VPDES PERMIT PROGRAM FACT SHEET
FILE NUMBER: VA0057142@ECM

This document gives pertinent information concerning the VPDES Permit listed below. This permit is being processed as a **MINOR, INDUSTRIAL** VPDES permit.

1. **PERMIT NUMBER:** VA0057142 **EXPIRATION DATE:** July 20, 2016

2. **FACILITY NAME / MAILING ADDRESS**
Pier IX Terminal (Kinder Morgan Bulk Term. inf 6/2016)
P.O. Box 38
Newport News, Virginia 23607

FACILITY LOCATION ADDRESS (IF DIFFERENT)
1900 Harbor Access Road
Newport News, Virginia 23607

CONTACT AT FACILITY:
NAME: Mr. Bradley Gilliatt
TITLE: Terminal Manager
PHONE: (757) 928-1520
EMAIL: bradley_gilliatt@kindermorgan.com

CONTACT AT LOCATION ADDRESS
NAME: Mr. Cory Steil
TITLE: not provided
PHONE: (757) 928-1530
EMAIL: cory_steil@kindermorgan.com

3. **OWNER CONTACT:** (TO RECEIVE PERMIT)
NAME: Mr. Bradley Gilliatt
TITLE: Terminal Manager
COMPANY NAME: (IF DIFFERENT)
ADDRESS: Same as paragraph 2

CONSULTANT CONTACT:
None

4. **PERMIT DRAFTED BY:** DEQ, Water Permits, Tidewater Regional Office
Permit Writer: C. Thomas Date(s): cnf April - June 2016
Reviewed By: D. Austin DDA Date(s): 5/25/16--6/6/16

5. **PERMIT ACTION:**

( ) Issuance **(X) Reissuance** ( ) Revoke & Reissue ( ) Owner Modification
( ) Board Modification ( ) Change of Ownership/Name [Effective Date: NA]

6. **SUMMARY OF SPECIFIC ATTACHMENTS LABELED AS:**

Attachment	1	Site Inspection Report/Memorandum
Attachment	2	Discharge Location/Topographic Map
Attachment	3	Schematic/Plans & Specs/Site Map/Water Balance
Attachment	4	TABLE I - Discharge/Outfall Description
Attachment	5	TABLE II - Effluent Monitoring/Limitations
Attachment	6	Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding
Attachment	7	Special Conditions Rationale
Attachment	8	Toxics Monitoring/Toxics Reduction/WET Limit Rationale
Attachment	9	Material Stored
Attachment	10	Receiving Waters Info/Tier Determination/STORET Data/ Stream Modeling and 303(d) Listed Segments
Attachment	11	TABLE III(a) and TABLE III(b) - Change Sheets
Attachment	12	NPDES Industrial Permit Rating Worksheet
Attachment	13	Chronology Sheet
Attachment	14	Public Participation

APPLICATION COMPLETE: February 3, 2016

7. **PERMIT CHARACTERIZATION:** (Check as many as appropriate)

(X) Existing Discharges	(X) Effluent Limited
( ) Proposed Discharge	( ) Water Quality Limited
( ) Municipal	( ) WET Limit
SIC Code(s)	( ) Interim Limits in Permit
(X) Industrial	( ) Interim Limits in Other Document
SIC Code(s) 4491/5052	( ) Compliance Schedule Required
( ) POTW	( ) Site Specific WQ Criteria
( ) PVOTW	( ) Variance to WQ Standards
(X) Private	( ) Water Effects Ratio
( ) Federal	(X) Discharge to 303(d) Listed Segment
( ) State	(X) Toxics Management Program Required
( ) Publicly-Owned Industrial	( ) Toxics Reduction Evaluation
( ) Possible Interstate Effect	(X) Storm Water Management Plan
( ) CBP Significant Dischargers	( ) Pretreatment Program Required

8. **RECEIVING WATERS CLASSIFICATION:** River basin information.

Outfall Numbers: 001, 002, 003

Receiving Stream:	James River
River Mile:	2-JMS007.89 (based on 03/2011 determination of TRO Planning)
Basin:	James River (Lower)
Subbasin:	N/A
Section:	1
Class:	II
Special Standard(s):	a
Tidal:	YES
7-Day/10-Year Low Flow:	N/A
1-Day/10-Year Low Flow:	N/A
30-Day/5-Year Low Flow:	N/A
Harmonic Mean Flow:	N/A

9. **FACILITY DESCRIPTION:** Describe the type facility from which the discharges originate.

Existing industrial discharge resulting from the applicant's operation of a waterfront marine cargo handling facility, under SIC code 4491. The primary solid commodity handled in bulk at the facility, is thermal coal. Additional solid commodities handled include petcoke and Portland cement. Commodities destine for transshipment through the facility are delivered to, and moved from the facility by rail, vessel, and over-the-road motorized transport.

While stored at the facility, thermal coal is maintained in large exposed piles that are sprayed with water at regular intervals to reduce the amount of dust and related debris that could become airborne and constitute a nuisance during subsequent handling and extreme weather events. Resulting runoff is collected in a perimeter ditch system for treatment in an on-site settling pond prior to permitted discharge from OF 001.

10. **LICENSED OPERATOR REQUIREMENTS:** (X) No ( ) Yes Class: NA

11. **RELIABILITY CLASS:** Industrial Facility - NA

12. **SITE INSPECTIONS:**

Inspection Date(s):	Report Date:	Performed By:
a. May 7, 2012	May 10, 2012	M. Kidd, VaDEQ@TRO (lab and tech)

SEE ATTACHMENT: 1

13. **DISCHARGE(S) LOCATION DESCRIPTION:** Provide USGS Topo which indicates the discharge location, significant (large) discharger(s) to the receiving stream, water intakes, and other items of interest.

Name of Topo Map: Newport News South Quadrant Number: 035B

SEE ATTACHMENT: 2

14. **ATTACH A SCHEMATIC OF THE WASTEWATER TREATMENT SYSTEM(S) [IND. & MUN.].** For industrial facilities, provide a general description of the production cycle(s) and activities. For municipal facilities, provide a general description of the treatment provided.

Narrative: Treatment provided to storm water runoff and process wastewaters used for on-site dust suppression begins with the regular and thorough imposition of industry-specific best management practices (BMP) and includes collection of all on-site process wastewaters in a concrete lined perimeter ditch that leads to a large pond, lined w/ impervious materials, where coal fines and solids can settle prior to permitted final discharge from OF 001.

Through BMPs imposed by the application, potentially contaminated storm water runoff from the facility's cargo handling piers is retained on the piers and moved to on-shore tankage for eventual release into the on-site settling pond for further treatment prior to discharge to navigable surface waters of the Commonwealth.

The overall quality of storm water runoff from areas typically used for parking and movement of vehicles and equipment at the facility is maintained by the use of suitable and appropriate BMPs promoted by the industry for materials currently handled and transshipped through the facility.

SEE ATTACHMENT: 3

15. **DISCHARGE DESCRIPTION:** Describe each discharge originating from this facility.

SEE ATTACHMENT: 4

16. **COMBINED TOTAL FLOW:**

TOTAL: 5.897 MGD (for public notice)

PROCESS FLOW: 5.472 MGD (industrial)

NONPROCESS/RAINFALL DEPENDENT FLOW: 0.425 MG (estimate)

17. **STATUTORY OR REGULATORY BASIS FOR EFFLUENT LIMITATIONS & SPECIAL CONDITIONS:** (Check all which are appropriate)

- X State Water Control Law
- X Clean Water Act
- X VPDES Permit Regulation (9 VAC 25-31-10 et seq.)
- X EPA NPDES Regulation (Federal Register)
- X EPA Effluent Guidelines [40 CFR 423.15(k) and (l) NSPS specific to coal pile runoff and required NSPS limitation for total suspended solids]
- X Water Quality Standards (9 VAC 25-260-5 et seq.)
- ___ Wasteload Allocation from a TMDL or River Basin Plan

18. **EFFLUENT LIMITATIONS/MONITORING:** Provide all limitations & monitoring requirements being placed on each outfall.

SEE ATTACHMENT: 5

19. **EFFLUENT LIMITATIONS/MONITORING RATIONALE:** Attach analyses of an outfall by individual toxic parameter. At a minimum, it includes: statistics summary (number of data values, quantification level, expected value, variance, covariance, 97th percentile, and statistical method); wasteload allocation (acute, chronic and human health); effluent limitations determination; input data listing. Include calculations for each outfall and set of effluent limits & those used in model(s). Include calculations/documentation of any antidegradation or anti-backsliding issues in the development of limitations; complete the review statements below. Provide rationale for limiting internal waste streams & indicator pollutants. Attach mass balance calculations, if performed. Attach additional information used to develop limitations, including applicable water quality standards calculations.

OTHER CONSIDERATIONS IN LIMITATIONS DEVELOPMENT:

VARIANCES/ALTERNATE LIMITATIONS: Provide justification or refutation rationale for requested variances or alternatives to required permit conditions/limitations. This includes, but is not limited to: waivers from testing requirements; variances from technology guidelines or water quality standards; WER/translator study consideration; variances from standard permit limits/ conditions.

N/A

SUITABLE DATA: What, if any, effluent data were considered in the establishment of effluent limitations and provide all appropriate information/calculations.

All suitable effluent data were reviewed.

ANTIDEGRADATION REVIEW: Provide all appropriate information/calculations for the antidegradation review.

The receiving stream has been classified as tier 1; therefore, no further review is needed. Permit limits have been established by determining wasteload allocations which will result in attaining and/or maintaining all water quality criteria which apply to the receiving stream, including narrative criteria. These wasteload allocations will provide for the protection and maintenance of all existing uses.

SEE ATTACHMENT: 10

ANTIBACKSLIDING REVIEW: Indicate if antibacksliding applies to this permit and, if so, provide all appropriate information.

There are no backsliding issues to address in this permit (i.e., limits as stringent or more stringent when compared to the previous permit).

SEE ATTACHMENT: 6

20. **SPECIAL CONDITIONS RATIONALE:** Provide rationale for each of the special conditions.

SEE ATTACHMENT: 7

21. **TOXICS MONITORING/TOXICS REDUCTION & WET LIMIT SPECIAL CONDITIONS RATIONALE:** Provide justification for toxics monitoring program or toxics reduction program & WET limit.

SEE ATTACHMENT: 8

22. **SLUDGE DISPOSAL PLAN:** Provide a description of the sludge disposal plan (e.g., type sludge, treatment provided and disposal method). Indicate if any of the plan elements are included within the permit.

N/A

23. **MATERIAL STORED:** List the type and quantity of wastes, fluids, or pollutants being stored at this facility. Briefly describe the storage facilities and list, if any, measures taken to prevent the stored material from reaching State waters.

SEE ATTACHMENT: 9

24. **RECEIVING WATERS INFORMATION:** Refer to the State Water Control Board's Water Quality Standards [e.g., River Basin Section Tables (9 VAC 25-260-5 et seq.). Use 9 VAC 25-260-140 C (introduction and numbered paragraph) to address tidal waters where fresh water standards would be applied or transitional waters where the most stringent of fresh or salt-water standards would be applied. Attach any memoranda or other information which helped to develop permit conditions (i.e. tier determinations, PReP complaints, special water quality studies, STORET data and other biological and/or chemical data, etc.

SEE ATTACHMENT: 10

25. **305(b)/303(d) Listed Segments:** Indicate if the facility discharges to a segment that is listed on the current 303(d) list and, if so, provide all appropriate information/ calculations.

Outfalls discharge to impaired segment VAT-G11E_JMS03A06, Lower James River. This segment is impaired for Aquatic Life Use and Chesapeake Bay Open Water for Dissolved Oxygen, Aquatic Life Use for Chlorophyll-a and Fish Consumption Use for PCBs.

25. **305(b)/303(d) Listed Segments:** (continued)

The facility is a non-significant discharge w/in Bay segment JMSMH in the Chesapeake Bay TMDL and therefore is assigned an aggregate WLA for TN, TP, and TSS. Because an aggregate WLA exists, this permit did not receive an individual WLA. The aggregated WLA is presented as a delivered load for each of the impaired 92 Bay segments (TMDL Report-Appendix Q).

SEE ATTACHMENT: 10

26. **CHANGES TO PERMIT:** Use **TABLE III(a)** to record any changes from the previous permit and the rationale for those changes. Use **TABLE III(b)** to record any changes made to the permit during the permit processing period and the rationale for those changes [i.e., use for comments from the applicant, VDH, EPA, other agencies and/or the public where comments resulted in changes to the permit limitations or any other changes associated with the special conditions or reporting requirements].

SEE ATTACHMENT: 11

27. **NPDES INDUSTRIAL PERMIT RATING WORKSHEET:**

TOTAL SCORE: 58

SEE ATTACHMENT: 12

28. **DEQ PLANNING COMMENTS RECEIVED ON DRAFT PERMIT:** Document any comments received from DEQ planning.

The discharge is in conformance with the existing planning documents for the area.

29. **PUBLIC PARTICIPATION:** Document comments/responses received during the public participation process. If comments/responses provided, especially if they result in changes to the permit, place in the attachment.

VDH/DSS COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from the Virginia Dept. of Health and the Div. of Shellfish Sanitation and noted how resolved.

The VDH reviewed the application and requested a copy of the final permit for their files, per response of April 18, 2016. (Attachment 13)

The DSS has no comments on the application per response of April 14, 2016.

EPA COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from the U.S. Environmental Protection Agency and noted how resolved.

EPA waived the right to comment and/or object to the adequacy of the draft permit.

ADJACENT STATE COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from an adjacent state and noted how resolved.

Not Applicable.

OTHER AGENCY COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from any other agencies (e.g., VIMS, VMRC, DGIF, etc.) and noted how resolved.

Not Applicable.

OTHER COMMENTS RECEIVED FROM RIPARIAN OWNERS/CITIZENS ON DRAFT PERMIT:
Document any comments received from other sources and note how resolved.

The application and draft permit have received public notice in accordance with the VPDES Permit Regulation, and no comments were received.

PUBLIC NOTICE INFORMATION: Comment Period: Start Date June 29, 2016
End Date July 29, 2016

Persons may comment in writing or by e-mail to the DEQ on the proposed reissuance of the permit within thirty (30) days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to

PUBLIC NOTICE INFORMATION: (continued)

be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Carl D. Thomas at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462. Telephone: (757) 518-2161. e-mail: carl.thomas@deq.virginia.gov.

Following the comment period, the Board will make a determination regarding the proposed reissuance. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.

30. **ADDITIONAL FACT SHEET COMMENTS/PERTINENT INFORMATION**:

None applicable.

ATTACHMENT 1

SITE INSPECTION REPORT/MEMORANDUM

Facility:	KINDER MORGAN PIER IX
County/city:	NEWPORT NEWS, VA

VPDES NO.	VA0057142

DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTEWATER FACILITY
INSPECTION REPORT
PART 1

Inspection date:	**May 7, 2012**	Date form completed:	**May 10, 2012**
Inspection by:	**Mark R. Kidd**	Inspection agency:	**DEQ/TRO**
Time spent:	**8 hours**	Announced Inspection:	[✓] Yes [] No
Reviewed by: **Kenneth T. Raum / 05-22-12**		Photographs taken at site?	[✓] Yes [ ] No
Present at inspection:	**Scott Shirk, Cory Steil and Nathan Lester**		

FACILITY TYPE:	FACILITY CLASS:
( ) Municipal	( ) Major
(✓) Industrial	(✓) Minor
( ) Federal	() Small
( ) VPA/NDC	( ) High Priority ( ) Low Priority

TYPE OF INSPECTION:

Routine	✓	Reinspection		Compliance/assistance/complaint	

Date of previous inspection:	**7/15/2008**	Agency:	**DEQ/TRO**

Population Served:		Connections Served:	

March 2012 Outfall 001	pH (SU)		TSS (mg/l)		Flow (MGD)			
	Other: **No Discharge**							
February 2012 Outfall 001	BOD_5 (mg/l)		TSS (mg/l)		Flow (MGD)		NH_3 (mg/l)	
	Other: **No Discharge**							
January 2012 Outfall 001	BOD_5 (mg/l)		TSS (mg/l)		Flow (MGD)		NH_3 (mg/l)	
	Other: **No Discharge**							

Data verified in preface:	Updated?		NO CHANGES?	✓
Has there been any new construction?	YES		NO	✓
If yes, were the plans and specifications approved? **NA**	YES		NO	
DEQ approval date:				

COPIES TO: (✓) DEQ/TRO; (✓) DEQ/OWCP; (✓) OWNER; ( ) OPERATOR; ( ) EPA-Region III; ( ) Other:

	PROBLEMS IDENTIFIED AT LAST INSPECTION:	CORRECTED	NOT CORRECTED
	None		

SUMMARY

INSPECTION COMMENTS:

The Kinder Morgan Pier IX Terminal offloads coal from railcars to an outdoor storage area and loads ships with bulk coal.

I arrived on site and met with Terminal Manager Scott Shirk, Environmental Coordinator Cory Steil and EHS Specialist Nathan Lester. After discussing the inspection process I reviewed the Storm Water Pollution Prevention Plan(SWP3) and associated documents with the following noted:

1. The SWP3 was amended in January 2012 and includes a site map and a Corporate Certification Statement.
2. A daily Environmental Log documents daily facility inspections and rainfall records.
3. Freeboard of the retention pond is checked daily and no exceedance of the one foot requirement was documented in 2011 or the first quarter of 2012.
4. Employee training is performed and documented as required.
5. Quarterly Visual Examinations of Storm Water Quality are performed and documented.
6. The Storm Water Management Evaluation and the Comprehensive Site Compliance Evaluation for 2011 addressed all of the elements required by the Permit.

A site survey was conducted with the assistance of Mr. Steil and Mr. Lester. The drop inlets in front of the administration building (Photo 1) use a filter cloth and discharge via Outfall 003 (Photo 4). A curb inlet (Photo 2), which is blocked with a steel plate, would otherwise discharge to Outfall 003. The water that would drain to the curb inlet flows to a storage vault and is then pumped to the perimeter ditch. A sign is posted at the facility's outfall location (Photo 3). A sampling location for Outfalls 001 and 002 is protected and provides access to two separate discharge pipes for sampling (Photo 5). Another curb inlet that discharges to Outfall 002 is blocked in the same way as seen in Photo 2. Outfall 001 is a pumped discharge from the retention pond (Photo 6). Water from the perimeter ditch formerly flowed by gravity into the retention pond but this flow ins now blocked by a gate valve (Photo 7). The water from the perimeter ditch is now pumped from the perimeter ditch to the pond (Photo 11) through a ductile iron pipe (Photo 8). The water from the pond outlet (Photo 9) flows to the pump room (Photo 10) and is then pumped to Outfall 001. The east side of the perimeter ditch is now built of concrete (Photo 12) with oil booms placed at all cross over structures (Photo 13). Rainbirds were in operation during the

	inspection (Photo 14) using water from the retention pond. The coal transport belt structure is covered while being painted (Photo 15). Water from the coal railcar dump station (Photo 16) collects in a sump before being pumped to the ditch system. Spill kits (Photo 17) include oil absorbent pads and booms. The fuel pad (Photo 18) appeared clean and free of stains. **Overall the facility appeared well managed and displayed good housekeeping practices.**
	I would like to thank Mr. Steil, Mr. Lester and Mr. Shirk for their assistance and cooperation during the inspection.

COMPLIANCE RECOMMENDATIONS FOR ACTION:	
	None at this time.

Photo 1. Drop inlet with filter cloth.

Photo 2. Curb inlet blocked off.

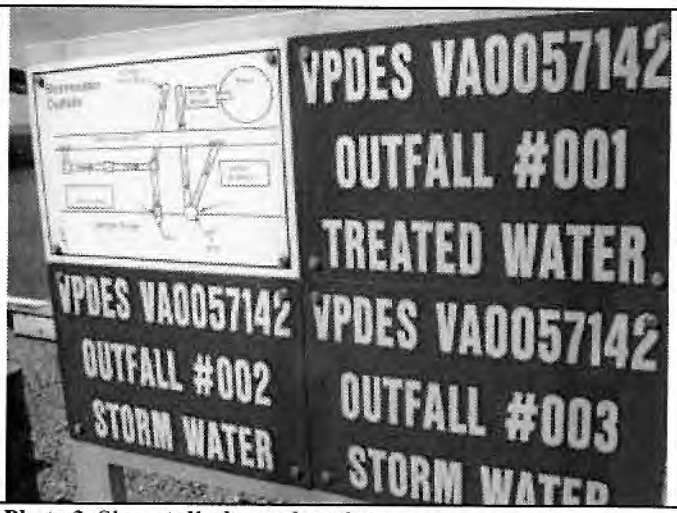


Photo 3. Sign at discharge location.

Photo 4. Outfall 003 discharge point.

Photo 5. Sample point for Outfalls 002 and 001.

