pollution Control Act (Chapter 22, Article 11-8(a))," and the "West Virginia Legislative Rules," the State of West Virginia will act on the above application.

Any interested person may submit written comments on the draft permit and may request a public hearing by addressing such to the Director of the Division of Water and Waste Management within 30 days of the date of the public notice. Such comments or requests should be addressed to:

Director, Division of Water and Waste Management, DEP
ATTN: Lori Devereux, Permitting Section
601 57th Street SE
Charleston, WV 25304-2345

The public comment period begins March 30, 2021 and ends April 29, 2021.

Comments received within this period will be considered prior to acting on the permit application. Correspondence should include the name, address and the telephone number of the writer and a concise statement of the nature of the issues raised. The Director shall hold a public hearing whenever a finding is made, on the basis of requests, that there is a significant degree of public interest on issues relevant to the Draft Permit(s). Interested persons may contact the public information office to obtain further information.

The application, draft permit and any required fact sheet may be inspected, by appointment, at the Division of Water and Waste Management Public Information Office, at 601 57th Street SE, Charleston, WV 25304-2345, between 8:00 a.m. and 4:00 p.m. on business days.



STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
601 57TH STREET SE
CHARLESTON, WV 25304-2345

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WATER POLLUTION CONTROL PERMIT

NPDES PERMIT NO.: WV0112500

SUBJECT: Industrial Waste

ISSUE DATE:

EFFECTIVE DATE :

EXPIRATION DATE:

SUPERSEDES: Permit No. WV0112500
dated March 07, 2017

LOCATION: PETERSBURG
(City)

Grant
(County)

S. Potomac River
(Drainage Basin)

See the next page for a list of Outlets.

TO WHOM IT MAY CONCERN:

This is to certify that: WV DIVISION OF NATURAL RESOURCES
738 WARD ROAD
PO BOX 67
ELKINS, WV 26241

is hereby granted a West Virginia NPDES Water Pollution Control Permit to:

operate and maintain a flow-through aquaculture system, holding ponds, and best management practices and discharge untreated aquaculture wastewater through Outlet 008, treated aquaculture wastewater from cleaning of raceways and ponds and untreated overflow through Outlet 011 and untreated storm water runoff through Outlets 009 & 010 to Spring Run of South Mill Creek of the South Branch of the Potomac River.

This permit is subject to the following terms and conditions :

The information submitted on, and with, Permit Application No. WV0112500, dated the 11th day of December 2021, is all hereby made terms and conditions of this Permit with like effect as if all such permit application information were set forth herein and with other conditions set forth in Sections A, B, C, D and Appendix A.

The validity of this permit is contingent upon the payment of the applicable annual permit fee, as required by Chapter 22, Article 11, Section 10 of the Code of West Virginia.

Inspectable Unit	Latitude	Longitude	Receiving Stream	Dist. to Stream Mouth (in Mile)	Milepost
008	38°55'11"	79°05'08"	SPRING RN	1.64	N/A
009	38°55'11"	79°05'08"	SPRING RN	1.72	N/A
010	38°55'11"	79°05'08"	SPRING RN	1.55	N/A
011	38°55'13"	79°05'10"	SPRING RN	1.6	N/A

A.008 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning Effective Date of Permit and lasting through midnight Expiration Date of Permit the permittee is authorized to discharge from Outlet Number(s) 008 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>			
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Mill. Galls/Mon	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/daily	measured
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-1) (RF-A)	65.1 Avg. Monthly	141.2 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-A)	65.1 Avg. Monthly	141.2 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
00400 - (pH) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	1/month	Grab
00300 - (Dissolved Oxygen) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	N/A	mg/l	1/month	Grab
00610 - (Ammonia Nitrogen) (Year Round) (ML-1) (RF-A)	12.9 Avg. Monthly	25.7 Max. Daily	Lbs/Day	N/A	5.93 Avg. Monthly	11.86 Max. Daily	mg/l	1/month	8 hr comp
00620 - (Nitrogen Nitrate) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
00615 - (Nitrogen Nitrite) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp

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

Untreated wastewater from round rearing ponds. Refer to Section D for nitrogen and phosphorus requirements.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.008 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning Effective Date of Permit and lasting through midnight Expiration Date of Permit the permittee is authorized to discharge from Outlet Number(s) 008 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>			
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-D)	N/A	10000 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-D)	N/A	1000 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp

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

Untreated wastewater from round rearing ponds. Refer to Section D for nitrogen and phosphorus requirements.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.009 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning Effective Date of Permit and lasting through midnight Expiration Date of Permit the permittee is authorized to discharge from Outlet Number(s) 009 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/6 months	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

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

Untreated storm water runoff.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.010 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning Effective Date of Permit and lasting through midnight Expiration Date of Permit the permittee is authorized to discharge from Outlet Number(s) 010 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/6 months	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

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

Untreated storm water runoff.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.011 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning Effective Date of Permit and lasting through midnight Expiration Date of Permit the permittee is authorized to discharge from Outlet Number(s) 011 (Process Water)

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

Such discharges shall be limited and monitored by the permittee as specified below:								Monitoring Requirements	
Effluent Characteristic	Quantity		Units	Other Units		Units	Measurement Frequency	Sample Type	
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Mill. Galls/Mon	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/daily	measured
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-1) (RF-A)	1254 Avg. Monthly	2507 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-A)	1254 Avg. Monthly	2507 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/month	8 hr comp
00400 - (pH) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	1/month	Grab
00300 - (Dissolved Oxygen) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	N/A	mg/l	1/month	Grab
00610 - (Ammonia Nitrogen) (Year Round) (ML-1) (RF-A)	248 Avg. Monthly	496 Max. Daily	Lbs/Day	N/A	5.93 Avg. Monthly	11.86 Max. Daily	mg/l	1/month	8 hr comp
00620 - (Nitrogen Nitrate) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	10 Avg. Monthly	29.2 Max. Daily	mg/l	1/month	8 hr comp
00615 - (Nitrogen Nitrite) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	0.03 Avg. Monthly	0.06 Max. Daily	mg/l	1/month	8 hr comp

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

Treated wastewater from round & square rearing pond and raceways. An eight(8) hour composite sample for Outlet No. 011 shall be taken during the decant of the batch clarifier supernate corresponding to the weekly cleanings of raceways and ponds.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.011 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning Effective Date of Permit and lasting through midnight Expiration Date of Permit the permittee is authorized to discharge from Outlet Number(s) 011 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>			
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
00600 - (Nitrogen, Total (as N)) (Year Round) (ML-1) (RF-D)	N/A	55480 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-A)	Rpt Only Monthly Total	N/A	Lbs/Month	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	2/month	8 hr comp
00665 - (Phosphorus, Total) (Year Round) (ML-1) (RF-D)	N/A	5548 Annual Total	Lbs/Year	N/A	N/A	N/A	N/A	1/year	Calculated
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/month	8 hr comp

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

Treated wastewater from round & square rearing pond and raceways. An eight(8) hour composite sample for Outlet No. 011 shall be taken during the decant of the batch clarifier supernate corresponding to the weekly cleanings of raceways and ponds.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

A.101 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**Permit Limits**

During the period beginning Effective Date of Permit and lasting through midnight Expiration Date of Permit the permittee is authorized to discharge from Outlet Number(s) 101 (Process Water, Other)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>	
	<u>Quantity</u>	<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
45603 - (Fish Feed Used) (Year Round) (ML-N/A) (RF-A)	N/A	Rpt Only Monthly Total	Lbs/Month	N/A	N/A	N/A	N/A	1/month measured
Total pounds of fish feed used per month								
45604 - (Biomass, Fish) (Year Round) (ML-N/A) (RF-A)	N/A	Rpt Only Monthly Total	Lbs/Month	N/A	N/A	N/A	N/A	1/month measured
Total pounds of fish produced per month								

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

Outlet 101, internal outlet solely for reporting total annual aquatic animal's produced (in lbs) and the maximum feed rate during each calendar month (in lbs) determine applicability of CAAP regulations 40 CFR 451 / 47 CSR 10-13.2).