Photo 6. Retention pond.

Photo 7. Gate for gravity flow from perimeter ditch to the retention pond.

Photo 8. Discharge pipe for pumped discharges from perimeter ditch to the retention pond.

Photo 9. Pond outlet structure.

Photo 10. Discharge pump and rainbird pump.

Photo 11. Pumps for transporting ditch water to the retention pond.

Photo 12. Perimeter ditch.

Photo 13. Oil boom in perimeter ditch.

Photo 14. Rain birds in use.

Photo 15. Transport belt structure with covers while being painted.

Photo 16. Coal being dumped from railcar.

Photo 17. Spill kit.

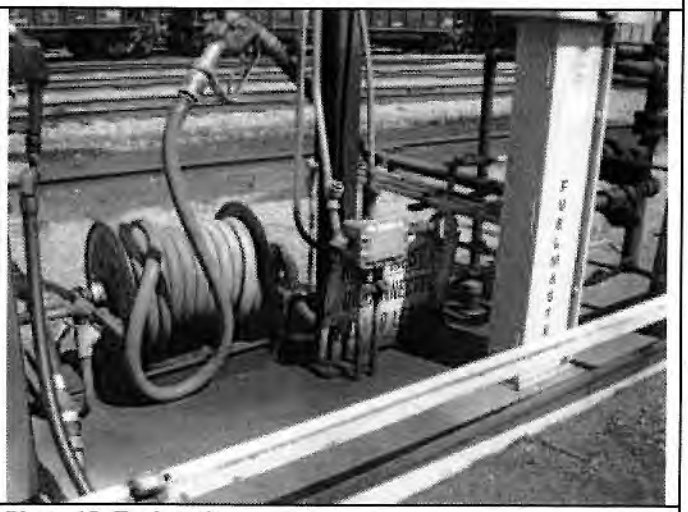


Photo 18. Fuel station.

DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER DIVISION
LABORATORY INSPECTION REPORT

10/01

FACILITY NO:	INSPECTION DATE:	PREVIOUS INSP. DATE:	PREVIOUS EVALUATION:	TIME SPENT:
VA0057142	May 7, 2012	July 17, 2008	Deficiencies noted	6 hours

NAME/ADDRESS OF FACILITY:	FACILITY CLASS:	FACILITY TYPE:	UNANNOUNCED INSPECTION?
Kinder Morgan Bulk Terminals - Pier IX 21st Street and Terminal Avenue Newport News, VA 23607	() MAJOR (✓) MINOR () SMALL ( ) HIGH PRIORITY ( ) LOW PRIORITY	() MUNICIPAL (✓) INDUSTRIAL ( ) FEDERAL ( ) COMMERCIAL LAB ( ) VPA/NDC	() YES (✓) NO **FY-SCHEDULED INSPECTION?** (✓) YES ( ) NO

INSPECTOR(S):	REVIEWERS:	PRESENT AT INSPECTION:
Mark R. Kidd	Kenneth T. Raum / 05-22-12	Cory Steil, Nathan Lester

LABORATORY EVALUATION	DEFICIENCIES?	
	Yes	No
LABORATORY RECORDS		✓
GENERAL SAMPLING & ANALYSIS		✓
pH		✓*

QUALITY ASSURANCE/QUALITY CONTROL			
Y/N	QUALITY ASSURANCE METHOD	PARAMETERS	FREQUENCY
	REPLICATE SAMPLES		
	SPIKED SAMPLES		
	STANDARD SAMPLES		
	SPLIT SAMPLES		
	SAMPLE BLANKS		
	OTHER		
	EPA-DMR QA DATA?	RATING: ( ) No Deficiency ( ) Deficiency (X) NA	
	QC SAMPLES PROVIDED?	RATING: ( ) No Deficiency ( ) Deficiency (X) NA	

COPIES TO: (✓) DEQ/TRO; (✓) DEQ/OWCP; (✓) OWNER; ( ) EPA-Region III; ( ) Other:

VA0057142

LABORATORY RECORDS SECTION

LABORATORY RECORDS INCLUDE THE FOLLOWING:

✓	SAMPLING DATE	✓	ANALYSIS DATE		CONT MONITORING CHART
✓	SAMPLING TIME	✓	ANALYSIS TIME		INSTRUMENT CALIBRATION
✓	SAMPLE LOCATION	✓	TEST METHOD		INSTRUMENT MAINTENANCE
				✓	CERTIFICATE OF ANALYSIS

WRITTEN INSTRUCTIONS INCLUDE THE FOLLOWING:

✓	SAMPLING SCHEDULES		CALCULATIONS		ANALYSIS PROCEDURES

	YES	NO	N/A
DO ALL ANALYSTS INITIAL THEIR WORK?	✓		
DO BENCH SHEETS INCLUDE ALL INFORMATION NECESSARY TO DETERMINE RESULTS?	✓		
IS THE DMR COMPLETE AND CORRECT? MONTH(S) REVIEWED: **January – March 2012**	✓		
ARE ALL MONITORING VALUES REQUIRED BY THE PERMIT REPORTED?	✓		

GENERAL SAMPLING AND ANALYSIS SECTION

	YES	NO	N/A
ARE SAMPLE LOCATIONS ACCORDING TO PERMIT REQUIREMENTS?	✓		
ARE SAMPLE COLLECTION PROCEDURES APPROPRIATE?	✓		
IS SAMPLE EQUIPMENT CONDITION ADEQUATE?			✓
IS FLOW MEASUREMENT ACCORDING TO PERMIT REQUIREMENTS?	✓		
ARE COMPOSITE SAMPLES REPRESENTATIVE OF FLOW?			✓
ARE SAMPLE HOLDING TIMES AND PRESERVATION ADEQUATE?	✓		
IF ANALYSIS IS PERFORMED AT ANOTHER LOCATION, ARE SHIPPING PROCEDURES ADEQUATE? LIST PARAMETERS AND NAME & ADDRESS OF LAB: **Universal Labs, Hampton, VA**	✓		

LABORATORY EQUIPMENT SECTION

	YES	NO	N/A
IS LABORATORY EQUIPMENT IN PROPER OPERATING RANGE?			
ARE ANNUAL THERMOMETER CALIBRATIONS ADEQUATE?		X*	
IS THE LABORATORY GRADE WATER SUPPLY ADEQUATE?			
ARE ANALYTICAL BALANCE(S) ADEQUATE?			

*** SEE LABORATORY INSPECTION REPORT SUMMARY PAGE FOR DETAILS REGARDING ASTERISKED ITEMS**

LABORATORY INSPECTION REPORT SUMMARY

10/01

FACILITY NAME:	Kinder Morgan Pier IX	VPDES NO:	**VA0057142**	INSP. DATE:	**5/7/2012**
LABORATORY RATING		✓	NO DEFICIENCIES		
			DEFICIENCIES		

LABORATORY RECORDS

The Laboratory Records section has no deficiencies at this time.

GENERAL SAMPLING AND ANALYSIS

The General Sampling and Analysis section has no deficiencies at this time. Pier IX has purchased a certified thermometer for annual calibration of the pH temperature probe.

PARAMETER SUMMARY

pH

The analysis for the parameter of pH has no deficiencies at this time.
All deficiencies noted on the pH check sheet were corrected within a week of the inspection date. Mr. Steil contacted Universal Labs to conduct an IDC session; a new meter, buffers and a certified thermometer were purchased, and a new calibration sheet was developed to document all required calibration information.

DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER DIVISION
SAMPLE ANALYSIS HOLDING TIME/CONTAINER/PRESERVATION CHECK SHEET
Revised 3/08 [40 CFR, Part 136.3, Table II]

FACILITY NAME:	**Kinder Morgan Pier IX**	VPDES NO	**VA0057142**	DATE:	**May 7, 2012**

HOLDING TIMES						SAMPLE CONTAINER				PRESERVATION				
PARAMETER	APPROVED	MET?		LOGGED?		ADEQ. VOLUME		APPROP. TYPE		APPROVED	MET?		CHECKED?	
		Y	N	Y	N	Y	N	Y	N		Y	N	Y	N
BOD5 & CBOD5	48 HOURS									ANALYZE 2 HRS or 6°C				
TSS	7 DAYS									6°C				
FECAL COLIFORM / *E. coli / Enterococci*	6 HRS & 2 HRS TO PROCESS									10°C (1 HOUR)+ 0.008% $Na_2S_2O_3$				
pH	15 MIN.	✓		✓						N/A				
CHLORINE	15 MIN.									N/A				
DISSOLVED O_2	15 MIN./IN SITU									N/A				
TEMPERATURE	IMMERSION STAB.									N/A				
OIL & GREASE	28 DAYS									6°C + H_2SO_4/HCL pH<2				
AMMONIA	28 DAYS									6°C + H_2SO_4 pH<2 DECHLOR				
TKN	28 DAYS									6°C + H_2SO_4 pH<2 DECHLOR				
NITRATE	48 HOURS									6°C				
NITRATE+NITRITE	28 DAYS									6°C + H_2SO_4 pH<2				
NITRITE	48 HOURS									6°C				
PHOSPHATE, ORTHO	48 HOURS									FILTER, 6°C				
TOTAL PHOS.	28 DAYS									6°C+ H_2SO_4 pH<2				
PROBLEMS:										PROBLEMS:				

ANALYST:	Cory Steil	VPDES NO	VA0057142

Meter: Extech Oyster

Parameter: Hydrogen Ion (pH)

1/08

Method: Electrometric

METHOD OF ANALYSIS:

✓	18th Edition of Standard Methods – 4500-H^+ B
	21st or Online Editions of Standard Methods – 4500-H^+ B (00)

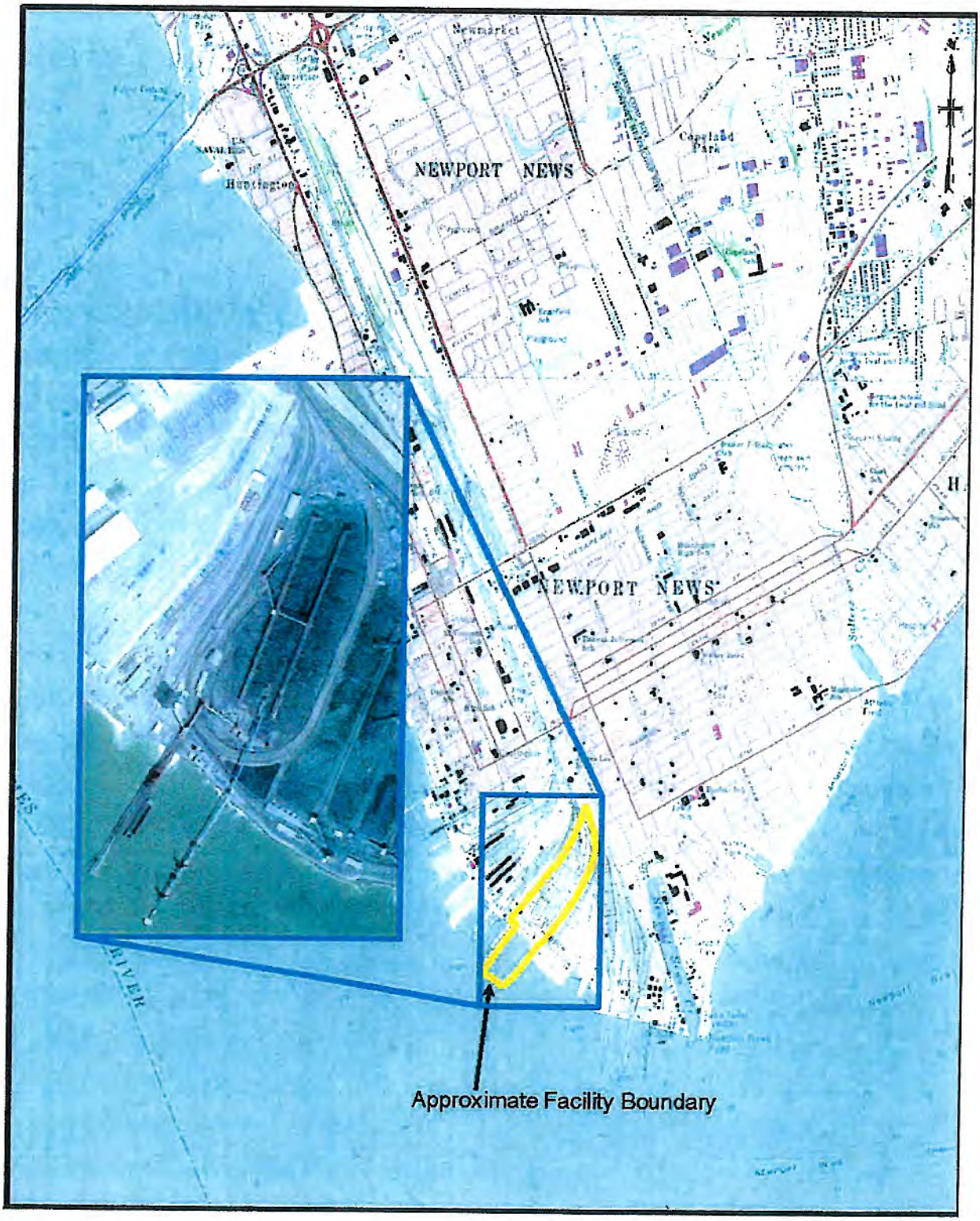
	pH is a method-defined analyte so modifications are not allowed. [40 CFR Part 136.6]	**Y**	**N**
1)	Is a certificate of operator competence or initial demonstration of capability available for each analyst/operator performing this analysis? **NOTE**: Analyze 4 samples of known pH. May use external source of buffer (different lot/manufacturer than buffers used to calibrate meter). Recovery for each of the 4 samples must be +/- 0.1 SU of the known concentration of the sample. [SM 1020 B.1]		X
2)	Is the electrode in good condition (no chloride precipitate, scratches, deterioration, etc.)? [2.b/c and 5.b]		X
3)	Is electrode storage solution in accordance with manufacturer's instructions? [Mfr.]	✓	
4)	Is meter calibrated on at least a daily basis using three buffers all of which are at the same temperature? [4.a] **NOTE**: Follow manufacturer's instructions.	✓	
5)	After calibration, is a buffer analyzed as a check sample to verify that calibration is correct? Agreement should be within +/- 0.1 SU. [4.a]		X
6)	Do the buffer solutions appear to be free of contamination or growths? [3.1]	✓	
7)	Are buffer solutions within the listed shelf-life or have they been prepared within the last 4 weeks? [3.a]		X
8)	Is the cap or sleeve covering the access hole on the reference electrode removed when measuring pH? [Mfr.]	NA	
9)	For meters with ATC that also have temperature display, is the thermometer verified annually? [SM 2550 B.1]		X
10)	Is temperature of buffer solutions and samples recorded when determining pH? [4.a]		X
11)	Is sample analyzed within 15 minutes of collections? [40 CFR Part 136]	✓	
12)	Is the electrode rinsed and then blotted dry between reading solutions (Disregard if a portion of the next sample analyzed is used as the rinsing solution.)? [4.a]	✓	
13)	Is the sample stirred gently at a constant speed during measurement? [4.b]	✓	
14)	Does the meter hold a steady reading after reaching equilibrium? [4.b]	✓	
15)	Is a duplicate sample analyzed after every 20 samples if citing 18th or 19th Edition or daily for 20th or 21st Edition? [Part 1020] **NOTE**: Not required for *in situ* samples.	NA	
16)	Is the pH of duplicate samples within 0.1SU of the original sample? [Part 1020]	NA	
17)	Is there a written procedure for which result will be reported on DMR (Sample or Duplicate) and is this procedure followed? [DEQ]	NA	

PROBLEMS: **# 1, 2, 5, 7, 9 and 10 were all corrected during the week after this inspection. Mr. Steil contacted Universal Labs to conduct an IDC session; a new meter, buffers and a certified**

thermometer were purchased, and a new calibration sheet was developed to documents all required calibration information.

ATTACHMENT 2

DISCHARGE LOCATION/TOPOGRAPHIC MAP



Kinder Morgan Bulk Terminals Inc.
Pier IX/X Terminal – Site Location Map

Figure 1

ATTACHMENT 3

SCHEMATIC/PLANS & SPECS/SITE MAP/ WATER BALANCE

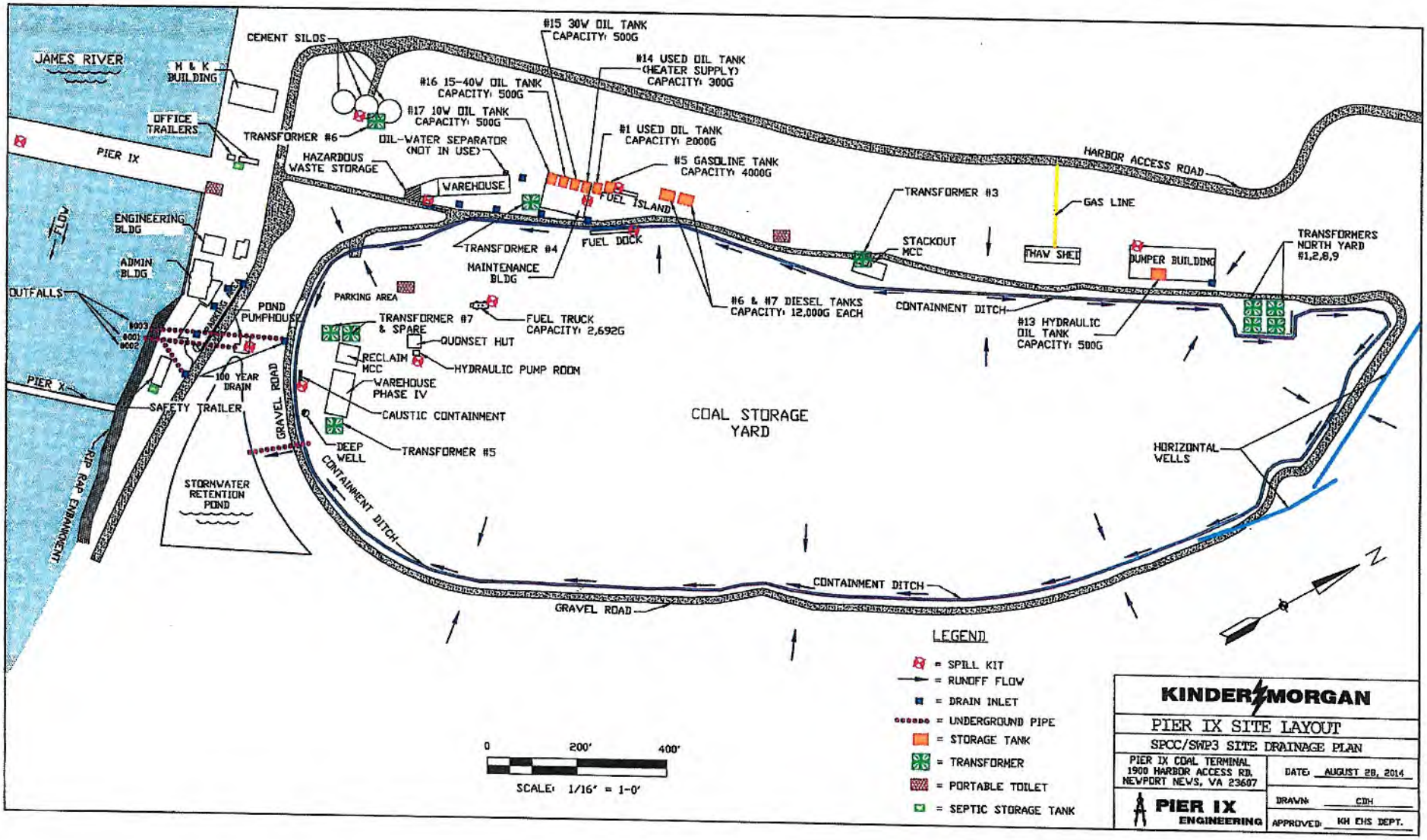
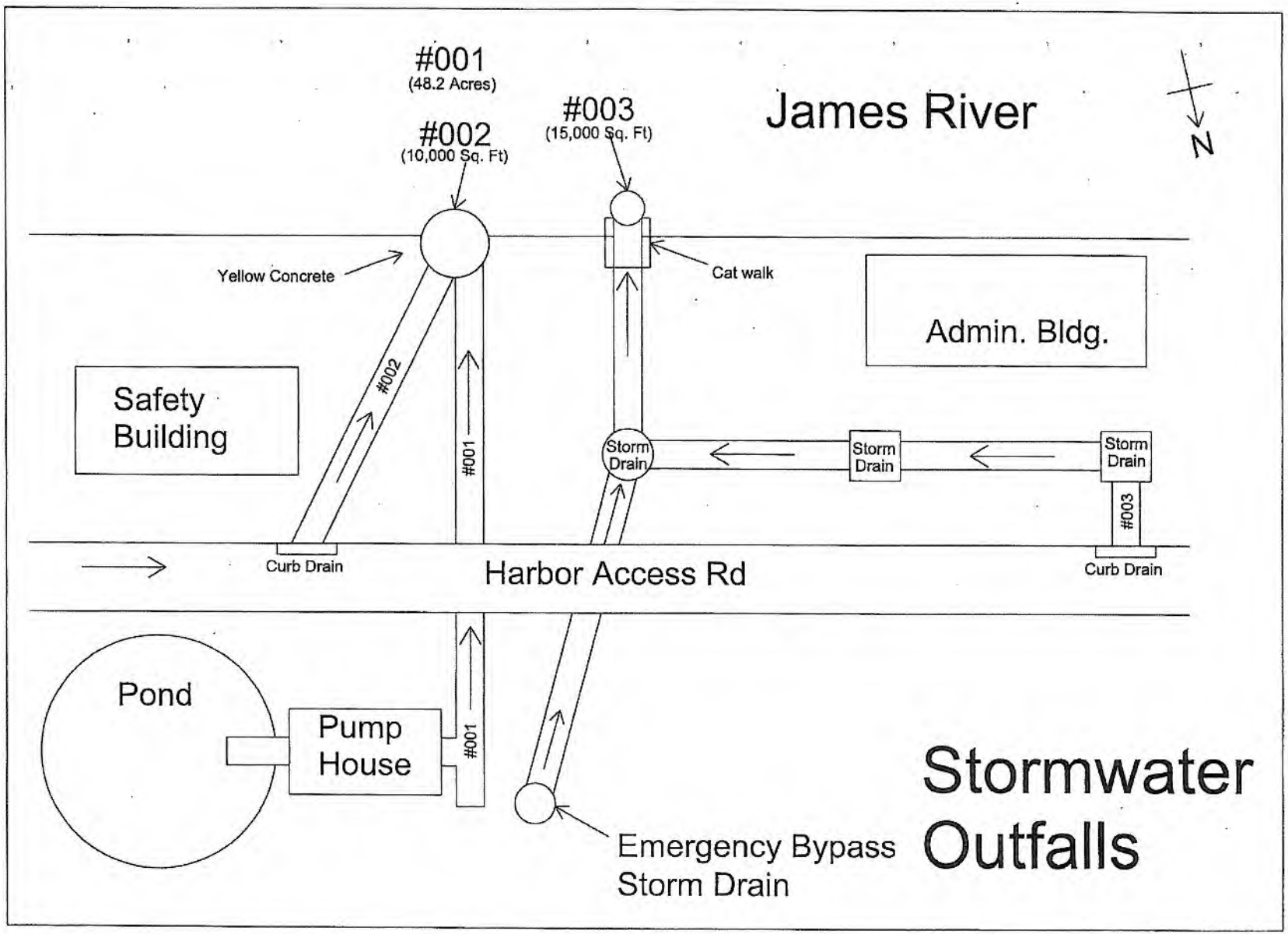
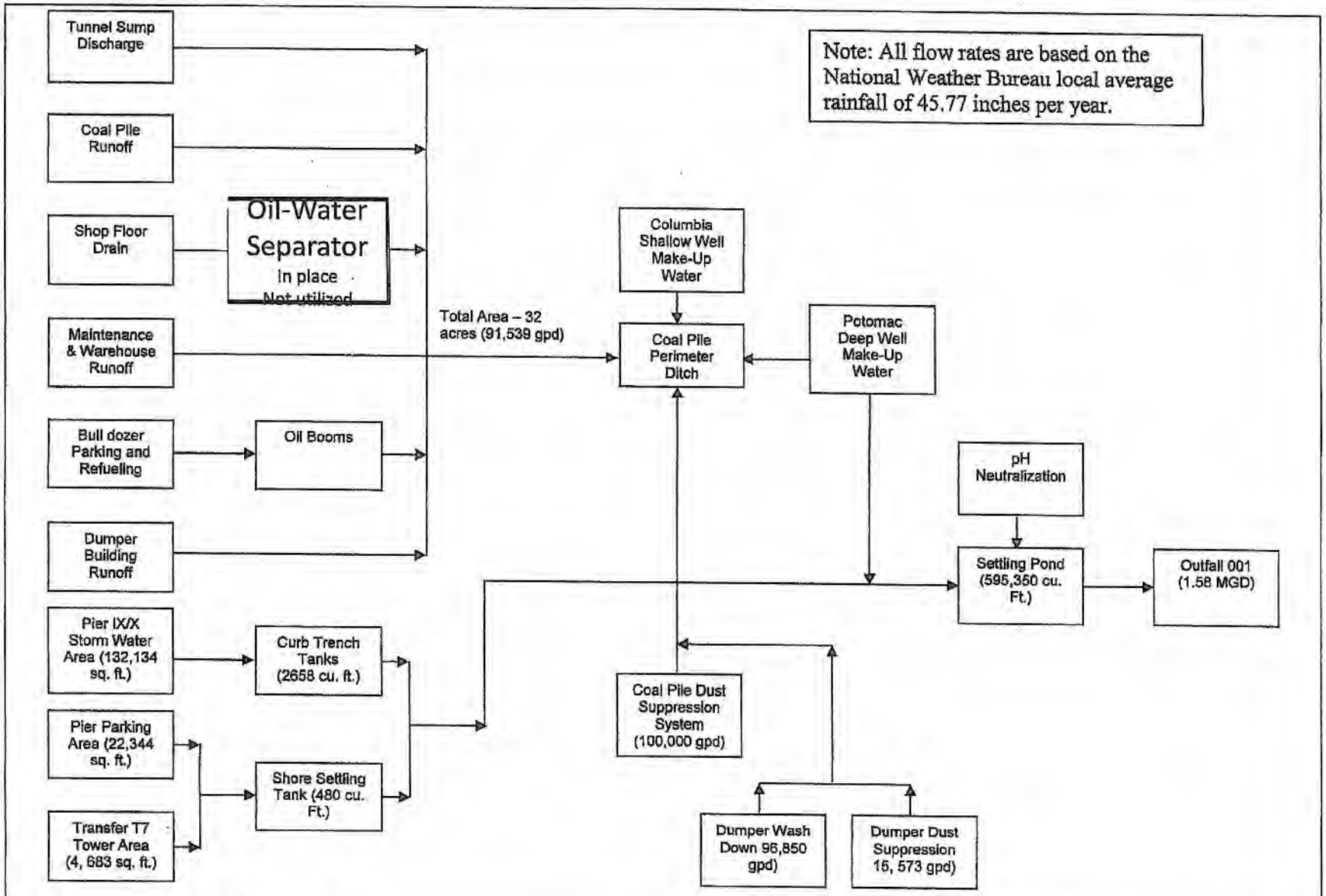

JAMES RIVER
M & K BUILDING
CEMENT SILOS
#15 30W OIL TANK CAPACITY: 500G
#14 USED OIL TANK (HEATER SUPPLY) CAPACITY: 300G
#16 15-40W OIL TANK CAPACITY: 500G
#17 10W OIL TANK CAPACITY: 500G
#1 USED OIL TANK CAPACITY: 2000G
OFFICE TRAILERS
TRANSFORMER #6
OIL-WATER SEPARATOR (NOT IN USE)
HAZARDOUS WASTE STORAGE
WAREHOUSE
#5 GASOLINE TANK CAPACITY: 4000G
HARBOR ACCESS ROAD
PIER IX
FUEL ISLAND
TRANSFORMER #3
GAS LINE
ENGINEERING BLDG
FLOW
TRANSFORMER #4
FUEL DOCK
STACKOUT MCC
THAW SHED
DUMPER BUILDING
TRANSFORMERS NORTH YARD #1,2,8,9
ADMIN BLDG
MAINTENANCE BLDG
OUTFALLS
PARKING AREA
#6 & #7 DIESEL TANKS CAPACITY: 12,000G EACH
CONTAINMENT DITCH
POND PUMPHOUSE
TRANSFORMER #7 & SPARE
FUEL TRUCK CAPACITY: 2,692G
#13 HYDRAULIC OIL TANK CAPACITY: 500G
QUONSET HUT
RECLAIM MCC
HYDRAULIC PUMP ROOM
PIER X
100 YEAR DRAIN
WAREHOUSE PHASE IV
SAFETY TRAILER
GRAVEL ROAD
CAUSTIC CONTAINMENT
COAL STORAGE YARD
DEEP WELL
TRANSFORMER #5
HORIZONTAL WELLS
RIP RAP ENHANCEMENT
STORMWATER RETENTION POND
CONTAINMENT DITCH
CONTAINMENT DITCH
GRAVEL ROAD
N
0
200'
400'
SCALE: 1/16" = 1-0'
LEGEND
= SPILL KIT
= RUNOFF FLOW
= DRAIN INLET
= UNDERGROUND PIPE
= STORAGE TANK
= TRANSFORMER
= PORTABLE TOILET
= SEPTIC STORAGE TANK
KINDER MORGAN
PIER IX SITE LAYOUT
SPCC/SWP3 SITE DRAINAGE PLAN
PIER IX COAL TERMINAL
1900 HARBOR ACCESS RD.
NEWPORT NEWS, VA 23607
DATE: AUGUST 28, 2014
PIER IX ENGINEERING
DRAWN: CDH
APPROVED: KH EHS DEPT.

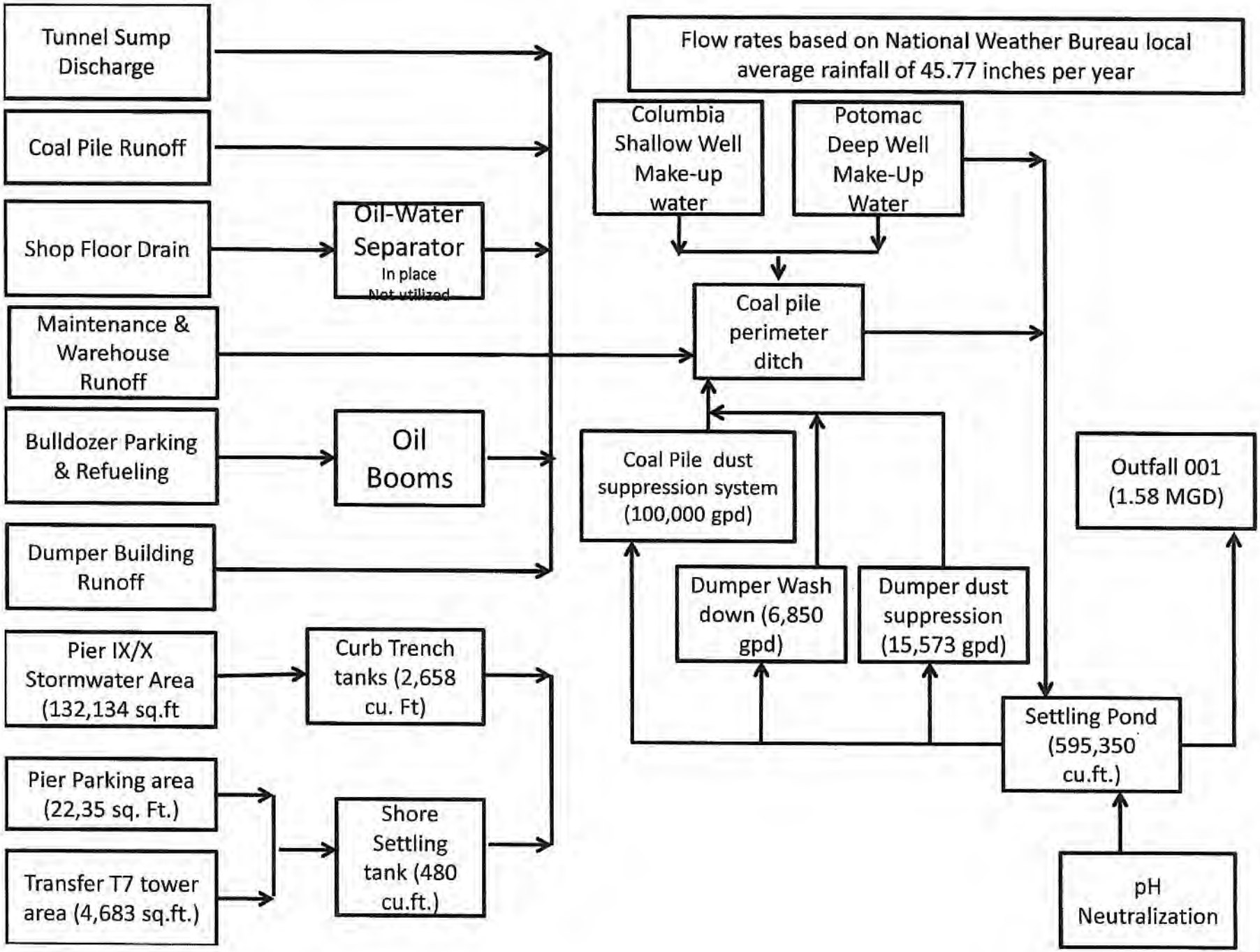
Figure 2

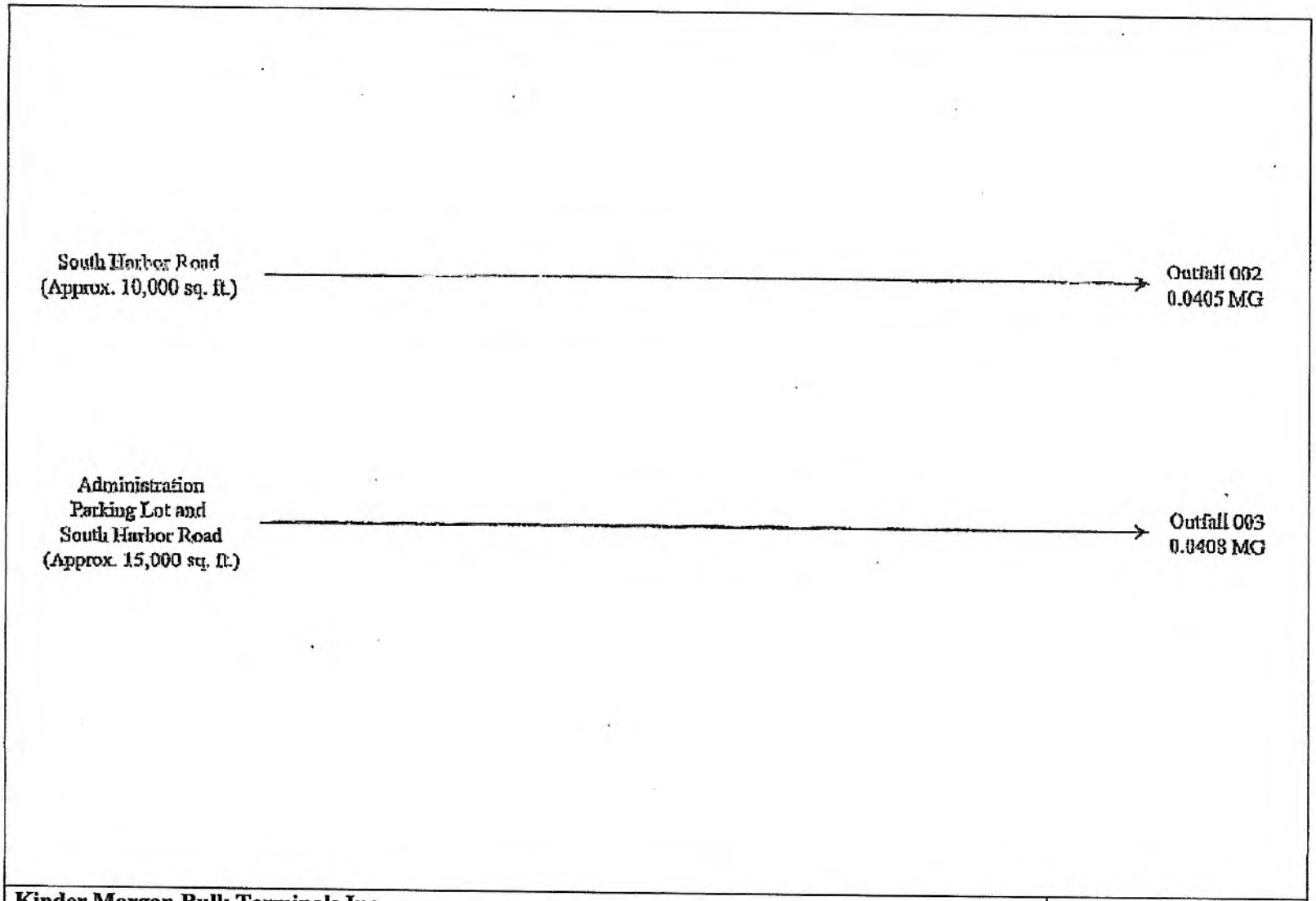

#001
(48.2 Acres)
#002
(10,000 Sq. Ft)
#003
(15,000 Sq. Ft)
James River
N
Yellow Concrete
Cat walk
Admin. Bldg.
Safety Building
#002
#001
Storm Drain
Storm Drain
Storm Drain
#003
Curb Drain
Harbor Access Rd
Curb Drain
Pond
Pump House
#001
Emergency Bypass Storm Drain
Stormwater Outfalls



Kinder Morgan Bulk Terminals Inc.
Pier IX/X Terminal – Outfall 001 Flow Schematic

Figure 3


Tunnel Sump Discharge
Coal Pile Runoff
Shop Floor Drain
Oil-Water Separator
In place
Not utilized
Maintenance & Warehouse Runoff
Bulldozer Parking & Refueling
Oil Booms
Dumper Building Runoff
Pier IX/X Stormwater Area (132,134 sq.ft
Curb Trench tanks (2,658 cu. Ft)
Pier Parking area (22,35 sq. Ft.)
Transfer T7 tower area (4,683 sq.ft.)
Shore Settling tank (480 cu.ft.)
Flow rates based on National Weather Bureau local average rainfall of 45.77 inches per year
Columbia Shallow Well Make-up water
Potomac Deep Well Make-Up Water
Coal pile perimeter ditch
Coal Pile dust suppression system (100,000 gpd)
Dumper Wash down (6,850 gpd)
Dumper dust suppression (15,573 gpd)
Outfall 001 (1.58 MGD)
Settling Pond (595,350 cu.ft.)
pH Neutralization



Kinder Morgan Bulk Terminals Inc.
Pier IX/X Terminal – Outfalls 002 and 003 Flow Schematic

Figure 4

ATTACHMENT 4

TABLE I - DISCHARGE/OUTFALL DESCRIPTION

ATTACHMENT 4

TABLE I - NUMBER AND DESCRIPTION OF OUTFALLS

OUTFALL NO.	DISCHARGE LOCATION	DISCHARGE SOURCE (1)	TREATMENT (2)	FLOW (3)
001	36°58'04.6" N 76°25'38.1" W 2-JMS007.89	Storm water runoff, minor volumes of equipment washwaters, coal pile dust suppression wastewaters from interior areas of coal pile storage and handling activities into perimeter ditch leading to a settling pond designed and constructed for this purpose.	Best management practices (BMP), frequent clean-up of excessive coal fine accumulations from perimeter ditch and periodic maintenance and clean-out of fines accumulated in settling pond	5.472 MGD (max., 39 pts.) 1.029 MGD (avg., 38 pts.)
002	36°58'04.4" N 76°25'38.0" W 2-JMS007.89	Storm water runoff from roadways, parking lots and facility access points along the waterfront	BMPs, frequent clean-up of accumulated solids, use of steel plate and adhesive caulk to seal storm water inlet unless and until a severe storm event is expected, at which time, flow is restored to OF 002.	0.328 MG (max., 46 pts.) 0.02 MGD (avg., 47 pts.)
003	36°58'04.8" N 76°25'38.2" W 2-JMS007.89	Storm water runoff from roadways, parking lots and facility access points along the waterfront	BMPs, frequent clean-up of accumulated solids, use of filter-fabric inserts in storm water collection structures.	0.097 MG (max., 52 pts.) 0.012 MGD (avg., 59 pts.

(1) List operations contributing to flow
(2) Give brief description, unit by unit
(3) Give maximum 30-day average flow for industry and design flow for municipal

ATTACHMENT 5

TABLE II - EFFLUENT MONITORING/LIMITATIONS

ATTACHMENT 5

TABLE II - INDUSTRIAL EFFLUENT LIMITATIONS/MONITORING

OUTFALL NUMBER: 001

Outfall Description: Storm water runoff associated with regulated industrial activities and non-storm water discharges from coal-pile dust suppression wastewaters, vehicle and equipment washwaters and other ancillary wastewater flow(s).