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the provisions for waste treatment and the monitoring requirements specified in the permit in accordance with the following schedule :

Effective date of permit.

2. Reports of compliance or non-compliance with, and progress reports on interim and final requirements contained in the above compliance schedule, if any, shall be postmarked no later than 14 days following each schedule date.

Section C - Other Requirements

01. The permittee shall practice good housekeeping including maintaining the facility grounds. There shall be no scattered parts, equipment, debris, etc. Any and all drums shall be either stored in a covered area or kept upon pallets and properly sealed.
02. The issuance of this permit shall not relieve the permittee of the obligation to comply with any other federal, state or local laws. Compliance with this permit does not relieve the permittee from the obligation of Section 311 of the Clean Water Act. This permit does not authorize spills of hazardous substances/wastes from any permitted outlet into waters of the State. Such incidents are to be reported in accordance with Sections IV.1 and IV.2 of Appendix A of this permit.
03. Upon review of information submitted under terms and conditions of this permit, the permit may be modified to require additional effluent limitations/monitoring requirements and/or improved best management practices.
04. The permittee shall notify the Division of Water and Waste Management immediately when it becomes aware of any migration of any pollutant from any unpermitted source (such as contaminated groundwater and/or storm water) into surface waters of the State.
05. Without prior approval from the agency, the permittee shall not accept and treat wastewater from any other facility.
06. The permittee shall submit each month according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration and/or quantities the values of the constituents listed in Section A analytically determined to be in the plant effluent(s). Additional information pertaining to effluent monitoring and reporting can be found in Section III of Appendix A.
07. The required DMRs shall be received by the agency no later than 25 days following the end of the reporting period in accordance with the following requirements. The agency encourages the permittee to utilize our electronic discharge monitoring report (eDMR) system. If the permittee uses the eDMR system, the permittee is not required to submit hard copies of the DMRs to the addresses listed below. However, if the permittee elects to not use the eDMR system, then the permittee is required to send hard copies to the addresses below. The permittee may contact the agency for more information about the eDMR system. Regardless, in accordance with Appendix A, Section III.6 of this permit, the permittee shall maintain copies of DMRs (either hard copies or electronic copies) at the plant site and the DMRs shall be made readily available upon request from DEP personnel.

Director
Division of Water and Waste Management
601 57th Street SE
Charleston, West Virginia 25304
Attention: Permitting Section

Department of Environmental Protection
Environmental Enforcement
HC 63, Box 2545
Romney, West Virginia 26757

08. In conjunction with all other reporting requirements of this permit, copies of all future correspondence regarding this permit will be forwarded to the Environmental Inspector and Environmental Inspector Supervisor at the following address:

Department of Environmental Protection
Environmental Enforcement
22288 Northwestern Pike
Romney, West Virginia 26757

09. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee should use actual analytical results when these results are greater than or equal to the MDL and should use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee should use the actual MDL in the calculation for averaging and report the result as less than the average calculation.

Section C - Other Requirements

10. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If a MDL is not sensitive enough to confirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.
11. The permittee shall not use alternate DMRs without prior approval from this Agency.
12. The Groundwater Protection Plan (GPP) and Storm Water Pollution Prevention Plan (SWPPP) shall be maintained at the facility site and shall be available for inspection by the Division of Water and Waste Management personnel.
13. The Best Management Practice (BMP) Plan (as required by 40CFR451), titled "Spring Run State Fish Hatchery, Best Management Practices", updated 11/16/2020 and "Nutrient Management Plan Identification", written 1/4/2018, shall be implemented and maintained at the site and shall be available for inspection by the Division of Water and Waste Management personnel.
14. The following storm water requirements apply to Outlet 009 and Outlet 010:
 - a. Samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Samples shall be taken during the first thirty (30) minutes, or as soon thereafter as practicable, of the storm event.
 - b. Each outlet shall be monitored separately.
 - c.

Pollutant	Benchmark Value
Total Suspended Solids	100 mg/l
pH	6.0 to 9.0 S.U.
Iron	1.5 mg/l

When the concentration results from a minimum of four consecutive samples of a pollutant are all less than the corresponding benchmark value for the pollutant, additional monitoring for the pollutant is not required (all pH values of the samples must be within the range 6.0 to 9.0 S.U.). The facility shall submit, each year, to the Division of Water and Waste Management, in lieu of the monitoring data, a certification (form will be provided upon request) that there has not been a significant change in the industrial activity or the pollution prevention measures in the area of the facility that drains to the outlet for which sampling is to be waived. If the concentration of a pollutant exceeds the corresponding benchmark concentration or a pH value is not within the range of 6.0 to 9.0 S.U., monitoring shall be continued and storm water pollution prevention practices shall be revised and implemented. A letter stating the revised and implemented storm water pollution prevention practices shall be submitted to the Division of Water and Waste Management at the address listed in Section C.07.
15. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the permit may be promptly modified and/or reissued to include effluent limitations and/or other requirements to control such storm water discharges.
16. The sludge generated at the permittee's facility shall be land applied in accordance with the requirements of the West Virginia Department of Agriculture.
17. Sampling requirements for total nitrogen and total phosphorus at Outlets 008 and 011 shall be performed in accordance with Sections D.02.c and D.02.d of this permit. The sampling requirements for the rest of the pollutants listed in Section A.008 and A.011 shall be performed during raceway cleaning.

Eight (8) hour composite samples shall be obtained at Outlet 001 as prescribed in Sections A.008 and A.011. For Outlet 011, eight (8) hour composite samples shall be collected during decanting of the batch clarifier as a result of cleaning operations of the aquaculture raceways and ponds.

Section C - Other Requirements

18. If any portion of the Permittee's discharge that is identified as being subject to Federal Effluent Guideline(s) and the new or revised requirements of the Federal Effluent Guideline(s) are not currently in this permit, the Director may reopen or reissue this permit to incorporate additional, more stringent requirements or limitations.
19. If the permittee participates in the Investigational New Animal Drug (INAD) program, the permittee shall notify the Division of Water and Waste Management in accordance with 40 CFR 451.3(a).
20. Any structural damage of the aquatic animal containment system or spill of drugs, pesticides or feed that result in a discharge to waters of the state, the permittee shall report to the Division in accordance with 40 CFR 451.3(b) and 40 CFR 451.3(c) respectfully.
21. The Materials Safety Data Sheet (MSDS) for Halamid Aqua indicates a minimum LC50 of 31 mg/l for poecilia reticulata and therefore, to be protective of narrative water quality criteria, at no time shall the concentration of the product or its residuals exceed 3.1 mg/l at any outlet.

In addition, the permittee may use the following treatment chemicals (or their formulational equivalents) in its processes:

Oxytetracycline
Hydrogen Peroxide
Chorulon
Sulfadimethoxide-ormetorprin
Tricaine-S
Florfenicol
Formalin
Romet 30
Chloramin-T

The permittee shall use each chemical per the manufacturer's directions. At no time shall the concentration of any product or its residuals exceed 1/10th of its minimum freshwater fish/invertebrate LC50 (if established) for non-bioaccumulative products or 1/100th of its minimum freshwater fish/invertebrate LC50 (if established) for bioaccumulative products at any outlet.

Section D - Nutrient Requirements

01. The permittee discharges to Spring Run, which is a tributary to the Potomac River Basin, which is a tributary to the Chesapeake Bay. In accordance with the EPA Chesapeake Bay TMDL, the following requirements apply to the permittee.

The Chesapeake Bay Total Maximum Daily Load (TMDL) and the West Virginia Watershed Implementation Plan provide individual total nitrogen and total phosphorous aggregate wasteload allocations of 65,480 pounds per year and 6,548 pounds per year respectively.