SIC CODES: 4491, 5052

(x) Final Limits ( ) Interim Limits Effective Dates - From: Reissuance To: Expiration

PARAMETER & UNITS	BASIS FOR LIMITS	MULTIPLIER OR PRODUCTION	EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
			MONTHLY AVERAGE	MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MGD)	3		NA	NA	NL	1/Month	Estimate
pH (S.U.)	3		NA	6.0	9.0	1/Month	Grab
Total Suspended Solids (mg/l) [a] [b] [c]	3		NA	NA	50	1/Month	Grab
Total Recoverable Iron (mg/l) [a]	3		NA	NA	NL	1/Month	Grab
Total Kjeldahl Nitrogen (mg/l) [c]	3		NA	NA	NL	1/Year	Grab
Nitrite plus Nitrate (mg/l) [c]	3		NA	NA	NL	1/Year	Grab
Total Nitrogen (mg/l) [d]	3		NA	NA	NL	1/Year	Calculate
Total Phosphorus (mg/l) [c]	3		NA	NA	NL	1/Year	Grab

NA = NOT APPLICABLE; NL = NO LIMIT, MONITORING REQUIREMENT ONLY

1/Year = January 1 through December 31.

Upon issuance of the permit, Discharge Monitoring Reports (DMRs) shall be submitted to the regional office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the monitoring period, then "no discharge" shall be reported on the DMR.

[a] See Parts I.B.4. and I.B.5. for quantification levels and reporting requirements, respectively.

[b] Any untreated overflows from facilities designed, constructed and operated to treat the coal pile runoff which results from a 10-year 24-hour rainfall event shall not be subject to the limitation of 50 mg/l for total suspended solids.

[c] See Parts I.B.5.e.(1) and I.B.5.e.(2) for additional information, quantification levels, and reporting requirements pertaining to total suspended solids, total nitrogen, total Kjeldahl nitrogen, nitrite plus nitrate and total phosphorus.

[d] Total nitrogen, which is the sum of total Kjeldahl nitrogen and nitrite plum nitrate, shall be derived from the results of those tests.

The basis for the limitations codes are: 1. Technology (e.g., Federal Effluent Guidelines); 2. Water Quality Standards (9 VAC 25-260 et. seq.); 3. Best Professional Judgment

ATTACHMENT 5

TABLE II - STORM WATER EFFLUENT LIMITATIONS/MONITORING

OUTFALL NUMBER: 002

Outfall Description: Storm water runoff from roadways, railroad siding(s) and areas adjacent to industrial activities

SIC CODE: 4491, 5052

PARAMETER & UNITS	STORM CATEGORY 1-29 or BPJ	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS [a]	
		MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MG)	C	NA	NL	1/Year	Estimate [b]
pH (S.U.)	C	6.0	9.0	1/Year	Grab
Total Suspended Solids (mg/l) [c][d]	C	NA	NL	1/Year	Grab
Total Recoverable Iron (mg/l) [c]	C	NA	NL	1/Year	Grab

NA = NOT APPLICABLE; NL = NO LIMIT, MONITORING REQUIREMENT ONLY

1/Year = January 1 through December 31.

Upon issuance of the permit, discharge monitoring reports (DMRs) shall be submitted to the Tidewater Regional Office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the period, then "no discharge" shall be reported on the DMR.

[a] See Parts I.D.1., I.D.2., I.D.5.a.(4) and I.D.5.b.(4) for additional storm water sampling and reporting requirements, when to obtain samples from this outfall location associated with industrial activities, and benchmark concentration comparison values. There shall be no discharge of process wastewaters from this outfall.

[b] Estimate of the total volume of the discharge during the storm event.

[c] See Parts I.B.4. and I.B.5. for quantification levels and reporting requirements, respectively.

The basis for the limitations codes are:

A. Technology (e.g., Federal Effluent Guidelines)
B. Water Quality Standards (9 VAC 25-260 et. seq.)
C. Best Professional Judgment

ATTACHMENT 5
TABLE II - STORM WATER EFFLUENT LIMITATIONS/MONITORING

OUTFALL NUMBER: 003
Outfall Description: Storm water runoff from roadways, railroad siding(s) and areas adjacent to industrial activities

SIC CODE: 4491, 5052

PARAMETER & UNITS	STORM CATEGORY 1-29 or BPJ	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS [a]	
		MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MG)	C	NA	NL	1/6 Months	Estimate [b]
pH (S.U.)	C	NL	NL	1/6 Months	Grab
Total Suspended Solids (mg/l) [c][d]	C	NA	NL	1/6 Months	Grab
Total Recoverable Iron (mg/l) [c]	C	NA	NL	1/6 Months	Grab
Total Kjeldahl Nitrogen (mg/l) [d]	C	NA	NL	1/6 Months	Grab
Nitrite plus Nitrate (mg/l) [d]	C	NA	NL	1/6 Months	Grab
Total Nitrogen (mg/l) [d] [e]	C	NA	NL	1/6 Months	Calculate
Total Phosphorus (mg/l) [d]	C	NA	NL	1/6 Months	Grab

NA = NOT APPLICABLE; NL = NO LIMIT, MONITORING REQUIREMENT ONLY

1/6 Months = Between January 1 and December 31

Upon issuance of the permit, Discharge Monitoring Reports (DMRs) shall be submitted to the regional office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the period, then "no discharge" shall be reported on the DMR.

[a] See Parts I.D.1., I.D.2., I.D.5.a.(4), and I.D.5.b.(4) for additional storm water sampling and reporting requirements, when to obtain samples from this outfall location associated with industrial activities, and benchmark concentration comparison values. There shall be no discharge of process wastewaters from this outfall.

[b] Estimate of the total volume of the discharge during the storm event.

[c] See Parts I.B.4. and I.B.5. for quantification levels and reporting requirements, respectively.

[d] See Part I.B.8. for additional information, calculations, reporting, and other requirements pertaining to total nitrogen, total phosphorus and total suspended solids. Following two (2) years of semi-annual monitoring required by Part I.B.8., monitoring of total Kjeldahl nitrogen, nitrite plus nitrate nitrogen and total phosphorus, and the reporting of total nitrogen shall cease for the remaining term of the permit. Monitoring for total suspended solids and all remaining parameters, shall continue throughout the entire term of this permit.

[e] Total nitrogen, which is the sum of TKN and nitrite plus nitrate, shall be derived from the results of those tests.

The basis for the limitations codes are:

A. Technology (e.g., Federal Effluent Guidelines)
B. Water Quality Standards (9 VAC 25-260 et. seq.)
C. Best Professional Judgment

ATTACHMENT 6

EFFLUENT LIMITATIONS/MONITORING RATIONALE/SUITABLE DATA/ ANTIDEGRADATION/ANTIBACKSLIDING

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

General Discussion:

On January 12, 1981, Massey Coal Terminal Corporation filed the initial application for issuance of a new VPDES permit authorizing point source discharges from a coal receipt (rail cars), handling (static piles, conveyors, heavy equipment), and vessel load-out facility (coal for export), with the State Water Control Board. The first permit was issued July 20, 1981, as VPDES Permit Number VA0057142. The single point-source discharge (outfall 001) was effluent limited for pH (6.0 - 8.5 standard units) and total suspended solids (50 mg/l as daily maximum concentration). The limitation for TSS originated from the Federal Effluent Guidelines for Steam Electric Power subcategory, specifically new-source performance standards limitations, for point source discharges of storm water runoff from coal piles [40 CFR 423.15(k) and (l)].

On March 18, 1988, Massey Coal Terminal relinquished ownership of the facility and responsibilities under the permit, with Pier IX Terminal Company assuming those responsibilities under VA0057142.

Based on the permit application submitted October 24, 1990, an additional four (4) outfalls of storm water runoff were added to the permit. Those upland sources of storm water originated from roadways and other areas associated with, or located near, points where coal was being handled.

Based on correspondence from a new facility owner, the Board was notified that the facility had been sold to Kinder Morgan Bulk Terminals, Incorporated, effective December 18, 1998. The permit was modified May 14, 1999, to reflect a change of facility owner/operator, as well as the removal of two former outfalls (004, 005).

On January 19, 2016, an application package was submitted to VaDEQ for scheduled permit reissuance. Additional information was submitted on February 3, 2016, to address minor deficiencies with the initial application. The application was considered to be complete on February 3, 2016.

Beginning on or about September 2008, this permitted facility became an active participant in the DEQ's e-DMR program and, to date, has been filing regular discharge monitoring reports (DMR) and other permit-required submittals electronically, via a system maintained for that specific purpose by the VaDEQ.

Specific Discussion:

Based on the current application, the applicant continues to operate a marine cargo-handling terminal under Standard Industrial Classification (SIC) Code 4491. The primary products transshipped through the facility include thermal coal (SIC 5052), petcoke, and Portland cement. Various grades of coal and petcoke are delivered to the facility by rail hopper car, and Portland cement is delivered to the site by vessel, truck, or railcar.

Upon receipt of coal, the hopper cars are secured to a mechanism where they are inverted and the coal released onto a system of conveyors leading to exposed piles for storage until loaded onto vessels. From the exposed storage piles, coal is loaded onto vessels by a separate but interconnected series of above and below ground conveyor belts leading onto the pier and through specialized vessel loaders. The main vessel load-out pier is fitted with waste containment features to reduce the potential for storm water and runoff to convey solids and other particulates from the coal handling and vessel loading activities to surface waters. Once on-site, coal is stockpiled on approximately 60 acres exposed to the weather and wind. The total storage capacity is 1.2 million tons with a permitted storage capacity of 1 million tons.

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

Specific Discussion: (continued)

Wastewaters from this facility include:

- minor quantities of vehicle and equipment wash waters;
- potentially contaminated storm water runoff resulting from ongoing industrial and material(s) handling activities;
- groundwaters removed from underground tunnels and equipment chambers;
- runoff associated with the wetting of coal piles; and
- runoff associated dust suppression activities conducted throughout the facility and upon vessel loading pier.

Based on actions taken by the permittee over the term of the current permit and to the extent practicable, the facility's process wastewaters and potentially contaminated storm water runoff are collected in a perimeter ditch and directed to a large surface impoundment until reused in the process activities, or released to nearby surface waters from outfall 001, in accordance with the permit.

Storm water runoff and entrained solids are collected from the pier(s) in a system of curbing and collection points on the pier and directed to shore-side collection chambers, and pumped over to the surface impoundment for settling prior to reuse or release to surface waters. Upon need, discharges from the impoundment used for settling of solids, are visually observed for contaminants, controlled by one or both of two discharge pumps, and the discharge duration from OF 001 documented in facility logs and records.

Other discharges from the facility include storm water runoff from access roadways, parking lots, offices, and on-site support structures (pier, loading equipment, etc.) associated with the industrial activities. Since the site shares a common roadway with an adjoining coal terminal and other waterfront industrial activities, it should be expected that some contaminants documented in samples of runoff from outfalls 002 and 003 may have been generated or deposited by passing vehicles and airborne emissions from adjoining industrial activities.

Vessels visiting the facility may also generate point source discharges of wastewaters from ballast tanks and cargo areas to ensure vessel stability and trim, and other onboard sources while in the process of loading coal. Discharges from vessels greater than 79 feet are addressed and covered by the Vessel General Permit for Discharges Incidental to the Normal Operation of Vessels (VGP, eff. December 19, 2013), applicable to all commercial vessels visiting waters of the United States. In that regard, wastewater discharges incidental to the normal and safe operation of ocean-going vessels covered by the EPA VGP will not be addressed, to any extent, by VA0057142.

The second commodity regularly handled in bulk quantities is Portland cement. Portland cement is transferred by conveyor to any of three (3) on-site enclosed storage silos with an aggregate capacity of 35,000 tons. This commodity is then loaded into trucks via enclosed air slides, for local distribution. The storage silos and enclosed vehicle delivery equipment allow for the handling of this material in a controlled manner beneficial to the environment.

Management of storm water runoff from this aspect of the facility's operation should be addressed in the site's storm water management plan and operational plans specific to this material and handling and storage equipment.

Based on information presented in the application there have been no significant changes in the industrial activities or nature of the wastewaters discharged under authority of the current permit.

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

Specific Discussion: (continued)

Sanitary wastewaters from the facility are collected and diverted to the local municipality for complete treatment at a nearby facility owned and operated by the Hampton Roads Sanitation District (HRSD).

Whereas potable water is provided to the facility by the local municipality, the applicant also utilizes a number of deep and shallow groundwater wells as supplemental sources of water during dry months for necessary on-site dust suppression activities. Based on actions taken by the permittee over the term of the current permit to line a majority of its perimeter ditch system with concrete, use of the on-site groundwater wells has decreased markedly. In lieu of continuing to use a valuable groundwater resource, storm water and wasted process wastewaters currently being collected in the site's settling lagoon now satisfy that industrial need.

In addition to more effectively collecting wasted waters for beneficial reuse in its industrial activities, lining the perimeter ditch with concrete also allows the permittee to regularly clean that linear surface conveyance of sediments and coal fines prior to entering the on-site sedimentation pond, thus increasing its available capacity for extended settling of remaining solids, prior to final discharge from outfall 001. In this regard, excess solids and coal fines recovered from the perimeter ditch, including the on-site settling impoundment when dredged, are placed back onto nearby piles of coal, based on the expected quality and source(s) of those residues.

Storm Water Management Activities:

The current permit has a Storm Water Management Evaluation (SWME) requirement for outfall 003, based on a review of DMR data available at the last scheduled permit reissuance. This permit condition will be removed from the permit at reissuance since the VaDEQ will rely on storm water benchmark concentration values which are now part of the individual permit's storm water management condition, consistent with the VAR05 general permit for industrial storm water discharges[1].

(1) 9VAC25-151, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Storm Water Associated with Industrial Activity (amending 9VAC25-151-10, 9VAC25-151-30, 9VAC25-151-40 through 9VAC25-151-90, 9VAC25-151-110 through 9VAC25-151-350, 9VAC25-151-370; adding 9VAC25-151-15; repealing 9VAC25-151-65); §62.1-44.15 of the Code of Virginia; §402 of the Clean Water Act; 40 CFR Parts 122, 123, and 124; Eff. Date: July 1, 2014

Storm Water Management Evaluations:

Over the term of the current permit, the applicant submitted the required SWME reports as follows: CY 2011 SWME submitted January 25, 2012; CY 2012 SWME January 9, 2013; CY 2013 SWME on January 10, 2014; CY 2014 SWME on January 12, 2015; and the CY 2015 SWME submitted February 8, 2016.

Each of the SWME reports were complete and detailed in content with regular inclusion of facility discharge logs and other documentation identifying actions and activities taken by the applicant to improve the overall environmental aspect of the facility.

Of particular note was the information presented in the comment section of the CY 2013 SWME report, as follows:

2012	2013
Rainfall = 48.7"	Rainfall = 42.4"
Pumping OF 001 to River = 158.7 hours	Pumping OF 001 to River = 106.0 hours
Groundwater Withdrawal = 23,054,441 Gal.	Groundwater Withdrawal = 13,454,266 Gal.

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

Storm Water Management Evaluations: (continued)

Considering the findings of the CY 2013 SWME, actions taken by the applicant to collect and preserve site storm water and process wastewaters for later beneficial reuse, have reduced takings from the groundwater aquifers for industrial purposes. In addition, the company's ability to reuse those wasted waters on-site also decreased the annual volumes of treated waters discharged from OF 001.

With the CY 2015 SWME, it was noted that the physical integrity of the facility's extensive system of underground tunnels, in which conveyors are installed for the movement of coal around the facility for storage and loading onto vessels, was severely compromised and repairs were necessary. That condition led to an inordinate amount of groundwater infiltration into the tunnel system that required collection and diversion into the settling pond, thence discharge from OF 001.

Chemical data from all outfalls, resulting from regular Part I.A. monitoring required by the current permit, are included in this Attachment to the fact sheet, for consideration in permit development.

In the application, it was noted that inflow to OF 002 remains blanked off for much of the time and only opened when significant storm events are expected, or when Part I.A. sampling is necessary. In order to complete portions of the application submitted for the current reissuance, the applicant sampled the discharge from OF 003 to provide chemical data for EPA Form 2F, as a substantially identical outfall and storm water discharge.

It has been determined that the SWME aspect of the current permit will not be carried forward at reissuance in favor of relying upon the benchmark concentration comparison values (BCV) that now appear in the permit's Storm Water Management Conditions. With the maturation of the ISWGP[1], if the BCV are exceeded the permittee is required to take the same actions as those required by the SWME and retention of the SWME is viewed as being a redundant requirement of the permit.

Proposed Part I.A. Effluent Monitoring - Outfall 001:

The following parameters are proposed for the reissued permit. The proposed frequency of monitoring for outfall 001 will remain once per month.

FLOW (MGD)	An unlimited parameter that is standard for most VPDES permits where process wastewater discharges exist and Part I.A. effluent monitoring is required. The volume of flow during any representative period shall be estimated based on pump(s) rate(s) or other reliable means of data collection. This parameter shall be quantified and reported monthly.
pH (SU)	A water quality standard based and effluent limited parameter. Based on a past BPJ determination, the effluent's pH was limited to the range of 6.0 SU - 9.0 SU. It is proposed that this parameter's limitations be continued with permit reissuance. The permittee has the capability to adjust the pH of the final discharge if necessary to comply with the numeric limitations in this regard. This parameter shall be quantified and reported monthly.

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

Proposed Part I.A. Effluent Monitoring - Outfall 001: (continued)

Total Suspended Solids (mg/l)	This parameter is limited to a maximum daily concentration of 50 mg/l. The limitation was imposed at the first issuance of this permit and was based on the EPA's proposed new source performance standards (NSPS) for the Steam Electric Power Generating Point Source Category effluent limitations [40CFR423.15(k) & 40CFR423.15(l)] for discharges associated with coal pile runoff. The original basis for the limitation, as well as the limitation itself, has not changed since originally imposed in 1981. In addition, the EPA's proposed multi-sector general permit for storm water from industrial activities [1] contains a 50 mg/l TSS limitation for storm water discharges associated with coal pile storage, regardless of the industrial sector or industrial activity.
Total Suspended Solids (mg/l)	Allowable exceedance of TSS limit per 40 CFR 423.15(l): Any untreated overflow from facilities designed, constructed, and operated to treat the coal pile runoff which results from a 10-year, 24-hour rainfall event shall not be subject to the limitations in 40 CFR 423.15(k).
Total Recoverable Iron: (mg/l)	In accordance with the VPDES general permit for industrial storm water discharges, this parameter is monitored at water transportation facilities and those that may handle coal on a regular basis, depending on SIC code. Tracking of this parameter, along with TSS, should provide a basis by which to evaluate the applicant's success in dealing with coal fines and sediments. Further, the trend for iron in the final discharge is increasing over the permit term. Based on the increasing trend with iron, this parameter shall be reported as parts per million (mg/l) and sampled on a monthly basis, for the term of the permit.

Additional Parameters Necessary at Permit Reissuance:

Total Kjeldahl Nitrogen, Nitrite plus Nitrate, Total Nitrogen, and Total Phosphorus.	The additional parameters have been incorporated into the draft permit, based on the requirements of VaDEQ guidance [2]. Monitoring of TN, and TP are required in order to calculate and verify the aggregate wasteload allocations for those contaminants and determine if the subject facility and its industrial activities are contributing to the nutrient impairment in a significant manner.

Additional Parameters:

TKN, NO2+NO3, TN, and TP. TN, which is the sum of TKN and NO2+NO3, shall be derived (calculated) from the results of those tests.

Frequency of Additional Monitoring:

For treated process wastewater discharges, monitoring is necessary at a frequency of once per year, for the term of the permit per current and relevant staff guidance. Nutrient data submitted under this requirement will be assembled and reviewed during the next permit reissuance cycle.