02. Permit limitations for total nitrogen and total phosphorous are being implemented on an Annual Total Load basis. The Annual Total Load Limitations shall be attained in accordance with the following:
- a. The Division recognizes there is not an EPA approved method to directly test for Total Nitrogen. The Total Nitrogen value to be reported on the permittee's Discharge Monitoring Reports (DMRs) shall be the sum of the following parameters; Total Kjeldahl Nitrogen, Nitrate, and Nitrite.
 - 1) If all three (3) constituents of total nitrogen are not detected at their method detection limit (MDL), the permittee shall sum the actual MDLs for each constituent and report the result as less than the calculation.
 - 2) When calculating the sum of the constituents for total nitrogen, the permittee shall use actual analytical results when these results are greater than or equal to the MDL for a particular constituent and should use zero (0) for a constituent if one or two of the constituents are less than the MDL.
 - b. Effluent monitoring for the following pollutants shall be conducted using the most sensitive methods and detection levels commercially available and economically feasible. The following methods and detection levels are recommended to be used unless the permittee desires to use an EPA Approved Method with a lower detection level:

Parameter	EPA Method No.	Method Detection Limit (mg/l)
-----	-----	-----
Total Kjeldahl Nitrogen	351.4	0.03
Nitrate Nitrogen	300.0	0.002
Nitrite Nitrogen	300.0	0.004
Total Phosphorous	365.4	0.01

Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used (See also Section 2.a for Total Nitrogen). The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

- c. The permittee shall collect eight (8) hour composite samples for total phosphorous and for each constituent of total nitrogen. All sampling shall be collected concurrently and shall be representative of normal operations.

The permittee shall sample for total phosphorous and for each constituent of total nitrogen twice per month (2/month) with one sample being taken during the raceway cleaning period and one during the non raceway cleaning period.

Section D - Nutrient Requirements

02. d. The actual total (not the average) monthly flow during the raceway cleaning days and actual total flow during the non-raceway cleaning days shall be used in conjunction with the corresponding total nitrogen and total phosphorous concentration results in order to determine the total monthly mass results for DMR reporting purposes.

The total flow discharged during the raceway cleaning days is the sum of the daily flow in million gallons per day during the days in a month when the raceways were cleaned.

The total flow discharged during the non-raceway cleaning days is the sum of the daily flow in million gallons per day during the days in a month when the raceways were not cleaned.

$$[\text{Total Flow Discharged during raceway cleaning days in a Month (mgd)}] * [\text{Average Monthly Nutrient Concentration during raceway cleaning days (mg/l)}] * [8.34] + [\text{Total Flow Discharged during non-raceway cleaning days in a Month (mgd)}] * [\text{Average Monthly Nutrient Concentration during non-raceway cleaning days (mg/l)}] * [8.34] = \text{Monthly Load (lbs/month)}$$

- e. The sum of total monthly mass results for total nitrogen and total phosphorous shall not exceed the following annual mass limitations for any year.

Outlet 008	
Parameter	Annual Total Load Limit
-----	-----
Total Nitrogen	10,000 lbs/yr
Total Phosphorous	1,000 lbs/yr

Outlet 011	
Parameter	Annual Total Load Limit
-----	-----
Total Nitrogen	55,480 lbs/yr
Total Phosphorous	5,548 lbs/yr

- f. As a guideline, the permittee for Outlet No. 008 shall measure its monthly performance to determine if operations will achieve the annual total load limits. If the total monthly load exceeds 833 lbs/month for nitrogen or 83 lbs/month for phosphorous, the permittee shall submit written documentation which explains the elevated monthly totals and the rationale for ensuring that the annual loads will still be achieved in future months.

As a guideline, the permittee for Outlet No. 011 shall measure its monthly performance to determine if operations are achieving the annual total load limits. If the total monthly load exceeds 4,623 lbs/month for nitrogen or 462 lbs/month for phosphorous, the permittee shall submit written documentation which explains the elevated monthly totals and the rationale for ensuring that the annual loads will still be achieved in future months.

03. Expansion of the wastewater treatment plant beyond annual total load limits in D.2.e shall require the permittee to obtain offsets. Said offsets shall be submitted to the Director for approval, and the permit subsequently modified prior to any expansion.
- a. At present, no trading or offset program has been established by the state. Proposals will continue to be evaluated on a case-by-case basis until a trading and/or offset program has been established.
04. The annual monitoring period for total nitrogen and total phosphorous is prescribed as July 1st through June 30th of each year. As such, the permittee shall report the total annual mass load for total nitrogen and total phosphorous based on monthly totals from July 1st through June 30th on its June DMR.
05. The permittee shall submit an annual report on, or before, August 1 each year which summarizes the following information.
- a. The permittee shall summarize the previous year's nutrient data. This may be accomplished in letter form and shall include all calculations of the year's mass loadings reported. In general, this report shall include a table depicting the monthly loadings discharged for the previous year as well as an assessment of compliance with the nitrogen and phosphorus annual limitations in Sections A.008 and A.011.

Section D - Nutrient Requirements

05. b. For the purpose of this condition, a year is defined as July 1st through June 30th.

The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0112500; with the plan of maintenance and method of operation thereof submitted with such application(s); and with any applicable rules and regulations promulgated by the Environmental Quality Board and the Secretary of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0112500; and with the plan of maintenance and method of operation thereof submitted with such application(s) shall constitute grounds for the revocation or suspension of this permit and the invocation of all the enforcement procedures set forth in Chapter 22, Article 11, or 15 of the Code of West Virginia.

This permit is issued in accordance with the provisions of Chapter 22, Article 11 and 12 and/or 15 of the Code of West Virginia and is transferable under the terms of Section 11 of Article 11.

Katheryn Emery, P.E., Acting Director

Appendix A

I. MANAGEMENT CONDITIONS:

1. Duty to Comply

- a) The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the CWA and State Act and is grounds for enforcement action; for permit modification, revocation and reissuance, suspension or revocation; or for denial of a permit renewal application.
- b) The permittee shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

2. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit at least 180 days prior to expiration of the permit.

3. Duty to Mitigate

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

4. Permit Actions

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

5. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

6. Signatory Requirements

All applications, reports, or information submitted to the Director shall be signed and certified as required in Title 47, Series 10, Section 4.6 of the West Virginia Legislative Rules.

7. Transfers

This permit is not transferrable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

8. Duty to Provide Information

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

9. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

10. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a) Enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;
- b) Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the State Act, any substances or parameters at any location.

11. Permit Modification

This permit may be modified, suspended, or revoked in whole or in part during its term in accordance with the provisions of Chapter 22-11-12 of the Code of West Virginia.

12. Water Quality

This discharge shall not cause or materially contribute to: distinctly visible floating or settable solids, suspended solids, scum, foam or oily slicks; deposits or sludge bank on the bottom; odors in the vicinity of the waters; taste or odor that would adversely affect the designated uses of the affected waters; distinctly visible color which may impair or interfere with the designated uses of the affected waters; and shall not cause a fish or mussel kill. The limitations and conditions in this permit for the discharges identified in this permit are limitations and conditions that are necessary to meet applicable West Virginia water quality standards, Requirements Governing Water Quality Standards 47 CSR 2.

13. Outlet Markers

A permanent marker at the establishment shall be posted in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.

14. Liabilities

- a) Any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, 308 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.
- b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- c) Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- d) Nothing in I.14 a), b), and c) shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11.

II. OPERATION AND MAINTENANCE:

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit. For domestic waste treatment facilities, waste treatment operators as classified by the WV Bureau of Public Health Laws, W. Va. Code Chapter 16-1, will be required except that in circumstances where the domestic waste treatment facility is receiving any type of industrial waste, the Director may require a more highly skilled operator.

2. Need to Halt or Reduce Activity Not a Defense

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

3. Bypass

- a) Definitions
 - (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility; and
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of II.3.c) and II.3.d) of this permit.
- c)
 - (1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass;
 - (2) If the permittee does not know in advance of the need for bypass, notice shall be submitted as required in IV.2.b) of this permit.
- d) Prohibition of bypass
 - (1) Bypass is permitted only under the following conditions, and the Director may take enforcement action against a permittee for a bypass, unless;
 - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (C) The permittee submitted notices as required under II.3.c) of this permit.
 - (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in II.3.d.(1) of this permit.