(2) VaDEQ Guidance Memorandum Number 14-2011, Nutrient Monitoring for "Nonsignificant" Discharges to the Chesapeake Bay Watershed, dated August 8, 2014

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

Proposed Part I.A. Effluent Monitoring - Outfall 003:

Flow (MG)	An unlimited parameter, continued from the current permit, that is standard for most VPDES permits where discharges exist and Part I.A. effluent monitoring is required. The volume of flow, in millions of gallons per storm event shall be estimated based on the size of area(s) drained and the amount of precipitation during the storm event sampled. This parameter shall be quantified and reported once per 6 months (semi-annually) for outfall 003 during a measurable storm event.
pH (SU)	A water quality standard based and effluent limited parameter continued from the current permit. Based on a past BPJ determination, the effluent's pH was limited to the range of 6.0 SU - 9.0 SU. It is proposed that this parameter's limitations be continued with permit reissuance. This parameter shall be quantified and reported once per 6 months.
Total Suspended Solids (mg/l)	This unlimited parameter is continued from the current permit. Continued monitoring is believed necessary to provide the permittee with sufficient information regarding the loading of solids from these discharges. This parameter shall be quantified and reported once per 6 months, across the entire term of the permit. Based on one or more of the facility's SIC codes, a benchmark concentration value (BCV) of 100 mg/l is applicable to this parameter. Should the BCV be exceeded during a specific effluent monitoring event, the applicant is required to review the incident and amend the facility's SWPPP, as necessary, to address the observation of TSS in excess of the BCV.
Total Recoverable Iron: (mg/l)	In accordance with the VPDES general permit for industrial storm water discharges, this parameter is monitored at water transportation facilities and those that may handle coal on a regular basis. Tracking of this parameter, along with TSS, should provide a more refined basis to evaluate the applicant's successes in dealing with sediments and other industrially related contaminants from the site. This parameter shall be quantified and reported once per 6 months. Based on one or more of the facility's SIC codes, a benchmark concentration value (BCV) of 1.0 mg/l is applicable to this parameter. Should the BCV be exceeded during a specific effluent monitoring event, the applicant is required to review the incident and amend the site's SWPPP, as necessary, to address the observation of iron in excess of the BCV, in accordance with the plan.
Total Kjeldahl Nitrogen (TKN), Nitrite+Nitrate, Total Nitrogen, Total Phosphorus	Unlimited parameters required specific to current and relevant guidance. To be sampled once semi-annually (1/6M) by a single grab, for two years from reissuance. Total nitrogen, which is the sum of total Kjeldahl nitrogen and nitrite plus nitrate, shall be derived from the results of those tests [20].

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

Proposed Part I.A. Effluent Monitoring - Outfall 003: (continued)

Additional Discussion:

Total nitrogen, which is the sum of TKN and NO2-NO3, shall be derived (calculated) from the results of those tests.

Frequency of Additional Monitoring and Reporting Required:

For industrial storm water discharges, monitoring is necessary at a frequency of once per six (6) months for the first two years of the permit, at which time all nutrient monitoring at OF 003 will cease. The nutrient and sediment data collected over that period of time will then be reviewed by the applicant and a nutrient loading report is to be prepared and submitted to the VaDEQ not later than 90 days following cessation of nutrient monitoring. If loadings are significant, current and relevant guidance requires the permittee to impose additional controls to reduce nutrient loadings into an impaired water body, and file subsequent reports in that regard over the remaining permit term. Although nutrient monitoring will cease following the first two years of the permit, regular monitoring for TSS and the other remaining parameters on Part I.A. for OF 003 will continue until permit reissuance.

Proposed Part I.A. Effluent Monitoring - Outfall 002:

With the application, the applicant identified that industrial storm water discharges from this outfall are believed to be substantially identical to those from OF 003, and that OF 003 was sampled to complete EPA Form 2F for application purposes.

In addition, the applicant also noted that OF 002 is usually sealed with a steel plate and adhesive caulking to prevent inflows of stormwater unless a significant storm event is expected, at which time the plate is removed and flows from OF 002 resume for the duration of those measurable, but inundating, storm events.

To ensure that potential point source discharges of storm water runoff from OF 002 are adequately screened, should it be necessary for the steel plate to be removed during the permit term, limited effluent monitoring is proposed with the reissued permit. This Part I.A. monitoring will continue at a frequency of once per year and be limited to the parameters that follow.

In that regard, monitoring at OF 003 for nutrients will serve to represent the expected loadings of nutrients and sediments from OF 002 due to their proximity at the facility and generally identical discharges of potentially contaminated storm water runoff from industrial areas and activities proximate to OFs 002 and 003.

Flow (MG)	An unlimited parameter, continued from the current permit, that is standard for most VPDES permits where discharges exist and Part I.A. effluent monitoring is required. The volume of flow, in millions of gallons per storm event shall be estimated based on the size of area(s) drained and the amount of precipitation during the storm event sampled. This parameter shall be quantified and reported once per year.
pH (SU)	A water quality standard based and effluent limited parameter. Based on a past BPJ determination, the effluent's pH was limited to the range of 6.0 SU – 9.0 SU. It is proposed that this parameter's limitations be continued with permit reissuance. This parameter shall be quantified and reported once per year.

ATTACHMENT 6
Effluent Limitations/Monitoring Rationale/Suitable Data/Antidegradation/Antibacksliding

Proposed Part I.A. Effluent Monitoring - Outfall 002: (continued)

Total Suspended Solids (mg/l)	This unlimited parameter is being continued at permit reissuance. Continued monitoring is believed necessary to provide the permittee information regarding the loading of solids from this discharge during significant storm events. This parameter shall be quantified and reported once per year (annually) at outfall 002. Based on one or more of the facility's SIC codes, a benchmark concentration value (BCV) of 100 mg/l is applicable to this parameter. Should the BCV be exceeded during a specific effluent monitoring event, the applicant is required to review the incident and amend the facility's SWPPP, as necessary, to address the observation of TSS in excess of the BCV in accordance with the SWPPP.
Total Recoverable Iron: (mg/l)	In accordance with the VPDES general permit for industrial storm water discharges, this parameter is monitored at water transportation facilities and those that may handle coal on a regular basis, depending on SIC code. Tracking of this parameter along with TSS should provide a more refined basis to evaluate the applicant's successes in dealing with sediments and other industrially related contaminants from the site. This parameter shall be quantified and reported once per year (annually). Based on one or more of the facility's SIC codes, a benchmark concentration value (BCV) of 1.0 mg/l is applicable to this parameter. Should the BCV be exceeded during a specific effluent monitoring event, the applicant is obligated to review the content of the SWPPP and make any adjustments necessary to address the BCV exceedance.

Parameter Proposed to be Removed from Part I.A. for OFs 002 and 003 at Reissuance:

Based on a review of available chemical data compiled over the term of the current permit, it has been determined that TPH monitoring should be discontinued over the term of the reissued permit. In addition, the sources of runoff to these point source locations are associated with roadways passing through the permitted facility providing access to other nearby industrial activities and parking associated with administrative offices and access to pier facilities owned and operated by the applicant.

As such, and based on the BMPs and operational practices imposed by the applicant, it is expected that these petroleum contaminants (DRO and GRO as TPH) should not be expected in storm water runoff, as current controls seem to be both efficient and effective. Should an accidental or an unintentional release of petroleum based materials occur, the permittee's response and remediation activities are in-place and sufficient to address potential threats to adjacent surface waters.

SUMMARY OF PERMIT TERM DMR DATA
OUTFALL 001 - VA0057142

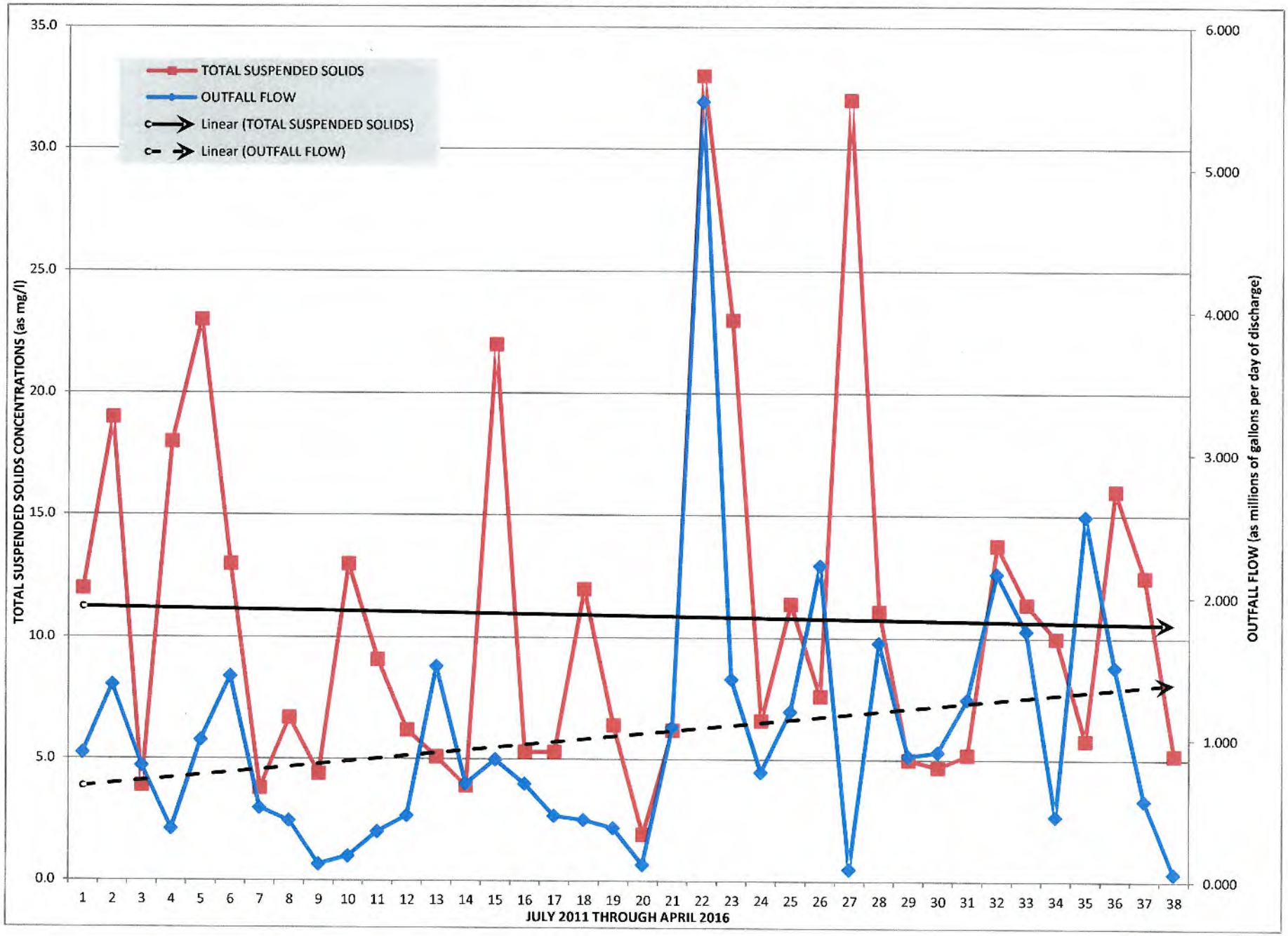
DMR PERIOD (1/MONTH)	FLOW (MGD)	pH (SU)	TSS (mg/l)	TOTAL IRON (mg/l)
APR 2011	NO DISCHARGE (ND)			
MAY	ND			
JUNE	ND			
JULY	0.900	8.0	12.0	
AUG	1.380	7.3	19.0	
SEP	0.810	6.4	3.9	
OCT	ND			
NOV	ND			
DEC	ND			
JAN 2012	ND			
FEB	ND			
MAR	ND			
APR	ND			
MAY	ND			
JUNE	0.360	8.6	18.0	1.07
JULY	ND			
AUG	0.990	8.9	23.0	
SEP	ND			
OCT	1.440	6.1	13.0	
NOV	ND			
DEC	ND			
JAN 2013	0.510	6.5	3.8	
FEB	0.420	6.3	6.7	
MAR	ND			
APR	ND			
MAY	0.114	8.0	4.4	
JUNE	0.171	8.2	13.0	0.28
JULY	ND			
AUG	0.342	7.0	9.1	
SEP	0.456	7.5	6.2	0.46
OCT	1.511	8.2	5.1	
NOV	ND			
DEC	0.684	6.8	3.9	0.76
JAN 2014	0.855	6.1	22.0	
FEB	0.684	6.7	5.3	
MAR	ND			
APR	0.456	8.2	5.3	
MAY	0.428	7.5	12.0	
JUNE	0.371	7.6	6.4	0.68
JULY	0.114	7.5	1.9	
AUG	1.083	6.2	6.2	
SEP	5.472	8.6	33.0	0.24
OCT	ND			
NOV	ND			
DEC	1.425	7.6	23.0	2.39
JAN 2015	0.770	7.5	6.6	
FEB	ND			
MAR	1.197	8.8	11.4	13.42
APR	2.223	7.2	7.6	

SUMMARY OF PERMIT TERM DMR DATA
OUTFALL 001 - VA0057142

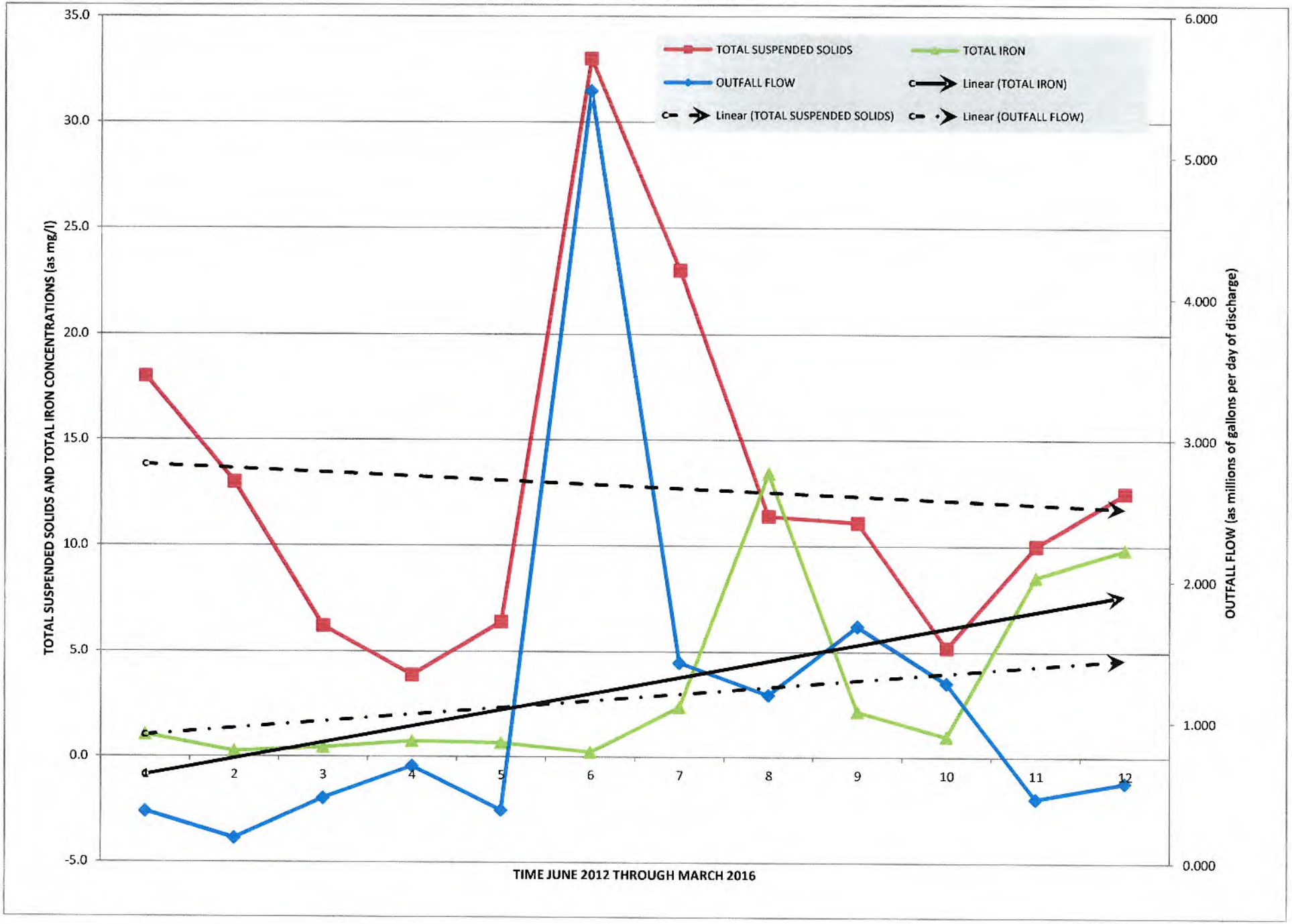
DMR PERIOD (1/MONTH)	FLOW (MGD)	pH (SU)	TSS (mg/l)	TOTAL IRON (mg/l)
MAY	0.086	6.5	32.0	
JUNE	1.682	6.3	11.1	2.19
JULY	0.884	6.8	5.0	
AUG	0.912	8.4	4.7	
SEP	1.283	6.5	5.2	1.00
OCT	2.166	6.4	13.8	
NOV	1.767	6.1	11.4	
DEC	0.456	6.3	10.0	8.53
JAN 2016	2.565	6.3	5.8	
FEB	1.511	8.3	16.0	
MAR	0.570	6.6	12.5	9.84
APR	0.057	7.7	5.2	
MAXIMUM	5.472	8.9	33.0	13.42
MINIMUM	0.057	6.1	1.9	0.24
AVERAGE	1.029	7.2	10.9	3.41
COUNT	38	38	38	12

EPA Form 2F Chemical Data Results	Grab Sample
Oil & Grease (mg/l)	Not detected (ND)
Biochemical Oxygen Demand (mg/l)	2
Chemical Oxygen Demand (mg/l)	ND
Total Suspended Solids	32
Total Nitrogen	1.41
Total Phosphorus	ND
pH	8.8
Temperature (°C)	30
Selenium (mg/l)	0.022
Iron (mg/l)	13.42
Total Organic Carbon (mg/l)	3.65
Sulfate (mg/l)	1540
Aluminum (mg/l)	1.604
Manganese (mg/l)	0.997
Copper (mg/l)	0.026
Nickel (mg/l)	0.142

SUMMARY OF PERMIT TERM DMR DATA FLOW vs. TSS
OUTFALL 001 - VA0057142



SUMMARY OF CONCURRENT PERMIT TERM DMR DATA FLOW vs. TSS vs. IRON
OUTFALL 001 - VA0057142



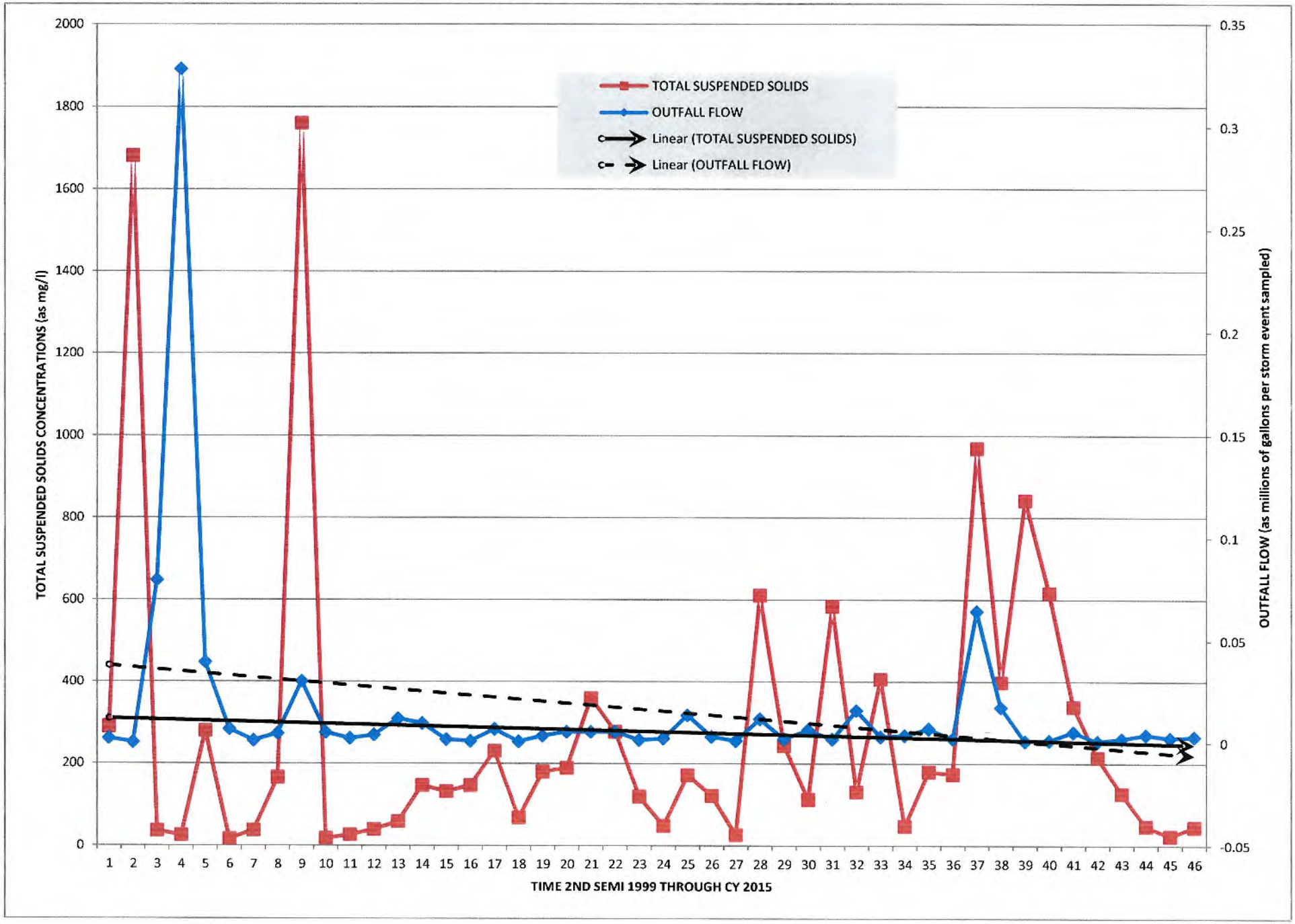
SUMMARY OF AVAILABLE DMR DATA
OUTFALL 002 - VA0057142

DMR PERIOD (1/QTR)	Q MAXIMUM (MG)	pH (SU)	TSS (mg/l)	O&G or TPH (mg/l)	COMMENTS
2ND HALF 99	0.0022	8.2	290	2	
1ST HALF 00	0.0004	6.2	1681	3	
2ND HALF	0.0796	8.1	37	<5	
1ST HALF 01	0.3284	8.0	26	<5	PERMIT REISSUED MONITORING 1/3 MONTHS: O&G now TPH
3D QTR 2001	0.0396	6.7	279	<1	
4TH	0.0067	6.4	17	<1	
1ST 2002	0.0012	6.6	38	<1	
2ND	0.0046	6.9	166	0.5	
3D	0.0302	6.7	1760	1.5	
4TH	0.0051	6.9	18	<1	
1ST 2003	0.0022	8.3	27	<1	
2ND	0.0039	6.6	40	<1	
3D	0.0118	7.1	59	<1	
4TH	0.0095	8.8	147	0.6	
1ST 2004	0.0017	6.9	132	<1	
2ND	0.0009	7.4	147	<1	
3D	0.0067	7.7	230	<1	
4TH	0.0007	8.6	69	2.1	
1ST 2005	0.0035	6.7	180	<1	
2ND	0.0054	7.2	189	<1	
3D	0.0054	8.3	359	<1	
4TH	0.0054	8.3	277	<1	
1ST 2006	0.0015	7.9	120	<1	
2ND	0.0022	8.0	49	<1	
3D	ns				
4TH	ns				
1ST 2007	0.0135	8.5	172	<1	
2ND	0.0031	8.2	122	1.6	
3D	0.0011	8.0	27	<1	
4TH	0.0116	8.2	611	<1	
1ST 2008	0.0020	7.6	243	<1	
2ND	0.0064	7.6	113	<1	
3D	0.0019	7.8	584	<1	
4TH	0.0158	7.5	131		
1ST 2009	0.0031	7.5	406		
2ND	0.0037	7.9	48		
3D	0.0069	7.8	180		
4TH	0.0021	6.9	174	<1	
1ST 2010	0.0645	7.9	969		
2ND	0.0173	8.0	398		
3D	0.0009	8.3	843		
4TH	0.0012	7.8	616	<1	
1ST 2011	0.0053	8.1	338		TOT Fe (mg/l)
2ND	0.0008	7.6	214		PERMIT REISSUED 07/20/2016
CY 2012	0.0021	7	127	<1	1.99
CY 2013	0.0041	7.2	48	<1	1.77
CY 2014	0.0025	6.5	24	<1	0.92
CY 2015	0.0031	6.7	46	0.8	1.68
MAXIMUM	0.3284	8.8	1760	3	1.99
MINIMUM	0.0004	6.2	17	(0.5)	0.92
AVERAGE	0.0159	7.5	277.6	0.83	1.59
COUNT	46	46	46	36	4

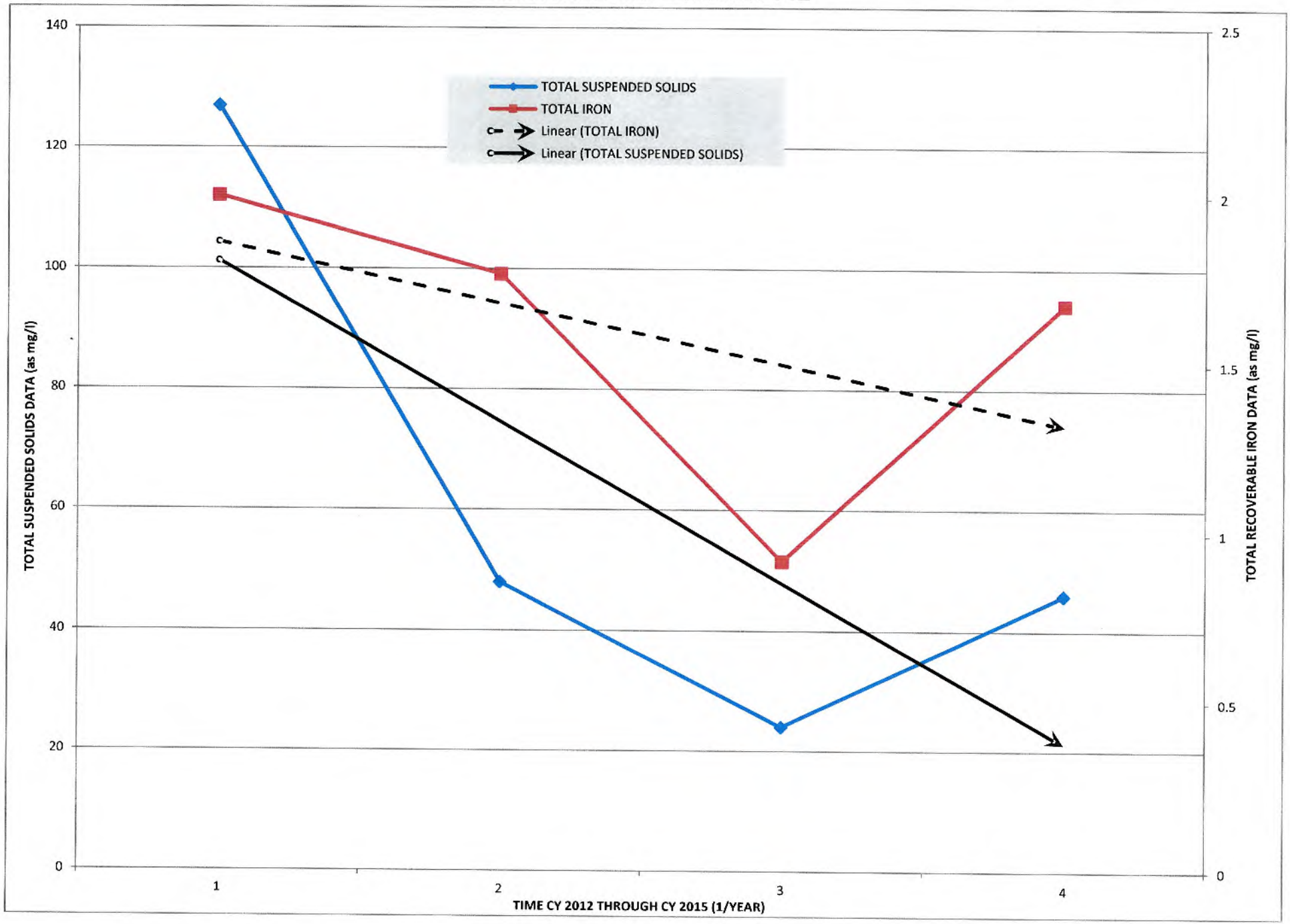
EPA Form 2F Chemical Data Results	Grab Sample

For this application, only outfall 003 was sampled. The results are representative of both 002 and 003 due to the proximity of the drainage areas and the similarity in exposure to storm water as both are draining roadways and parking areas.

SUMMARY OF LONG TERM DMR DATA FLOW vs. TSS
OUTFALL 002 - VA0057142



SUMMARY OF AVAILABLE PERMIT TERM DMR DATA TSS vs. TOTAL IRON
OUTFALL 002 - VA0057142



SUMMARY OF AVAILABLE DMR DATA
OUTFALL 003 - VA0057142

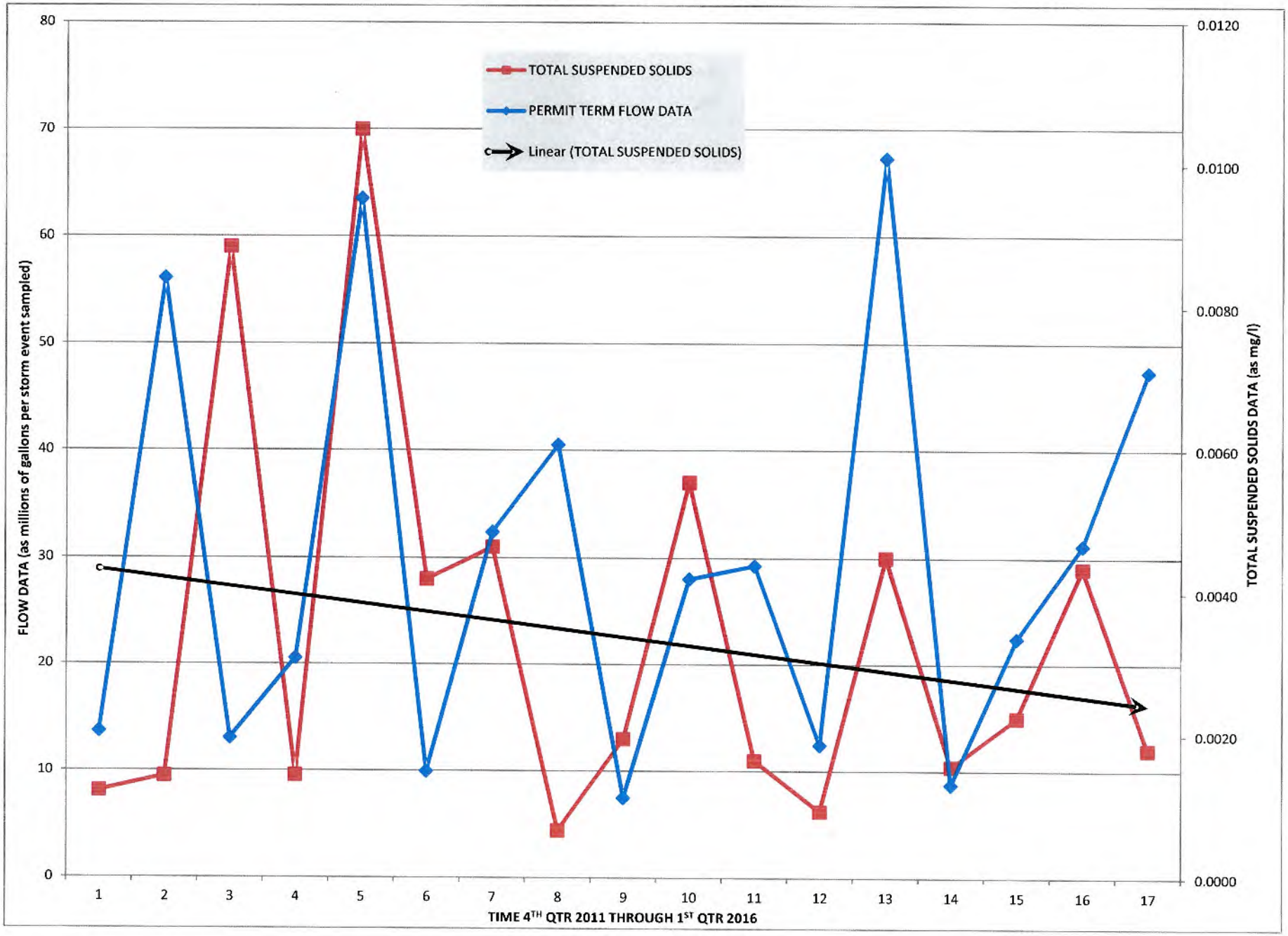
DMR PERIOD (1/QTR)	Q MAXIMUM (MG)	pH (SU)	TSS (mg/l)	O&G or TPH (mg/l)	DIS Cu (ug/l)	COMMENTS
2ND HALF 99	0.0041	8.1	230	1	<50	
1ST HALF 00	0.0008	6.7	867	2	425	
2ND HALF	0.0796	8.0	31	<5	<30	
1ST HALF 01	0.0631	7.9	21	<5	28	PERMIT REISSUED MONITORING 1/3 MONTHS; O&G now TPH
3D QTR 2001	0.0595	7.7	110	<1	39	
4TH	0.0100	6.8	49	<1	<1	
1ST 2002	0.0018	7.4	73	0.5	6	
2ND	0.0069	6.6	158	0.5	4	
3D	0.0453	6.7	165	0.5	5	
4TH	0.0077	6.0	41	<1	3	
1ST 2003	0.0034	7.3	114	<1	4	
2ND	0.0059	6.6	91	<1	<1	
3D	0.0178	7.8	41	<1	<5	
4TH	0.0143	8.8	414	<1	<1	
1ST 2004	0.0018	6.7	112	2.1	3	
2ND	0.0014	8.2	156	<1	5	
3D	0.0100	8.0	160	3.8	<1	
4TH	0.0010	9.0	76	1.5	10	
1ST 2005	0.0052	7.0	228	<1	<1	
2ND	0.0094	7.5	43	<1	6	
3D	0.0094	8.2	418	<1	<1	
4TH	0.0094	8.4	524	<1	<1	
1ST 2006	0.0024	7.4	116	<1	6	
2ND	0.0034	8.1	185	<1	<1	
3D	ns					
4TH	ns					
1ST 2007	0.0202	8.6	153	1.1		
2ND	0.0009	7.3	351	<1		
3D	0.0017	7.7	91	<1		
4TH	0.0174	8.1	307	<1		
1ST 2008	0.0030	7.8	137	0.6		
2ND	0.0095	7.7	233	<1		
3D	0.0027	8.6	351	<1		
4TH	0.0237	7.6	28			
1ST 2009	0.0046	7.7	93			
2ND	0.0056	8.0	9.3			
3D	0.0105	8.4	792			
4TH	0.0032	7.0	123	0.6		
1ST 2010	0.0968	8.0	412			
2ND	0.0260	8.1	101			
3D	0.0014	8.4	424			
4TH	0.0018	7.7	548			
1ST 2011	0.0079	8.3	257		TOT Fe (mg/l)	
2ND	0.0012	7.7	38			Permit reissued 07/20/2016
3D 2011	0.0021	7.9	8.1		0.340	
2ND 2012	0.0084	8.7	9.5		0.510	
3D	0.0020	8.6	59		1.150	
4TH	0.0031	6.9	9.6	<1	0.250	
1ST 2013	0.0095	7.3	70		1.720	
2ND	0.0015	7	28		0.800	
3D	0.0049	7.2	31		0.860	

SUMMARY OF AVAILABLE DMR DATA
OUTFALL 003 - VA0057142

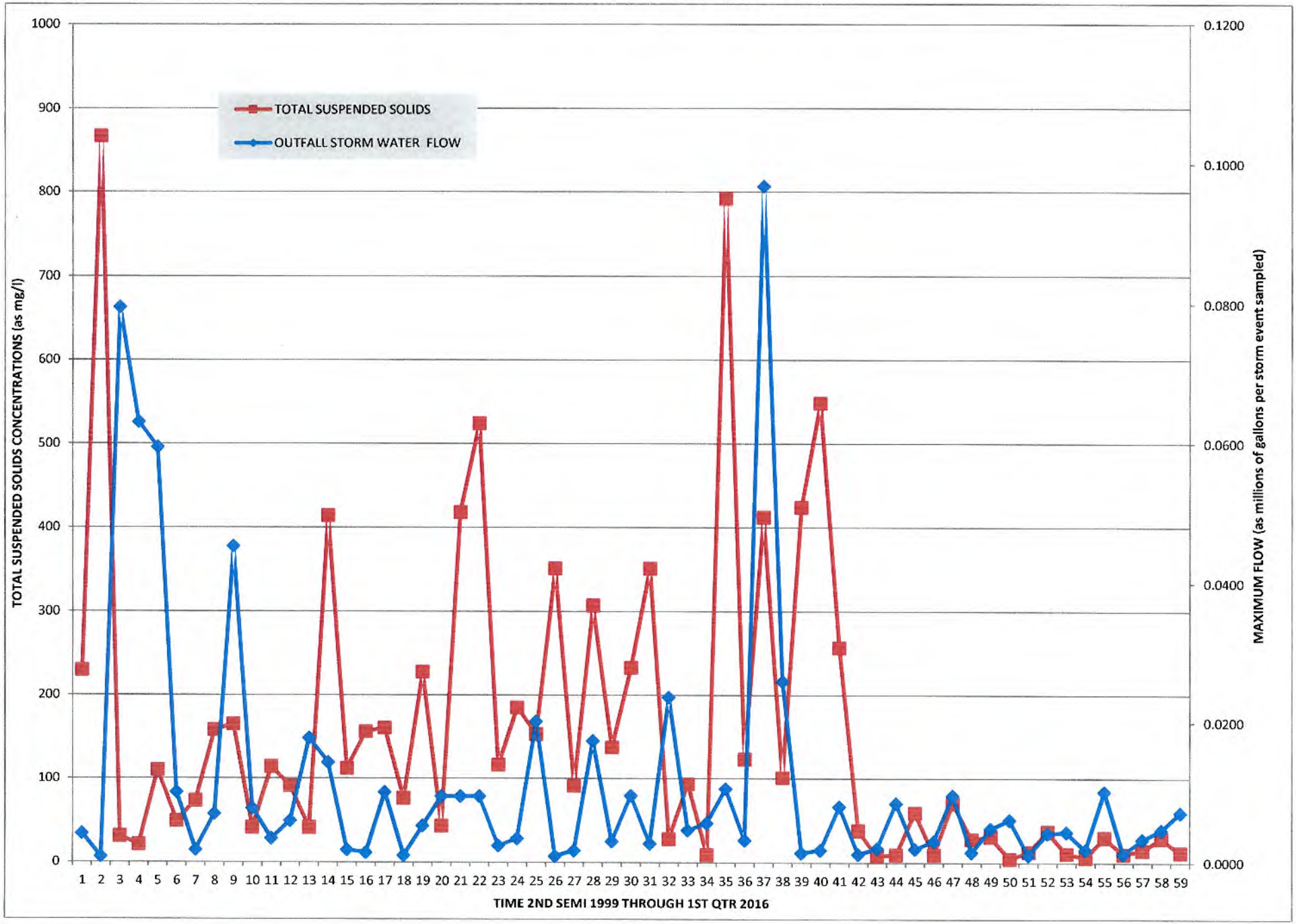
DMR PERIOD (1/QTR)	Q MAXIMUM (MG)	pH (SU)	TSS (mg/l)	O&G or TPH (mg/l)	TOT Fe (mg/l)	COMMENTS
4TH	0.0061	6.9	4.4	1	0.378	
1ST 2014	0.0011	7.0	13		0.590	
2ND	0.0042	6.3	37.0		0.980	
3D	0.0044	6.3	11		0.250	
4TH	0.0019	6.5	6.2	<1	0.460	
1ST 2015	0.0101	6.22	30		3.420	
2ND	0.0013	7.0	10.4		0.373	
3D	0.0034	6.4	15		0.452	
4TH	0.0047	7.1	29	<1	0.678	
1ST 2016	0.0071	6.8	12		1.360	
Maximum	0.0968	9.0	867	3.8	3.420	
Minimum	0.0008	6.0	4.4	(0.5)	0.250	
Average	0.0117	7.5	156.9	0.85	0.840	
Count	59	59	59	36	15	

EPA Form 2F Chemical Data Results	Grab Sample
Total Petroleum Hydrocarbons (DRO+GRO) (mg/l)	Not Detected (ND)
Biochemical Oxygen Demand (mg/l)	2
Chemical Oxygen Demand (mg/l)	ND
Total Suspended Solids (mg/l)	30
Total Nitrogen (mg/l)	0.3
Total Phosphorus (mg/l)	0.06
pH (SU)	7.08
Temperature (°C)	24
Selenium (mg/l)	ND
Iron (mg/l)	3.42
Total Organic Carbon (mg/l)	2.47
Sulfate (mg/l)	15.9
Aluminum (mg/l)	0.392
Manganese (mg/l)	0.44
Copper (mg/l)	0.007
Zinc (mg/l)	0.05
Nickel (mg/l)	ND