4. Upset

- a) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitation if the requirements of II.4.c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in IV.2.b) of this permit.
 - (4) The permittee complied with any remedial measures required under I.3. of this permit.
- d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances

Where removed substances are not otherwise covered by the terms and conditions of this permit or other existing permit by the Director, any solids, sludges, filter backwash or other pollutants (removed in the course of treatment or control of wastewaters) and which are intended for disposal within the State, shall be disposed of only in a manner and at a site subject to the approval by the Director. If such substances are intended for disposal outside the State or for reuse, i.e., as a material used for making another product, which in turn has another use, the permittee shall notify the Director in writing of the proposed disposal or use of such substances, the identity of the prospective disposer or users, and the intended place of disposal or use, as appropriate.

III. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Reporting

- a) Permittee shall submit, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration, and/or quantities, the values of the constituents listed in Part A analytically determined to be in the plant effluent(s). DMR submissions shall be made in accordance with the terms contained in Section C of this permit.
- b) Enter reported average and maximum values under "Quantity" and "Concentration" in the units specified for each parameter, as appropriate.
- c) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled "N.E." (i.e., number exceeding).
- d) Specify frequency of analysis for each parameter as number of analyses/specified period (e.g., 3/month is equivalent to 3 analyses performed every calendar month). If continuous, enter "Cont.". The frequency listed on format is the minimum required.

3. Test Procedures

Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless other test procedures have been specified elsewhere in this permit.

4. Recording of Results

For each measurement or sample taken pursuant to the permit, the permittee shall record the following information.

- a) The date, exact place, and time of sampling or measurement;
- b) The date(s) analyses were performed;
- c) The individual(s) who performed the sampling or measurement;
- d) The individual(s) who performed the analyses; if a commercial laboratory is used, the name and address of the laboratory;
- e) The analytical techniques or methods used, and
- f) The results of such analyses. Information not required by the DMR form is not to be submitted to this agency, but is to be retained as required in III.6.

5. Additional Monitoring by Permittee

If the permittee monitors any pollutant at any monitoring point specified in this permit more frequently than required by this permit, using approved test procedures or others as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

6. Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

7. Definitions

- a) "Daily discharge" means the discharge of a pollutant measured during a calendar day or within any specified period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.
- b) "Average monthly discharge limitation" means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
- c) "Maximum daily discharge limitation" means the highest allowable daily discharge.
- d) "Composite Sample" is a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite. The maximum time period between individual samples shall be two hours.
- e) "Grab Sample" is an individual sample collected in less than 15 minutes.
- f) "is" = immersion stabilization - a calibrated device is immersed in the effluent stream until the reading is stabilized.
- g) The "daily average temperature" means the arithmetic average of temperature measurements made on an hourly basis, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar month, or during the operating month if flows are of shorter duration.
- h) The "daily maximum temperature" means the highest arithmetic average of the temperatures observed for any two (2) consecutive hours during a 24 hour day, or during the operating day if flows are of shorter duration.
- i) The "monthly average fecal coliform" bacteria is the geometric average of all samples collected during the month.
- j) "Measured Flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or which a relationship to absolute volume has been obtained.
- k) "Estimate" means to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to pump capabilities, water meters and batch discharge volumes.
- l) "Non-contact cooling water" means the water that is contained in a leak-free system, i.e., no contact with any gas, liquid, or solid other than the container for transport; the water shall have no net poundage addition of any pollutant over intake water levels, exclusive of approved anti-fouling agents.

IV. OTHER REPORTING

1. Reporting Spills and Accidental Discharges

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to Title 47, Series 11, Section 2 of the West Virginia Legislative Rules promulgated pursuant to Chapter 22, Article 11. Attached is a copy of the West Virginia Spill Alert System for use in complying with Title 47, Series 11, Section 2 of the Legislative rules as they pertain to the reporting of spills and accidental discharges.

2. Immediate Reporting

- a) The permittee shall report any noncompliance which may endanger health or the environment immediately after becoming aware of the circumstances by using the Agency's designated spill alert telephone number. A written submission shall be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- b) The following shall also be reported immediately:
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
 - (2) Any upset which exceeds any effluent limitation in the permit; and
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit shall be reported immediately. This list shall include any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance.
- c) The Director may waive the written report on a case-by-case basis if the oral report has been received in accordance with the above.
- d) Compliance with the requirements of IV.2 of this section, shall not relieve a person of compliance with Title 47, Series 11, Section 2.

3. Reporting Requirements

- a) Planned changes. The permittee shall give notice to the Director of any planned physical alterations or additions to the permitted facility which may affect the nature or quantity of the discharge. Notice is required when:
 - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Section 13.7.b of Series 10, Title 47; or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under IV.2 of this section.
- b) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- c) In addition to the above reporting requirements, all existing manufacturing, commercial, and silvicultural discharges must notify the Director in writing as soon as they know or have reason to believe:
 - (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, or any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) One hundred micrograms per liter (100 ug/l);
 - (B) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitro phenol; and for 2-methyl 4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (C) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.9 of Series 10, Title 47.
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47;
 - (2) That any activity has occurred or will occur which would result in any discharge (on a non-routine or infrequent basis) of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (A) Five hundred micrograms per liter (500 ug/l);
 - (B) One milligram per liter (1 mg/l) for antimony;
 - (C) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.7 of Series 10, Title 47;
 - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47.
 - (3) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a routine or frequent basis of that toxic pollutant at levels which exceed five times the detection limit for that pollutant under approved analytical procedure.
 - (4) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a non-routine or infrequent basis of that toxic pollutant at levels which exceed ten times the detection limit for that pollutant under approved analytical procedure.

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain the information listed in IV.2.a). Should other applicable noncompliance reporting be required, these terms and conditions will be found in Section C of this permit.

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 008

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-A Flow,in Conduit or thru plant Year Round	Reported			Mill. Galls/Mon					N/A	mgd			
	Permit Limits	Rpt Only Monthly Total	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/daily	measured
00310 (ML-1) RF-A BOD, 5-Day 20 Deg.C Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	65.1 Avg. Monthly	141.2 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00530 (ML-1) RF-A Total Suspended Solids Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	65.1 Avg. Monthly	141.2 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00400 (ML-1) RF-A pH Year Round	Reported								N/A	S.U.			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.				1/month	Grab
00300 (ML-1) RF-A Dissolved Oxygen Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	N/A				1/month	Grab
00610 (ML-1) RF-A Ammonia Nitrogen Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	12.9 Avg. Monthly	25.7 Max. Daily			N/A	5.93 Avg. Monthly	11.86 Max. Daily				1/month	8 hr comp

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer 	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer 			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 008

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
00620 (ML-1) RF-A	Reported												
Nitrogen Nitrate	Permit Limits	N/A	N/A			N/A	Rpt Only	Rpt Only	N/A	mg/l		1/month	8 hr comp
Year Round							Avg. Monthly	Max. Daily					
00615 (ML-1) RF-A	Reported												
Nitrogen Nitrite	Permit Limits	N/A	N/A			N/A	Rpt Only	Rpt Only	N/A	mg/l		1/month	8 hr comp
Year Round							Avg. Monthly	Max. Daily					
00600 (ML-1) RF-D	Reported												
Nitrogen, Total (as N)	Permit Limits	N/A	10000	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated
Year Round			Annual Total										
00600 (ML-1) RF-A	Reported												
Nitrogen, Total (as N)	Permit Limits	Rpt Only	N/A	Lbs/Month		N/A	Rpt Only	Rpt Only	N/A	mg/l		2/month	8 hr comp
Year Round		Monthly Total					Avg. Monthly	Max. Daily					
00665 (ML-1) RF-A	Reported												
Phosphorus, Total	Permit Limits	Rpt Only	N/A	Lbs/Month		N/A	Rpt Only	Rpt Only	N/A	mg/l		2/month	8 hr comp
Year Round		Monthly Total					Avg. Monthly	Max. Daily					
00665 (ML-1) RF-D	Reported												
Phosphorus, Total	Permit Limits	N/A	1000	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated
Year Round			Annual Total										