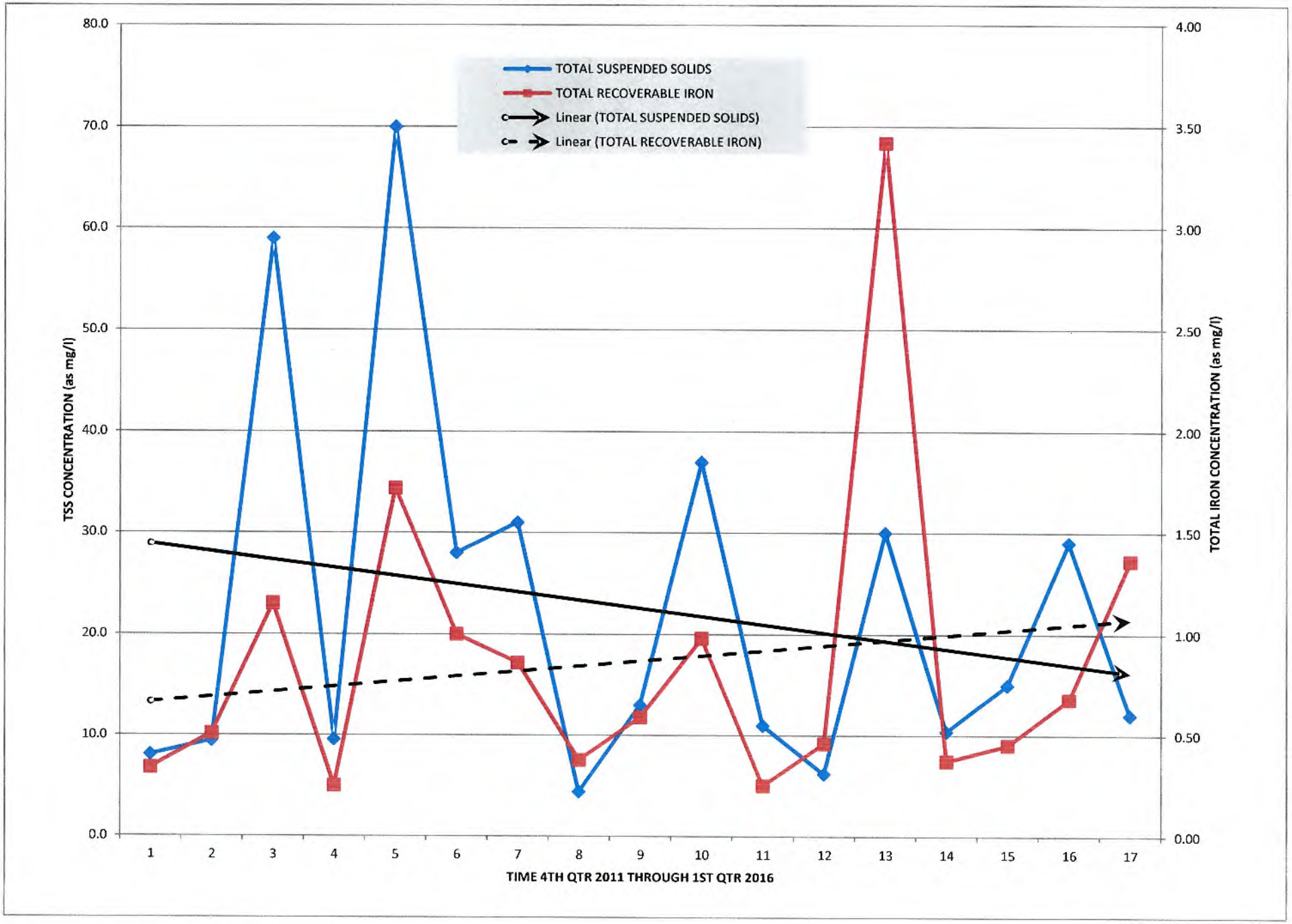
PERMIT TERM DMR DATA FLOW vs. TSS
OUTFALL 003 - VA0057142



SUMMARY OF LONG TERM DMR DATA TSS vs. FLOW at SAMPLING
OUTFALL 003 - VA0057142



SUMMARY OF AVAILABLE PERMIT TERM DMR DATA TSS vs. TOTAL IRON
OUTFALL 003 - VA0057142



KINDER MORGAN
BULK TERMINALS, INC.

Pier IX Terminal
2011 Annual Report

INSPECTIONS

Facility inspections were completed daily in 2011 without exception and documented daily in the 2011 Daily Environmental Logs which are included in this report and attached to all 2011 DMR's. Inspections were performed collectively by the Environmental Coordinator, facility staff, supervision and management. Remedial actions to environmental issues were completed immediately and/or in a timely manner and documented as such.

Filter media is used in basins that flow storm water to the James River. These filters are inspected weekly and replaced as needed. Filters are replaced quarterly at a minimum. The storm water that was slow to drain through the filter media creating minor flooding is typically evacuated and pumped into a vacuum truck and later discharged into the retention pond.

TRAINING

In accordance with VPDES Permit No. VA 0057142 training was administered to all employees covering Pier IX's Storm Water Permit, Storm Water Pollution Prevention Plan, as well as Spill Prevention Countermeasures and Controls. Records of this training are kept on site for each employee's training file.

MAINTENANCE

All maintenance and repairs to the systems are recorded on the Daily Environmental Log 2011. These records were maintained by the environmental coordinator and facility staff. Each log was submitted on a monthly basis with the DMR. Additionally, Pier IX has a computerized maintenance management system (CMMS) in place that also documents maintenance action to the environmental systems. The CMMS also serves as a trigger for performing preventive maintenance to the environmental systems. An inventory stock of spare parts related to our environmental systems is kept on site and is included with this annual report.

Improvements were made in the area of the perimeter ditch that directs water to the retention pond. We completed phase two of our concrete ditch liner project by lining an additional 1595 linear feet of the perimeter ditch. The perimeter ditch spans a total length of 5,280 linear feet and a total of 2,435 linear feet have been completed. Phase three will begin in 2012 to complete another 600 feet and consecutive phases will continue until the project is complete. (photo attached).

The concrete "catch basin" in the outfall area from the perimeter ditch to the pond is cleaned on a quarterly frequency. This concrete basin was installed and designed to provide a "basin" for the collection and control of solids prior to the solids entering the retention pond. The solids are quickly and easily removed from the basin with a backhoe bucket.

Additionally we have installed a "containment pan" on one of our locomotives and utilize portable containment pans on mobile equipment as needed. This is done in an effort to contain all drips and spills throughout the facility (photo attached).

Routine cleaning of the retention pond keeps solids to a minimum.

A "sluice gate" was installed at the outfall from the perimeter drainage ditch to the retention pond. Due to a grade elevation offset between our ditch and pond, drainage from the coal storage yard to the pond was minimized and we would often have to reduce pond levels to gain better yard drainage. Reducing pond levels could only be accomplished by discharges through outfall 001. Our retention pond could not realize full capacity and remain within our permitted freeboard limit. We installed a sluice gate to eliminate backflow from the pond back into the ditch once the pond reached a certain level (not capacity). The sluice gate remains closed at all times and we utilize a newly installed pumping system to transfer water from the ditch to the pond. The benefits we have realized from this modification are:

- Improved coal storage yard drainage
- Increased capacity in our retention pond

- Less solids in the pond due to the elimination of free flow from the ditch to pond
- Reduced ground water withdrawal due to increased pond capacity
- Reduced discharges through outfall 001 to the James River due to increased capacity in retention pond (ie: zero discharges in quarter two and quarter four of 2011)

REPORTING

Total Suspended Solids (TSS) analyses are critically evaluated by a third party laboratory, Universal Laboratory. Elevated total suspended solids are evaluated for cause and remedial action takes place immediately. All reports were submitted as scheduled in 2011. We continued to show elevated TSS (> 100mg/L) in storm water outfalls 002 and 003 and reported as such. We have no TSS limits on these outfalls but we attempt to keep the TSS to levels below 100mg/L. Outfall 002 has been blocked off and excluded as a storm water outfall with the exception of significant storm water events. This change with 002 was completed with our permit renewal in 2011. We currently have 003 in control for TSS.

The Annual Acute Effluent Toxicity Test was conducted in February 9, 2011 as part of the permit renewal process. Due to the permit renewal in 2011, the test is not required until the end of calendar year 2012. The February 2011 analysis is included in this report for reference.

COMMENTS

No additional comments to make. If there are questions regarding this annual report please contact Joseph DeMatteo, Terminal Manager at 757 928 1520.

KINDER MORGAN

PIER IX/X
Annual Report 2012

INSPECTIONS

Pier IX's Environmental Coordinator inspects all major areas of the terminal's environmental controls on a daily basis (Monday through Friday). Operations Supervisors and Pier X employees also conduct inspections on holidays, evenings and weekends. Any deficiency with the environmental systems is reported to the Environmental Coordinator immediately. With the exception of Christmas, Pier IX is staffed 24 hours a day and 365 days a year. Records of visual inspections and daily work performed on the environmental systems are kept on site.

TRAINING

The Environmental Coordinator & SQE Coordinator have presented training material to the entire Pier X staff in 2012. Training material included the requirements of the storm water permit, SWP3, SPCC and the air permit. Documentation and records of employee's training are maintained in the safety building in the employee's personnel file. Pier IX has also completed hands on training drills placing containment boom in the James River. We will continue to train for the worst case scenario as we move ahead in 2013.

MAINTENANCE

All required preventive maintenance on the environmental systems at Pier IX were completed in 2012. Records of work that was completed can be found in the Environmental Notes for 2012. The Environmental notes were submitted to the DEQ when the DMR's were submitted. All of the environmental systems at Pier IX require spare parts to be on site. Keeping spare parts on site is critical to the environmental compliance and operation of Pier X. All spare parts are kept on site in the warehouse and an inventory list is attached.

Pier IX contracted the ditch liners and silt basin to be cleaned in 2012. The ditch liners and silt basins were cleaned on a monthly basis to prevent sediment from entering the settling pond. We also contracted the pump vaults to be cleaned on a quarterly basis. This prevents solids and fines from entering the pond. During maintenance outages operations crews cleaned the pond with a long reach excavator. Cleaning the pond has helped our holding capacity and keeps the TSS to a minimum.

REPORTING

All reports have been completed for 2012 and submitted to the DEQ on time for the year of 2012. Visual inspections of Pier IX's outfalls have been completed as required. All samples of storm water and pond discharges have been completed and analyzed by Universal Laboratories. The annual Acute Affluent Toxicity Test was completed in 2012 and the results are enclosed.

COMMENTS

2012 was the first year the pond canal gate has been in service for all four quarters. The gate has allowed Pier IX to increase the pond freeboard while still maintaining the 1' minimum. We have experienced positive impacts wile using the canal gate. The gate has helped us save on ground water withdrawals and has allowed us to harness more storm water for our dust suppression use. In past years we would often discharge during rain events. In 2012 the gate has allowed us to discharge only 3 of 12 months.

Moving forward into 2013 our focus will continue to be educating the Pier IX staff on permit conditions, maintaining world class standards, and continued improvement in our sampling and reporting to remain environmentally compliant and responsible operators. Hands on training will take place to ensure we are ready if a situation should ever occur.

KINDER MORGAN

PIER IX/X 2013

ANNUAL REPORT

INSPECTIONS

Pier IX's Environmental Coordinator inspects all major areas of the terminal's environmental controls on a daily basis (Monday through Friday). Essentially a site evaluation is being conducted every day. Operations Supervisors, select contractors and Pier IX employees also conduct inspections on evenings, weekends and holidays. With the exception of Christmas, Pier IX is staffed 24 hours a day and 365 days a year. All daily environmental inspection's malfunctions or work being completed on the environmental controls are documented and stored on site.

TRAINING

The entire Pier IX staff has had the 2013 training presented by the EHS Coordinator and Environmental Coordinator. Training material included the requirements of the storm water permit, SWP3, SPCC and the air permit. Documentation and records of the employees training are maintained in the safety building in the employees' personal file. All contractors working at Pier IX are required to observe the environmental and safety video's before work commences. All employees and contractors are encouraged to use the "You Can Stop" policy without repercussion. This policy has been put in place to eliminate the possibilities of injury and to remain environmentally compliant.

MAINTENANCE

All required preventive maintenance on the environmental systems at Pier IX was completed in 2013. Any maintenance work performed on the environmental systems is communicated to all Senior Staff and Operations Supervisors in the Daily Environmental e-mail. The daily e-mail helps reduce questioning on the performance of the environmental controls. Daily maintenance items are also logged in the Environmental Notes that are submitted with the DMR's. Records of maintenance are maintained and kept on site in the Environmental Coordinator's office.

Pier IX currently uses a computerized maintenance management system (CMMS) named "Dossier" to manage our preventive maintenance inspections and repairs. Once an item has been placed in the

program, the system will send a "prompt" message to the responsible user outlining the inspection process and the schedule for such. By utilizing this system Pier IX is able to ensure all inspections and maintenance of the environmental control equipment is being completed on a scheduled basis. The Dossier system also serves as a good record keeping program that allows Pier IX to track issues. When new equipment is installed or new malfunctions take place entries are placed in the system to prevent future reoccurrence.

REPORTING

All reports have been completed for 2013 and submitted to the DEQ on time for the year of 2013. Visual inspections of Pier IX's outfalls have been completed as required. All samples of storm water and pond discharges have been completed and analyzed by Universal Laboratories. The annual Acute Affluent Toxicity Test was completed in 2013 and enclosed. There was 100% survival with the M. Bahia and C. veriegatus during this year's study. With the past and present BMP's that have been established all water samples in 2013 contained lower tss levels than required by permit.

COMMENTS

In 2013 Pier IX continued to strive for environmental excellence and stewardship. Pier IX has managed the present environmental controls and set new best management practices (2013 BMP's are attached) in place to obtain environmental efficacy. The Pier IX team has worked diligently to manage waste water within compliance while thinking about conservation. In return discharges to the river have been reduced along with groundwater withdrawal.

2012	2013
Rainfall = 48.72"	Rainfall = 42.38"
Pumping to the James River =158.75 hours	Pumping to the James River = 106.00 hours
Ground Water Withdrawal = 23,054,441 gallons	Ground Water Withdrawal = 13,454,266 gallons

Moving forward into 2014 Pier IX will continue to focus on remaining environmentally compliant and look for new best management practices to improve environmental controls. Pier IX will continue to train all employees and contractors on the permit conditions set forth to ensure we are doing the right thing every day. Kinder Morgan will continue to keep all employees informed of the environmental controls and the importance of their functions.

KINDER MORGAN
BULK TERMINALS, INC.

PIER IX /X

ANNUAL REPORT 2014

INSPECTIONS

Pier IX's Environmental Coordinator performs inspections of all environmental controls on a daily basis (Monday through Friday) to ensure controls are functioning properly. Daily inspections are documented and stored on site in the Environmental Coordinators office. During evenings, weekends and holidays Operations Supervisors, select contractors and Pier IX employees oversee the environmental controls. Crucial personnel receive a daily e-mail "Environmental Update" that advises the Pier IX team on the current status of the environmental controls, items requiring attention and work being completed. These records are also filed and stored on site.

TRAINING

The entire Pier IX staff and select contractors have attended the required 2014 environmental, health and safety training presentations. Training material was presented to employees by the EHS Coordinator and Environmental Coordinator. Topics covered in 2014 included the requirements of the VPDES Permit, SWP3, SPCC, Ground Water Withdrawal and the Air Permit. Documentation of training is filed in employee's personal folders and stored on site in the Safety Building. All contractors working on Kinder Morgan Facilities are required to attend the contractor orientation on an annual basis. During the orientation contractors are educated on the facilities operating conditions. Contractors and employees are also urged to report any activities that may cause safety risks or environmental harm. Reports can be made to the Ethics Hotline anonymously via toll free calls.

REPORTING

All reports have been completed for 2014 and submitted to the DEQ on time and without error. Visual inspections of Pier IX's VPDES permitted outfalls have been completed as required and attached to the 2014 Annual Report. All required sampling of storm water and retention pond discharges have been completed and analyzed by Universal Laboratories. During 2014 all water samples were within the required pH parameters and all tss levels were below required limits. The annual Acute Effluent Toxicity Test was completed in 2014 and the results are attached. Along with 2013 Pier IX is gratified to report that the 2014 toxicity analysis reported one hundred percent survivability among the M. Bahia and C. Veriegatus.

MAINTENANCE

All required preventive maintenance on the environmental systems at Pier IX has been completed in 2014. Pier IX currently relies on daily inspections to reduce failures and maintain the environmental controls. Pier IX also relies on the computerized maintenance management system (CMMS) named "Dossier" to manage preventive maintenance and repairs. The Dossier system will automatically send notification to users informing them an inspection is due. The system also gives step by step instructions to users on the correct completion of the inspection. Detailed instructions enable the preventive maintenance item to be completed by any given team member. Dossier also serves Pier IX as a tracking tool and helps users identify reoccurring complications.

COMMENTS

In 2014 Pier IX focused on maintaining the environmental controls and continued performing best management practices. The improvements that have been put in place over the recent years have enabled Pier IX to discharge quality water to the James River. In 2011 Pier IX installed a canal gate on the retention pond to increase the holding capacity and reduce discharges. The canal gate demonstrated prime efficiency in 2011, 2012 & 2013. Pier IX has seen an increase in 2014 storm water discharges through Outfall #001 (see attached trend model). The excess discharge amounts are due to the tunnel extensions that were placed in service during 2104. The tunnel extensions are infiltrated by ground water then pumped to the pond where the water is recycled and used for dust suppression activities. Pier IX will continue to monitor all water trends for maximum efficiency.

Moving ahead into 2015 Pier IX will continue to monitoring and maintain the environmental controls. Pier IX will look for opportunities to make improvements to the current environmental controls and construct new control systems as we strive for environmental excellence. Pier IX will continue hosting the Smithsonian Institute for marine research in the James River completed on Pier X. All employees and contractors at Pier IX will be encouraged to stop any job and report all situations that may be outside our operating permits or cause risk to the environment.

KINDER MORGAN

PIER IX / X

ANNUAL REPORT

INSPECTIONS

Pier IX's Crew Leader performs visual inspection's on a daily basis Monday – Thursday. All daily inspections are documented and filed in the Crew Leaders Office for future reference. Areas inspected on a daily basis include (but are not limited to) Pumps, valves, outfalls, parking areas, pond water quality, fire systems, ditch lines, storage tanks, maintenance areas and the facilities commodity inventory. The main focus during daily inspection to ensure Pier IX is remaining compliant to permitting and environmental controls are functioning as designed. In the absence of the Crew Leader the Pier IX Shift Supervisor is responsible for environmental compliance.

TRAINING

Kinder Morgan Employees and contractors performing work at Pier IX receive training on an annual basis. Environmental, Health and Safety training is presented to employees and contractors by the EHS Coordinator and the Crew Leader. Training topics include the VPDES permit, Groundwater Withdrawal permit, Coal / Cement Air permit, SWPPP and the SPCC. Training records are stored in the employees file and filed in the safety building. Kinder Morgan has implemented a "training matrix" to ensure all employees receive training in a timely manner. Kinder Morgan has also implemented the "You Can Stop" program. This program gives all employees and contractors working on facilities the ability to stop a job for any concern regarding safety, environmental impact and customer service. Employees and contractors have the ability to stop any job at any time without fear of retribution.

REPORTING

All permit required reporting for 2015 was completed and submitted to the VA DEQ within required timelines. All Discharge Monitoring Reports (DMR) have been submitted using the VA DEQ "E-DMR" system. Completed DMR'S are printed and filed on site in the Crew Leader's office as required. Permit required inspections of outfalls have been completed in 2015 and attached within this report. In past years Total Suspended Solids (TSS) has been a main focus at Pier IX as we have strived to report lower levels and better control TSS levels during discharge operations. Pier IX is gratified to report that permit

required TSS levels have been greatly reduced over the last five years. In 2015 Pier IX discharged through Outfall #001 a total of eleven months. The average TSS level during sampling was 10.8 mg/L well below the permit required limit of 50 mg/L.

MAINTENANCE

Pier IX continues to utilize the Computer Maintenance Management System (CMMS) also known as "Dossier" to complete and record maintenance activities. This system is designed to automatically create work orders in regards to preventive maintenance. Facility personnel will then complete the preventive maintenance and input required repairs and pertinent information into the system. The Dossier system has been proven to be an effective tool in managing the facilities environmental controls. Maintaining the upgrades that have been constructed within Pier IX's environmental controls is the key element to reducing TSS levels and remaining environmentally compliant.

COMMENTS

2015 was a challenging year for Pier IX, as coal markets dropped the facility is now operating with a reduced work force. Even though Pier IX is facing challenging times, safety and environmental compliance will continue to be upheld with the highest regards. While coal exports were in abundance over the past years Pier IX was able to construct upgrades to the environmental controls. These upgrades will ensure the facility remains environmentally compliant during these challenging times.

Pier IX continues to use reclaimed storm water as a primary source for wet suppression systems located within the facility. With the exception of Pier X all rain water, wet suppression water and wash water is continually reused at the facility. In past years the upgrades to the water recycling system has reduced discharges through Outfall #001 drastically and reduced groundwater withdrawal from the surrounding aquifers.