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer 	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer 			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 008

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
01119 (ML-1) RF-A Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01094 (ML-1) RF-A Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01104 (ML-1) RF-A Aluminum, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer 	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer 			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 009

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-C Flow, in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/6 months	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 010

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
50050 (ML-1) RF-C Flow, in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/6 months	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent	
Title of Officer			

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 011

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL*	Units	N.E.		
50050 (ML-1) RF-A Flow,in Conduit or thru plant Year Round	Reported			Mill. Galls/Mon					N/A	mgd			
	Permit Limits	Rpt Only Monthly Total	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily				1/daily	measured
00310 (ML-1) RF-A BOD, 5-Day 20 Deg.C Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	1254 Avg. Monthly	2507 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00530 (ML-1) RF-A Total Suspended Solids Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	1254 Avg. Monthly	2507 Max. Daily			N/A	30 Avg. Monthly	60 Max. Daily				1/month	8 hr comp
00400 (ML-1) RF-A pH Year Round	Reported								N/A	S.U.			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.				1/month	Grab
00300 (ML-1) RF-A Dissolved Oxygen Year Round	Reported								N/A	mg/l			
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	N/A				1/month	Grab
00610 (ML-1) RF-A Ammonia Nitrogen Year Round	Reported			Lbs/Day					N/A	mg/l			
	Permit Limits	248 Avg. Monthly	496 Max. Daily			N/A	5.93 Avg. Monthly	11.86 Max. Daily				1/month	8 hr comp

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STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 011

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
00620 (ML-1) RF-A Nitrogen Nitrate Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	10 Avg. Monthly	29.2 Max. Daily	N/A	mg/l		1/month	8 hr comp
00615 (ML-1) RF-A Nitrogen Nitrite Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0.03 Avg. Monthly	0.06 Max. Daily	N/A	mg/l		1/month	8 hr comp
00600 (ML-1) RF-A Nitrogen, Total (as N) Year Round	Reported												
	Permit Limits	Rpt Only Monthly Total	N/A	Lbs/Month		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		2/month	8 hr comp
00600 (ML-1) RF-D Nitrogen, Total (as N) Year Round	Reported												
	Permit Limits	N/A	55480 Annual Total	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated
00665 (ML-1) RF-A Phosphorus, Total Year Round	Reported												
	Permit Limits	Rpt Only Monthly Total	N/A	Lbs/Month		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		2/month	8 hr comp
00665 (ML-1) RF-D Phosphorus, Total Year Round	Reported												
	Permit Limits	N/A	5548 Annual Total	Lbs/Year		N/A	N/A	N/A	N/A			1/year	Calculated

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		Signature of Principal Executive Officer or Authorized Agent
Title of Officer		

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 011

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
01119 (ML-1) RF-A Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01094 (ML-1) RF-A Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp
01104 (ML-1) RF-A Aluminum, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	8 hr comp

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer 	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 a fine and imprisonment for knowing violations.	Date Completed
Title of Officer 		Signature of Principal Executive Officer or Authorized Agent

STATE OF WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE MONITORING REPORT

Permit Limits

FACILITY NAME: (Spring Run Fish Hatchery) WV DIVISION OF NATURAL RESOURC

CERTIFIED LABORATORY NAME: _____

LOCATION OF FACILITY: PETERSBURG; Grant County

CERTIFIED LABORATORY ADDRESS: _____

PERMIT NO.: WV0112500 101

WASTELOAD FOR THE MONTH OF: _____

INDIVIDUAL PERFORMING ANALYSIS: _____

Parameter		Quantity				Other Units						Measurement Frequency	Sample Type
				Units	N.E.				CEL *	Units	N.E.		
45603 (ML-N/A) RF-A	Reported			Lbs/Month					N/A				
Fish Feed Used Year Round	Permit Limits	N/A	Rpt Only Monthly Total			N/A	N/A	N/A				1/month	measured
45604 (ML-N/A) RF-A	Reported			Lbs/Month					N/A				
Biomass, Fish Year Round	Permit Limits	N/A	Rpt Only Monthly Total			N/A	N/A	N/A				1/month	measured

* CEL = Compliance Evaluation Level

Name of Principal Executive Officer 	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 a fine and imprisonment for knowing violations.	Date Completed	
		Signature of Principal Executive Officer or Authorized Agent 	
Title of Officer 			

NOTICE TO PERMITTEES

The 1999 regular session of the West Virginia legislature revised the Water Pollution Control Act, Chapter 22, Article 11, Section 10 of the Code of West Virginia relating to fees associated with permits. This section of the Code requires all holders of a State water pollution control permit or a national pollutant discharge elimination system permit to be assessed an annual permit fee, based upon rules promulgated by the Secretary of the Department of Environmental Protection. The Secretary has promulgated a final rule in accordance with the code revision to this effect and these rules were effective May 4, 2000. The rules establish an annual permit fee based upon the relative potential to degrade the waters of the State which, in most instances, relate to volume of discharge. However, for sewage facilities, the annual permit fee is based upon the number of customers served by the facility. You may contact the Secretary of State's Office, State Capitol Building, Charleston, WV 25305, to obtain a copy of the rules. The reference is Title 47, Legislative Rules, Department of Environmental Protection, Division of Water Resources, Series 26 Water Pollution Control Permit Fee Schedules.

Based upon the volume of discharge for which your facility is currently permitted, the number of customers served by your facility or for the category you fall within, pursuant to Section 7 of Title 47, Series 26, your annual permit fee is **\$1000.00**. This fee is due no later than the anniversary date of permit issuance in each year of the term of the permit or in the case of coverage under a general permit, the fee is due no later than the anniversary date of your coverage under the general permit. **You will be invoiced by this agency at the appropriate time for the fee.** Failure to submit the annual fee within ninety(90) days of the due date will render your permit void upon the date you are mailed a certified written notice to that effect.

**STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
BASIS FOR LIMITATIONS
WVDNR Spring Run Fish Hatchery
February 2021
WV0112500**

BACKGROUND INFORMATION:

The facility is a state owned trout hatchery producing approximately 220,000 lbs of trout annually for stocking into state waters. Water from Spring Run is used as source water.

This facility is subject to the Concentrated Aquatic Animal Production Effluent Guideline, specifically 40 CFR 451, Subpart A. This guideline does not specify any specific effluent limitations, but does prescribe certain reporting requirements and best management practices. The permittee completed this requirement and is implementing the BMP.

Untreated wastewater from aquaculture round rearing ponds is discharged through Outlet 008 into Spring Run. Spring water flows through aquaculture raceways and is discharged through Outlet 011. During raceway cleaning periods, water from raceway(s) being cleaned is kept separate from non-cleaning water and piped to the batch clarifying/treatment tank. After a 24 to 48-hour settling time, water is decanted from the clarifier and discharged through Outlet 011 into Spring Run. The resultant sludge is transferred to a sludge holding tank for later disposal.

Receiving Stream: Spring Run

7Q10: 2.9876 cfs (from Tagis DEP website February 2021)

TMDL: No

Trout Stream: Yes

Outlet 008 (untreated wastewater from aquacultural round rearing ponds)

Discharge Location/Basin: Spring Run

Discharge estimated flow: 0.26 MGD (LTA from DMR's May 2017 – December 2021)

Parameter	Mass (lbs/day)		Concentration (mg/l)		Frequency	Rationale
	Average Monthly	Max Daily	Average Monthly	Max Daily		
Flow	--	--	Monitor	Monitor	Monthly	BPJ
BOD	65.1	141.2	30	60	Monthly	BPJ (Tech)
Total Suspended Solids	65.1	141.2	30	60	Monthly	BPJ (Tech)
Ammonia-N	12.9	25.7	5.93	11.86	Monthly	DO, WQS
Dissolved Oxygen	--	--	6 (Min)	--	Monthly	DO, WQS
pH	--	--	--	6-9	Monthly	WQS
Total Nitrite			Monitor	Monitor	Monthly	BPJ
Total Nitrate			Monitor	Monitor	Monthly	WQS
Total Nitrogen	--	--	Monitor	Monitor	Monthly	BPJ
Total Phosphorous	--	--	Monitor	Monitor	Monthly	BPJ
Total Nitrogen	10,000 lbs/yr		--	--	Yearly	TMDL
Total Phosphorous	1,000 lbs/yr		--	--	Yearly	TMDL
Copper, Total Rec			Monitor	Monitor	Monthly	BPJ
Zinc, Total Rec			Monitor	Monitor	Monthly	BPJ
Aluminum, Total Rec			Monitor	Monitor	Monthly	BPJ

An updated Tier 1 wasteload allocation was performed. The ammonia nitrogen limits in the draft permit are based on the wasteload allocation to be protective of dissolved oxygen in the stream. Adjustments to the mass limitations have been made to compensate for the actual average reported flow from DMR reports during the previous permit cycle.

An assumed hardness value of 100 mg/l, pH value of 7.3 S.U., and temperature of 21 deg C were used in the reasonable potential analysis. No background stream data is available for the receiving stream and no mixing zone was granted. The permittee did not have reasonable potential to exceed the water quality criteria at the end of pipe for nitrogen nitrate and nitrogen nitrite. Continued monitoring is imposed for those parameters.

Stormwater Outlet 009

Discharge Location/Basin: Spring Run

Storm water runoff from parking and road areas inside hatchery contribute to flow to Outlet 009. In accordance with provisions of the WV General NPDES Permit for Storm Water, monitoring is imposed for pollutants of concern with benchmark values established in order to demonstrate an effective SWPPP.

Stormwater Outlet 010

Discharge Location/Basin: Spring Run

Storm water runoff from the County roadside ditch and from the hatchery discharges via Outlet 010. In accordance with provisions of the WV General NPDES Permit for Storm Water, monitoring is

imposed for pollutants of concern with benchmark values established in order to demonstrate an effective SWPPP.

Outlet 011 (treated and untreated wastewater from aquacultural raceways)

Discharge Location/Basin: Spring Run

Discharge estimated flow: 05.01 MGD (LTA from DMR's May 2017 – December 2021)

Parameter	Mass (lbs/day)		Concentration (mg/l)		Frequency	Rationale
	Average Monthly	Max Daily	Average Monthly	Max Daily		
Flow	--	--	Monitor	Monitor	Monthly	BPJ
BOD	65.1	141.2	30	60	Monthly	BPJ (Tech)
Total Suspended Solids	65.1	141.2	30	60	Monthly	BPJ (Tech)
Ammonia-N	12.9	25.7	5.93	11.86	Monthly	DO, WQS
Dissolved Oxygen	--	--	6 (Min)	--	Monthly	DO, WQS
pH	--	--	--	6-9	Monthly	WQS
Total Nitrite			Monitor	Monitor	Monthly	BPJ
Total Nitrate			Monitor	Monitor	Monthly	WQS
Total Nitrogen	--	--	Monitor	Monitor	Monthly	BPJ
Total Phosphorous	--	--	Monitor	Monitor	Monthly	BPJ
Total Nitrogen	55,480 lbs/yr		--	--	Yearly	TMDL
Total Phosphorous	5,548 lbs/yr		--	--	Yearly	TMDL
Copper, Total Rec			Monitor	Monitor	Monthly	BPJ
Zinc, Total Rec			Monitor	Monitor	Monthly	BPJ
Aluminum, Total Rec			Monitor	Monitor	Monthly	BPJ

ANTIDEGRADATION

An antidegradation review has been conducted and Tier 1 protection is provided for the uses specified in Title 47, Series 2, Section 6.

CHESAPEAKE BAY TMDL

Nitrogen and Phosphorus

The permittee discharges to Spring Run of South Mill Creek of the South Branch of the Potomac River which is a tributary to the Potomac River and ultimately the Chesapeake Bay. As a headwater partner in the Chesapeake Bay Program, West Virginia, along with the other Bay states, had previously developed a Tributary Strategy to reduce the amount of nutrients (nitrogen and phosphorus) flowing into the Chesapeake Bay and the agency imposed reduction requirements for nitrogen and phosphorus in the previous permit. The USEPA issued the Chesapeake Bay TMDL on December 29, 2010 which specifies total annual loads for nitrogen, phosphorus, and total suspended solids for this facility. Limitations for nitrogen and phosphorus are now imposed based on EPA's Chesapeake Bay TMDL. The TMDL prescribes an aggregate total load for this facility and did not split up the loads based on each outfall. As such, the agency is splitting the aggregate load allowed by

the TMDL at Outlets 008 and 011 using its best professional judgment. The total loads prescribed at both outfalls are equal to the aggregate load prescribed in the TMDL.

TSS

WV's Chesapeake Bay tributary strategy did not include requirements for total suspended solids. Section 9 of the Chesapeake Bay TMDL provides individual TSS allocations for significant wastewater sources that WV did not intend to impose. These allocations were established by EPA at the E3 concentration (5 mg/l), whereas WV did not plan to reduce TSS below existing technology-based requirements. WV's WIP indicates that WV is significantly under its cap load for TSS and has a surplus/reserve of TSS of approximately 20,000 tons/year delivered. Rather than impose these reductions in permits, WV proposes to impose only the existing technology-based TSS requirements in significant facility permits by using a portion of the TSS surplus/reserve afforded by WV's WIP. WV calculates that approximately only 1,000 delivered tons/yr of TSS will be needed to be used from the surplus for all significant wastewater facilities identified in the TMDL. WV recognizes that nitrogen and phosphorous treatment to 5 mg/l and 0.5 mg/l will provide an ancillary benefit of effluent TSS quality better than existing technology standards. But WV is not sure that annual loads commensurate with 5 mg/L TSS will be universally achieved with technologies implemented to achieve nitrogen and phosphorus reductions. Therefore, TSS limitations in the permit are in accordance with existing technology treatment standards.

Outlet 008

<u>Parameter</u>	<u>Annual Total Load Limit</u>
Total Nitrogen	10,000 lbs/yr
Total Phosphorous	1,000 lbs/yr

Outlet 011

<u>Parameter</u>	<u>Annual Total Load Limit</u>
Total Nitrogen	55,480 lbs/yr
Total Phosphorous	5,548 lbs/yr

SLUDGE

The sludge generated at the permittee's facility shall be properly disposed of under the authority of WV Dept. of Agriculture.

COMPLIANCE ASSESSMENT

The permittee has generally been compliant with the terms and conditions of the permit during the previous permit cycle. Additionally, the facility has been well within the nitrogen and phosphorus limits prescribed in the TMDL.

INTERNAL OUTLET 101

Internal Outlet 101 is being added to this permit. This is not a discharge outlet, but an outlet generated to record the poundage of fish produced and the amount of fish feed used at the Spring Run Hatchery.

WATER QUALITY BASED EFFLUENT LIMITATIONS

v 10.2

WVDNR Spring Run Hatchery WV0112**Outlet: 008****Stream: Spring Run**

Hardness (mg/l):	100	Instream Waste %:	11.87
Temperature (°C):	21	ZID:	1.0
pH:	7.3	CMZ:	1.0
Stream 1Q10 (CFS):	NA	HH CMZ:	1.0
Stream 7Q10 (CFS):	2.9876	HHA 1/2 Mile Rule CMZ:	1.0
Effluent Flow (MGD):	0.26		

PARAMETER	Baseline Water Quality (mg/l)	Stream Background (mg/l)	End of Pipe WQC RP	RWC WQC RP	Average Monthly Limit (mg/l)	Maximum Daily Limit (mg/l)	Tier Protection Level
Ammonia	NA	NA	No	No	Monitor	Monitor	Tier 1
Nitrate (as Nitrate-N)	NA	NA	No	No	Monitor	Monitor	Tier 1
Nitrite (as Nitrite-N)	NA	NA	No	No	Monitor	Monitor	Tier 1

Outfall discharges to Ohio River and is subject to ORSANCO Pollution Control Standards:	No
Outfall discharges to a Trout Stream:	Yes
Outfall discharges to a stream exempt from Human Health A Criteria:	No
Outfall discharges to a stream exempt from all Human Health Criteria:	No
Outfall discharges within 1/2 mile upstream of a public drinking water intake:	No
Outfall has limitations for at least one metal using a site specific translator:	No
Outfall has Tier 2.0 antidegradation limitations for at least one pollutant:	No

WATER QUALITY BASED EFFLUENT LIMITATIONS

v 10.2

WVDNR Spring Run Hatchery WV0112**Outlet: 011****Stream: Spring Run**

Hardness (mg/l):	100	Instream Waste %:	72.18
Temperature (°C):	21	ZID:	1.0
pH:	7.3	CMZ:	1.0
Stream 1Q10 (CFS):	NA	HH CMZ:	1.0
Stream 7Q10 (CFS):	2.9876	HHA 1/2 Mile Rule CMZ:	1.0
Effluent Flow (MGD):	5.01		

PARAMETER	Baseline Water Quality (mg/l)	Stream Background (mg/l)	End of Pipe WQC RP	RWC WQC RP	Average Monthly Limit (mg/l)	Maximum Daily Limit (mg/l)	Tier Protection Level
Ammonia	NA	NA	No	No	Monitor	Monitor	Tier 1
Nitrate (as Nitrate-N)	NA	NA	No	No	Monitor	Monitor	Tier 1
Nitrite (as Nitrite-N)	NA	NA	No	No	Monitor	Monitor	Tier 1

Outfall discharges to Ohio River and is subject to ORSANCO Pollution Control Standards:	No
Outfall discharges to a Trout Stream:	Yes
Outfall discharges to a stream exempt from Human Health A Criteria:	No
Outfall discharges to a stream exempt from all Human Health Criteria:	No
Outfall discharges within 1/2 mile upstream of a public drinking water intake:	No
Outfall has limitations for at least one metal using a site specific translator:	No
Outfall has Tier 2.0 antidegradation limitations for at least one pollutant:	No

☒ Regular Addition
☐ Discretionary Addition
☐ Score change, but no status change
☐ Deletion

Code Number Checked:

2	2
---	---

Total Points Factor 2:

2	0
---	---

NPDES Permit Rating Work Sheet

FACTOR 3: Conventional Pollutants

(only when limited by the permit)

NPDES No.:

W	V	0	1	1	2	5	0	0
---	---	---	---	---	---	---	---	---

A. Oxygen Demanding Pollutant (check one): ☒ BOD ☐ COD ☐ Other: _____

			Code	Points
Permit Limits (check one)	☐	< 100 lbs/day	1	0
	☐	100 to 1000 lbs/day	2	5
	☒	> 1000 to 3000 lbs/day	3	15
	☐	> 3000 lbs/day	4	25

Code Number Checked:

0	3
---	---

Points Scored:

1	5
---	---

B. Total Suspended Solids (check one):

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

Code Number Checked:

0	3
---	---

Points Scored:

1	5
---	---

C. Nitrogen Pollutants (check one): ☒ Ammonia ☐ Other: _____

			Code	Points
Permit Limits (check one)	☒	< 300 lbs/day	1	0
	☐	300 to 1000 lbs/day	2	5
	☐	> 1000 to 3000 lbs/day	3	15
	☐	> 3000 lbs/day	4	25

Code Number Checked:

0	1
---	---

Points Scored:

0	0
---	---

Total Points Factor 3:

3	0
---	---

FACTOR 4: Public Health Impact

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

☒ Yes (If yes, check toxicity potential number below)
☐ No (If no, go to Factor 5)

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

Toxicity Group	Code	Points	Toxicity Group	Code	Points	Toxicity Group	Code	Points
☐ No process wastestreams	0	0	☐ 3.	3	0	☐ 7.	7	15
☒ 1.	1	0	☐ 4.	4	0	☐ 8.	8	20
☐ 2.	2	0	☐ 5.	5	5	☐ 9.	9	25
			☐ 6.	6	10	☐ 10.	10	30

Code Number Checked:

0	1
---	---

Total Points Factor 4:

0	0
---	---

NPDES Permit Rating Work Sheet

FACTOR 5: Water Quality Factors

NPDES No.:

W	V	0	1	1	2	5	0	0
---	---	---	---	---	---	---	---	---

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

	Code	Points
☒ Yes	1	10
☐ No	2	0

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

	Code	Points
☐ Yes	1	0
☒ No	2	5

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

	Code	Points
☐ Yes	1	10
☒ No	2	0

Code Number Checked:	A: <table border="1"><tr><td>2</td></tr></table>	2	B: <table border="1"><tr><td>2</td></tr></table>	2	C: <table border="1"><tr><td>2</td></tr></table>	2						
2												
2												
2												
Total Points Factor 5:	A: <table border="1"><tr><td>1</td><td>0</td></tr></table>	1	0	B: <table border="1"><tr><td>0</td><td>5</td></tr></table>	0	5	C: <table border="1"><tr><td>0</td><td>0</td></tr></table>	0	0	= <table border="1"><tr><td>1</td><td>5</td></tr></table> Total	1	5
1	0											
0	5											
0	0											
1	5											

FACTOR 6: Proximity to Coastal Waters

A. Base Score: Enter Flow Code Here (from Factor 2):

--	--

Enter the multiplication factor that corresponds to the flow code:

--	--	--

Check appropriate facility HPRI Code (from PCS):

0	0
---	---

	HPRI #	Code	HPRI Score
☐	1	1	20
☐	2	2	0
☐	3	3	30
☐	4	4	0
☐	5	5	20

HPRI code checked:

0

Flow Code	Multiplication Factor
11,31, or 41	0.00
12,32, or 42	0.05
13,33, or 43	0.10
14 or 34	0.15
21 or 51	0.10
22 or 52	0.30
23 or 53	0.60
24	1.00

Base Score: (HPRI Score) 0 0 x (Multiplication Factor) 0. 0 0 = 0 (Total Points)

B. Additonal Points - NEP Program

For a facility that has an HPRI Code of 3, does the facility discharge to one of the estuaries enrolled in the National Estuary Protection (NEP) program (see instructions) or the Chesapeake Bay?

	Code	Points
☐ Yes	1	10
☒ No	2	0

C. Additonal Points - Great Lakes Area of Concern

For a facility that has an HPRI Code of 5, does the facility discharge any of the pollutants of concern into one of the Great Lakes' 31 areas of concern (see instructions)?

	Code	Points
☐ Yes	1	10
☒ No	2	0

Code Number Checked:	A: 0	B: 2	C: 2
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Total Points Factor 6: A:

0	0
---	---

 B:

0	0
---	---

 C:

0	0
---	---

 =

0	0
---	---

 Total

NPDES Permit Rating Work Sheet

SCORE SUMMARY

NPDES No.: W V 0 1 1 2 5 0 0

Factor	Description	Total Points
1	Toxic Pollutant Potential	0 5
2	Flow/Stream Flow Volume	2 0
3	Conventional Pollutants	3 0
4	Public Health Impacts	0 0
5	Water Quality Factors	1 5
6	Proximity to Near Coastal Waters	0 0
TOTAL (Factors 1 through 6)		0 7 0

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

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

No
Yes (Add 500 points to the above score and provide reason below):

Reason:

NEW SCORE: 0 7 0

OLD SCORE: 0 7 0

Permit Reviewer's Name

Phone Number

Date

Devereux, Lori K

From: Hedrick, Jim D
Sent: Wednesday, March 24, 2021 8:58 AM
To: Devereux, Lori K
Subject: RE: WV0112500-WV DNR-Spring Run-Draft Permit

Got this one also. Thanks,

From: Devereux, Lori K
Sent: Tuesday, March 23, 2021 4:25 PM
To: Hedrick, Jim D <Jim.D.Hedrick@wv.gov>
Subject: WV0112500-WV DNR-Spring Run-Draft Permit

Due to the COVID-19 and us working remotely from home, this will be considered your certified copy. If you could please email me back and let me know you received this, I would greatly appreciate it. Thanks

Lori. K. Devereux
Environmental Resource Associate
Dept. of Environmental Protection
Division of Water and Waste MGMT
601 57th St SE
Charleston, WV 25304
Phone(304)926-0499 x 43863
Fax(304)926-0496

Reissuance Technical Review

Permit # WV0112500

Facility: WV DNR-Spring Run

Permit Writer: Ryan McGlothen

Pretreatment Section-Industrial Users Y/N

Comments:

Sewage Sludge Section

☐ Land Application of Sewage Sludge or Septage

☐ Source of Sewage Sludge

☐ Land Application Site Information

Comments:

Wasteload Allocation Section

Complete Y/N

Comments:

Discharge Monitoring Reports

Current Y/N

Comments:

Authorized Signature & Date ☒ Y/N

Statement For Billing ☒ Y/N

Customer Fee Sheet ☒ Y/N

Correct Fee ☒ Y/N Fee: 250

Groundwater Protection Plan ☒ Y/N



west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street SE
Charleston, WV 25304
Telephone Number: (304) 926-0495
Fax Number: (304) 926-0496

Austin Caperton, Cabinet Secretary
dep.wv.gov

January 15, 2020

Bradley Leslie
WV DNR
324 4th Avenue
South Charleston, WV 25303

9489 0090 0027 6074 7836 09

CERTIFIED RETURN RECEIPT REQUESTED

Re: WV/NPDES Permit No. WV0112500

Dear Sir or Madam:

Your individual WV/NPDES Water Pollution Control Permit No. WV0112500 expires on June 30, 2021 and requires updating. Under 47 CSR 10, Section 4.3 of the West Virginia Legislative Rules, the permittee is required to submit a complete reissuance permit application a minimum of 180 days prior to the expiration date of its existing permit. This is further reflected as a requirement in Appendix A, Section I.2 of your existing WV/NPDES Water Pollution Control Permit. **It is requested that you submit your electronic forms or hardcopy forms on or before September 01, 2020.**

Failure to submit said information is sufficient cause for appropriate action provided in Chapter 22, Article 11 and the regulations pursuant thereto. **Please note that under Chapter 22, Article 11 of the West Virginia Code that violations are potentially subject to a maximum penalty of \$25,000 per day per violation.**

The agency is directing you to our website to electronically complete the renewal of your WV/NPDES Water Pollution Control Permit which became mandatory on July 1, 2011. The agency requires the permittee to utilize this electronic application system for the reissuance of its permit. The benefits of the electronic system are designed to simplify your reporting requirements by providing the flexibility to enter information from any location with an internet connection and a valid log-in identification. Use of this electronic application system ensures a complete application submittal resulting in a quicker and more efficient permitting process. Electronic permitting also reduces the use of paper which in turn helps with the Department's mission of promoting a healthy environment! Please go to the <https://apps.dep.wv.gov/eplogin.cfm> to sign up for a user login identification if the permittee

officials currently do not have one. Please contact Pamela Houston at (304) 926-0499 Ext. 1574 between 7:00 A.M. to 5:00 P.M. or by e-mail at Pamela.S.Houston@wv.gov for any questions.

If you do not have access to the internet, please contact this office within five (5) days of receipt of this letter to obtain the necessary paper applications. Please contact Lori Devereux at (304) 926-0499 Ext. 1057 or by e-mail at Lori.K.Devereux@wv.gov for any questions regarding the electronic submittal of permit applications.

In accordance with the Title 47, Series 10, Section 12.1 issued pursuant to Chapter 22, Article 11, Code of West Virginia, the Chief is now required to publish the public notice as a Class I legal advertisement of the preparation of a draft permit. The rules also require that the costs of publication of the public notice will be borne by the applicant who must send a certificate of publication of the public notice to this Office within 20 days after publication. **Therefore, a notarized Statement for Billing must accompany the submission of your electronic or hardcopy application in order for us to initiate review of your application.**

Please be advised that Legislative Rule, Title 47, Series 26, effective May 4, 2000 and entitled "Water Pollution Control Permit Fee Schedules" establishes a schedule of permit application fees, modification fees and a schedule of annual permit fees for state water pollution control permits. **We have calculated your permit application fee to be \$250.** If you disagree with our calculation, the rules provide an opportunity for you to seek verification. You should obtain a copy of the referenced regulation, by contacting the Secretary of State's Office, State Capitol Building, Charleston, WV 25305, and submit your written assessment of the appropriate permit application fee.

We would like to notify you at this time of new state water rules and procedures that affect the issuance of permits and modifications that involve new or expanded discharges to waters of the State. The 2001 legislative session passed the Antidegradation Implementation Procedures Rule, 60 CSR 5, requiring the Department of Environmental Protection (DEP) to ensure that new or expanded discharges do not have a significant impact on the waters of the State. Part of this rule requires any applicant of a new or expanded discharge to establish Baseline Water Quality (BWQ) for the stream to which they intend to discharge. Effective July 1, 2002, applicants must supply the DEP with comprehensive water quality data establishing the BWQ for the receiving stream involved along with their permit or modification application for a new or expanded discharge. Prior to any BWQ sampling, the agency encourages the permittee to contact this office for assistance.

You should be aware that if you have not submitted the required Discharge Monitoring Reports to this office during the term of your permit, your permit will not be renewed. If the required sampling and reporting has not been performed, you must contact this office to determine a sampling regime in order to provide the data necessary to have your permit reissued.

Your electronic or hardcopy submittal should include a **completed reissuance application form, application fee, groundwater protection plan, and wasteload allocation form (if applicable).**

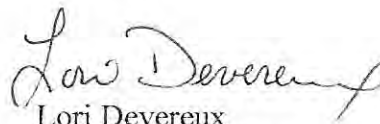
Electronic submittals should include other required information as uploaded attachments to your permit renewal application on the E-DEP website. These include, but are not limited to the laboratory analysis bench sheet(s) for sewage sludge. Also, if applicable, laboratory analysis

bench sheet(s) for land application site(s), land owner agreement(s), topographic map of the general area of land application site(s), aerial or soil map of the individual field(s), WVU nutrient analysis sheet(s), sludge storage guidelines, sludge storage signature sheet(s), and map(s) indicating the location of the storage pits and storage areas of each land application site(s).

For electronic submittals, after you submit a completed renewal application online, you'll need to send the certification of the signature page, an application fee of \$250, a notarized statement for billing, and any other documents that you did not attach electronically with your submitted application on the E-DEP website to our office.

If you have any questions regarding the preparation of the electronic application, please do not hesitate to contact Ryan McGlothen of this office at (304) 926-0499, extension 1092.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Devereux".

Lori Devereux
NPDES Permit Team

Enclosures

cc: Environmental Inspector Supervisor(Grant Co)
Environmental Inspector

INVOICE

INV1

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
INTER-AGENCY TRANSFER INVOICE
(Between State Agencies)

CREDIT: ACCOUNT NO. 3327-2020-9460-999-253

MAIL TO: Division of Water and Waste Management
601 57th Street, SE
Charleston, WV 25304-2345

DATE January 15, 2020

BILLED TO: Bradley Leslie
WV DNR
324 4th Avenue
South Charleston, WV 25303

DATE PRICE	DESCRIPTION	UNIT PRICE	NUMBER OF UNITS	TOTAL
1/15/20	NPDES Permit Application Fee (WV0112500)	\$250.00	1	\$250.00

INVOICE TOTAL **\$250.00**

IMPORTANT - PLEASE MAIL REMITTANCE WITH COPY OF BILLING TO:

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT-PERMITTING
601 57th Street, SE
CHARLESTON, WV 25304-2345

OR PHONE IN TO:
304-926-0499 Ext 4888

Promoting a healthy environment.