In 2015 Pier IX completed major repairs to the underground conveyor tunnel systems. These repairs included removing sections of tunnel walls that showed major fatigue due to extensive years of service. In past years groundwater infiltration of the tunnels has been present and this water is also used at Pier IX for wet suppression activities. After the completion of the tunnel wall repairs Pier IX has been experiencing excess amounts of groundwater infiltration. In return, the excess groundwater has caused increased discharges through Outfall #001 in 2015. This increase of groundwater has caused Pier IX to discharge 34 million gallons to the James River in 2015. (Highest rate of discharge in 10 years) While discharges have increased, well water withdrawals have reduced significantly clearly showing that Pier IX is remaining focused on water management. In 2015 Pier IX only withdrew 5.8 million gallons compared to 33 million gallons in 2007. Water withdrawals from aquifers in 2015 are currently the lowest compared to the past ten years.

VA0057142 - ANTIDEGRADATION CALCULATIONS/BASELINES – SALTWATER (WQS 01/2011)

All values in ug/l unless otherwise noted.

PARAMETER	SALTWATER CRITERIA (SW)		OTHER SURFACE WATERS CRITERIA	INSTREAM BACKGROUND DATA (Expected Value*)	ANTIDEGRADATION BASELINE			WATER QUALITY WASTE LOAD ALLOCATION (WQ-WLA)			ANTIDEGRADATION WASTE LOAD ALLOCATION (AD-WLA)		
	ACUTE	CHRONIC			ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH
METALS													
Antimony			640	none available			64			NA			
Arsenic	69	36			17.3	9		138	1800				
Cadmium	40	8.8			10.0	2.2		80.0	440				
Chromium VI	1100	50			275	12.5		2200	2500				
Copper	9.3	6.0			2.3	1.5		18.6	300				
Lead	240	9.3			60.0	2.3		480	468				
Mercury	1.8	0.94			0.45	0.23		3.6	47				
Nickel	74	8.2	4600		18.5	2.1	460	148	410				
Selenium	290	71	4200		72.5	17.8	420	580	3550				
Silver	1.9				0.47			3.8					
Thallium			0.47				0.047						
Zinc	90	81	26000		22.5	20.3		180.0	4050				
PESTICIDES/PCB'S													
Aldrin	1.3		0.00050	none available	0.32		0.00005	2.6		NA			
Chlordane	0.09	0.004	0.0081		0.22	0.001	0.0008	0.18	0.2				
Chlorpyrifos (Dursban)	0.011	0.0056			0.003			0.022	0.28				
DDD			0.0031				0.00031						
DDE			0.0022				0.0002			NA			
DDT	0.13	0.001	0.0022		0.032	0.0002	0.0002	0.26	0.05				
Demeton		0.1				0.025			5				
Diazinon	0.82	0.82			0.21	0.21		1.64	41				
Dieldrin	0.71	.0019	0.00054		0.178	0.0005	0.00005	1.42	0.095				
Alpha-Endosulfan	0.034	0.0087	89		0.008	0.0022	8.9	0.068	0.435				
Beta-Endosulfan	0.034	0.0087	89		0.008	0.0022	8.9	0.068	0.435				
Endosulfan-Sulfate			89				8.9						
Endrin	0.037	0.0023	0.60		0.009	0.0006	0.06	0.074	0.11				
Endrin Aldehyde			0.30				0.03						
Guthion		0.01			0.002				0.5				
Heptachlor	0.053	0.0036	0.00079		0.013	0.0009	0.00008	0.106	0.18				
Heptachlor Epoxide	0.053	0.0036	0.00039		0.013	0.0009	0.00004	0.106	0.18				
Hexachlorocyclo - hexane Alpha-BHC			0.049				0.0049						
Hexachlorocyclo - hexane Beta-BHC			0.17				0.017						

VA0057142 - ANTIDEGRADATION CALCULATIONS/BASELINES – SALTWATER (WQS 01/2011)

All values in ug/l unless otherwise noted.

PARAMETER	SALTWATER CRITERIA (SW)		OTHER SURFACE WATERS CRITERIA	INSTREAM BACKGROUND DATA (Expected Value*)	ANTIDEGRADATION BASELINE			WATER QUALITY WASTE LOAD ALLOCATION (WQ-WLA)			ANTIDEGRADATION WASTE LOAD ALLOCATION (AD-WLA)		
	ACUTE	CHRONIC			ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH
Hexachloro-Cyclohexane Gamma- BHC (Lindane)	0.16		1.8		0.04		0.18	0.72					
Kepone		0				0			0				
Malathion		0.1		none available		0.025			5	NA			
Methoxychlor		0.03				0.007			1.5				
Mirex		0				0			0				
PCB TOTAL		0.030	0.00064			0.007	0.00006		1.5				
Toxaphene	0.21	0.0002	0.0028		0.05	0.00005	0.0003	0.42	0.01				
BASE NEUTRAL EXTRACTABLES, VOLATILES, ACIDS EXTRACTABLES													
Acenaphthene			990				99						
Acrolein			9.3				0.93						
Acrylonitrile			2.5				0.25						
Anthracene			40000				4000						
Benzene			510				51						
Benzidine			0.0020				0.0002						
Benzo(a) anthracene			0.18				0.018						
Benzo(b) fluoranthene			0.18				0.018						
Benzo(k) fluoranthene			0.18				0.018						
Benzo(a)pyrene			0.18				0.018						
Bis-2-Chloroethyl Ether			5.3	none available			0.53			NA			
Bis-2-Chloro - isopropyl Ether			65000				6500						
Bis-2-Ethylhexyl Phthalate			22				2.2						
Bromoform			1400				140						
Butyl benzyl phthalate			1900				190						
Carbon Tetrachloride			16				1.6						
Chlorobenzene			1600				160						
Chlorodibromo-methane			130				13.0						
Chloroform			11000				1100						
Chrysene			0.018				0.002						

VA0057142 - ANTIDEGRADATION CALCULATIONS/BASELINES – SALTWATER (WQS 01/2011)

All values in ug/l unless otherwise noted.

PARAMETER	SALTWATER CRITERIA (SW)		OTHER SURFACE WATERS CRITERIA	INSTREAM BACKGROUND DATA (Expected Value*)	ANTIDEGRADATION BASELINE			WATER QUALITY WASTE LOAD ALLOCATION (WQ-WLA)			ANTIDEGRADATION WASTE LOAD ALLOCATION (AD-WLA)		
	ACUTE	CHRONIC			ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH
2-Chloronaphthalene			1600				160						
2-Chlorophenol			150				15						
Dibenz(a,h) anthracene			0.18				0.018						
Dichlorobromo-methane			170				17						
Dichloromethane (Methylene Chloride, syn)			5900				590						
1,2-Dichloro-benzene			1300				130						
1,3-Dichloro-benzene			960				96						
1,4-Dichloro-benzene			190				19						
3,3 Dichloro - benzidine			0.28				0.028						
1,2-Dichloro-ethane			370				37						
1,1-Dichloro-ethylene			7100				710						
1,2-trans Dichloroethylene			10000				1000						
2,4 Dichlorophenol			290				29						
2,4 Dimethylphenol			850				85						
2,4 Dinitrophenol			5300				530						
1,2-Dichloropropane			150				15						
1,3-Dichloropropene			210				21						
Diethyl phthalate			44000				4400						
Dimethyl Phthalate			1100000				110000						
1,2-Diphenylhydrazine			2.0				0.2						
Di-n-Butyl Phthalate			4500				450						
Di-2-Ethylhexyl Phathalate			59				5.9						
2,4-Dinitro-toluene			34				3.4						
Ethylbenzene			2100				210						
Fluoranthene			140				14						
Fluorene			5300				530						
Hexachlorobenzene			0.0029				0.0003						
Hexachlorobutadiene			180				18						

VA0057142 - ANTIDEGRADATION CALCULATIONS/BASELINES – SALTWATER (WQS 01/2011)

All values in ug/l unless otherwise noted.

PARAMETER	SALTWATER CRITERIA (SW)		OTHER SURFACE WATERS CRITERIA	INSTREAM BACKGROUND DATA (Expected Value*)	ANTIDEGRADATION BASELINE			WATER QUALITY WASTE LOAD ALLOCATION (WQ-WLA)			ANTIDEGRADATION WASTE LOAD ALLOCATION (AD-WLA)		
	ACUTE	CHRONIC			ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH
Hexachlorocyclo - pentadiene			1100				110						
Hexachloroethane			33				3.3						
Indeno (1,2,3-cd) pyrene			0.18				0.018						
Isophorone			9600				960						
Methyl Bromide			1500				150						
2-Methyl-4,6-Dinitrophenol			850				85						
Nitrobenzene			690				69						
N-Nitrosodimethyl - amine			30				3.0						
N-Nitrosodiphenyl - amine			60				6.0						
N-Nitrosodi-n-propylamine			5.1				0.51						
Nonylphenol	7.0	1.7			1.7	0.43		14	85				
Pentachlorophenol	13	7.9	30		3.3	1.97	3	26	395				
Phenol			860000				86000						
Pyrene			4000	none available			400			NA			
1,2,4 Trichloro-benzene			70				7.0						
2,4,6-Trichloro-phenol			24				2.4						
Tetrachloro-ethylene			33				3.3						
Toluene			6000				600						
Trichloro-ethylene			300				30						
1,1,2,2-Tetrachloroethane			40				4.0						
1,1,2-Trichloroethane			160				16						
Vinyl Chloride			24				2.4						
MISCELLANEOUS													
Ammonia (as NH3-N)	2.19	0.33		0.028	0.569	0.076		4.35	15.12				
Chlorine, Produced Oxidant	13	7.5		none available	3.25	1.87		26	375	NA			
Cyanide (Free)	1	1	16000		0.25	0.25	1600	2	50				

VA0057142 - ANTIDEGRADATION CALCULATIONS/BASELINES – SALTWATER (WQS 01/2011)

All values in ug/l unless otherwise noted.

PARAMETER	SALTWATER CRITERIA (SW)		OTHER SURFACE WATERS CRITERIA	INSTREAM BACKGROUND DATA (Expected Value*)	ANTIDEGRADATION BASELINE			WATER QUALITY WASTE LOAD ALLOCATION (WQ-WLA)			ANTIDEGRADATION WASTE LOAD ALLOCATION (AD-WLA)		
	ACUTE	CHRONIC			ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH	ACUTE	CHRONIC	HUMAN HEALTH
Dioxin 2,3,7,8-tetrachlorodibenzo-p-dioxin			5.1E-8				5.13E-9						
Elemental Phosphorus		0.10				0.025			5				
Hydrogen Sulfide		2				0.5			100				
Tributyltin	0.42	0.0074			0.105	0.002		0.82	0.37				

* -- The expected value is calculated by the WLA computer model.

** -- See ammonia tables in the Water Quality Standards

ATTACHMENT 7

SPECIAL CONDITIONS RATIONALE

ATTACHMENT 7
VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE

NAME OF PERMIT CONDITION(S):

Part I.B. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Permit Reopeners

a. Water Quality Standards Reopener

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

b. Total Maximum Daily Load (TMDL) Reopener

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

2. Operations & Maintenance (O & M) Manual

Rationale: The State Water Control Law, Section 62.1-44.21 allows requests for any information necessary to determine the effect of the discharge on State waters. Section 401 of the Clean Water Act requires the permittee to provide opportunity for the state to review the proposed operations of the facility. In addition, 40 CFR 122.41 (e) requires the permittee, at all times, to properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) in order to achieve compliance with the permit (includes laboratory controls and QA/QC).

3. Notification Levels

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

4. Quantification Levels Under Part I.A.

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

ATTACHMENT 7
VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE

NAME OF PERMIT CONDITION(S):

Part I.B. OTHER REQUIREMENTS OR SPECIAL CONDITIONS (continued)

5. Compliance Reporting Under Part I.A.

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

Additional Discussion: Based on current and relevant staff guidance regarding nutrient monitoring of process wastewater discharges[2], additional permit content addressing total nitrogen and total phosphorus, is now required as part of this reporting condition.

6. Materials Handling and Storage

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

7. Minimum Freeboard

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

8. Discharges to Waters in the Chesapeake Bay Watershed

Rationale: Individual VPDES permits for industrial stormwater should contain permit requirements consistent with the VPDES Industrial Stormwater General Permit (9 VAC 25-151-70)[2]. This includes semi-annual nutrient monitoring for the first two years of the permit for a total of four samples.[2]

9. Water Quality Monitoring

Rationale: The State Water Control Law, Section 62.1-44.21, authorizes the Board to request information needed to determine the discharge's impact on State waters. States are required to review data on discharges to identify actual or potential toxicity problems, or the attainment of water quality goals, according to 40 CFR Part 131, Water Quality Standards, subpart 131.11. If modifications to technology-based treatment requirements are proposed, 40 CFR Part 125, Criteria and Standards for the NPDES, subpart 125.63 requires the establishment of a monitoring program.

Additional Discussion: Based on data presented for treated discharges from OF 001 (EPA Form 2C), it was determined that additional monitoring for selected metals was necessary to evaluate any potential for those metals to impact the receiving stream. Monitoring is proposed for once per year across the term of the reissued permit beginning with CY 2017 and continuing across the term of the reissued permit as a permit special condition in lieu of appearing on Part I.A. effluent monitoring requirements.

ATTACHMENT 7
VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE

NAME OF PERMIT CONDITION(S): (continued)

C. TOXICS MANAGENENT PROGRAM (TMP)

Rationale: To determine the need for pollutant specific and/or whole effluent toxicity limits as may be required by the VPDES Permit Regulation, 9 VAC 25-31-220 D. and 40 CFR 122.44 (d). See Attachment 8 of this fact sheet for additional justification.

D. STORM WATER MANAGEMENT CONDITIONS

1. Sampling Methodology for Specific Outfalls 002 and 003

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

2. Benchmark Concentration Values

Rationale: Use of this condition is a BPJ determination based on the EPA stormwater multi-sector general permit for industrial activities and is consistent with that permit.

3. General Storm Water Conditions

a. Sample Type

Rationale: This stipulates the proper sampling methodology for qualifying rain events from regulated storm water outfalls. Use of this condition is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and is consistent with that permit.

b. Recording of Results

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

c. Sampling Waiver

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

d. Representative Outfalls - Substantially Identical Discharges

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

ATTACHMENT 7
VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE

NAME OF PERMIT CONDITION(S):

D. STORM WATER MANAGEMENT CONDITIONS

3. General Storm Water Conditions (continued)

e. Quarterly Visual Examination of Storm Water Quality

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

f. Allowable Non-Stormwater Discharges

Rationale: The listed allowable non-storm water discharges are the same as those allowed by the EPA in their multi-sector general permit, and are the non-storm water discharges allowed by the Virginia General VPDES Permit for Discharges of Storm Water Associated with Industrial Activity[1]. Allowing the same non-storm water discharges in VPDES individual permits provides consistency with other storm water permits for industrial facilities. The non-storm water discharges must meet the conditions in the permit.

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

Rationale: This condition requires that the discharge of hazardous substances or oil from a facility be eliminated or minimized in accordance with the facility's storm water pollution prevention plan. If there is a discharge of a material in excess of a reportable quantity, it establishes the reporting requirements in accordance with state laws and federal regulations. In addition, the pollution prevention plan for the facility must be reviewed and revised as necessary to prevent a reoccurrence of the spill. Use of this condition is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and is consistent with that permit.

h. Water Quality Protections

Rationale: This permit content appears in Virginia's General VPDES Permit for Discharges of Storm Water Associated with Industrial Activity[1]. Use in individual VPDES permits issued to industrial activities ensures consistency between two related VPDES permit programs.

i. Corrective Actions

Rationale: This permit content appears in Virginia's General VPDES Permit for Discharges of Storm Water Associated with Industrial Activity[1]. Use in individual VPDES permits issued to industrial activities ensures consistency between two related VPDES permit programs.

ATTACHMENT 7
VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE

NAME OF PERMIT CONDITION(S):

D. STORM WATER MANAGEMENT CONDITIONS

3. General Storm Water Conditions (continued)

j. Additional Requirements for Salt Storage

Rationale: This permit content appears in Virginia's General VPDES Permit for Discharges of Storm Water Associated with Industrial Activity[1]. Use in individual VPDES permits issued to industrial activities ensures consistency between two related VPDES permit programs.

4. Storm Water Pollution Prevention Plan

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

5. Facility-specific Storm Water Management Conditions

Rationale: These conditions set forth additional site-specific storm water pollution prevention plan requirements. Use of these conditions is a BPJ determination based on the EPA storm water multi-sector general permit for industrial activities and DEQ's general permit for storm water associated with industrial activities (VAR05), and is consistent with those permits in this regard.

Additional Discussion: The applicant identified two separate Standard Industrial Classification (SIC) codes for the facility and industrial activities performed at the facility addressed by VA0057142. For SIC code 4491, the content from VAR05 (2014) specific to Sector Q (Water Transportation) has been incorporated again been into the permit. The second SIC code identified was SIC Code 5052 for the handling of coal for storage and transshipment from the site for export by vessel. In that regard, the terms and conditions of Sector H (Coal Mines and Coal Mining-Related Facilities) has been incorporated with this reissuance as the terms and conditions appear to be consistent with current and ongoing industrial activities at the facility. To the extent practicable, content specific to the mining of coal, the preparation of coal, and issues related abandoned mines and acidic wastes have been remove as they have no relevance to industrial activities performed by the applicant.

ATTACHMENT 8

TOXICS MONITORING/TOXICS REDUCTION/ WET LIMIT RATIONALE

MEMORANDUM
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard Virginia Beach, Virginia 23462

SUBJECT: TMP Language Kinder Morgan Terminals-Pier IX (VA0057142)

TO: Carl Thomas

FROM: Deanna Austin

DATE: June 6, 2016

COPIES: Fact Sheet

Kinder Morgan Terminals-Pier IX operates an industrial facility on 21st and Terminal Avenue in Newport News, Virginia. The main industrial activity taking place onsite is the shipment of bulk materials. The materials shipped and received at this facility include coal, cement, and iron ore.

There are two stormwater only outfalls and one storm/process wastewater outfall associated with the industrial activity taking place onsite. All three outfalls discharge to the James River. Outfall 001 drains nearly all the stormwater runoff, coal dust suppression wastewater and vehicle equipment and wash water.

During the current permit term (July 2011-July 2016), toxicity samples were taken at outfall 001.

The following tables show the data at the outfalls over the course of this permit term.

NPID	DESCRIPTION	SPECIES	DATE	LC-50	SURVIVAL	TU	TESTCOM	LAB
VA0057142	Annual Acute	A.b.	6/28/12	100	100	1	Also sampled C.v. 100% LC50 and 95% survival	CBI
VA0057142	Annual Acute	A.b.	8/6/13	100	100	1	Also sampled C.v. 100% LC50 and % survival	CBI
VA0057142	Annual Acute	C.v.	8/6/13	100	100	1	Extra	CBI
VA0057142	Annual Acute	A.b.	7/30/14	100	75	1	Also sampled C.v. 100% LC50 and 100% survival	CBI
VA0057142	Annual Acute	A.b	7/10/15	100	75	1	No comments	CBI

Notes: C.v. - *Cyprinodon variegatus;* A.b. - *Americamysis bahia*

Because of the nature of the business and the drainage of the coal dust suppression wastewater, monitoring for toxicity will continue on an annual basis. No toxicity issues have been noted during the current permit term. The following TMP language is recommended for the reissuance of the Kinder Morgan Terminal-Pier IX permit (VA0051742).

C. Whole Effluent Toxicity Monitoring

1. Biological Monitoring

a. In accordance with the schedule in 2. below, the permittee shall conduct annual acute toxicity tests for the duration of the permit. The permittee shall collect a grab sample of final effluent from outfall 001 accordance with the sampling methodology in Part I.A.1 of this permit. The grab samples for toxicity testing shall be taken at the same time as the monitoring for the outfalls in Part 1.A. of this permit. The acute test to use is:

48 Hour Static Acute test using Americamysis bahia

These acute tests shall be performed with a minimum of 5 dilutions, derived geometrically, for the calculation of a valid LC_{50}. Express the results as Acute Toxic Units (TU_a) by dividing 100/ LC_{50} for reporting. Both species should be analyzed from grab samples collected during the same sampling event.

Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3.

b. In the event that sampling of the outfall is not possible due to the absence of effluent flow during a particular testing period, the permittee shall perform a make-up sample during the next testing period.

c. The permittee may provide additional samples to address data variability during the period of initial data generation. These data shall be reported and may be included in the evaluation of the effluent toxicity. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3.

d. The test dilutions shall be able to determine compliance with the following endpoints:

(1) Acute LC_{50} of 100% equivalent to a TU_a of 1.0

2. Reporting Schedule

The permittee shall report the results and supply **one** complete copy of the toxicity test report to the Tidewater Regional Office in accordance with the schedule below. A complete report must contain a copy of all laboratory benchsheets, certificates of analysis, and all chains of custody. All data shall be submitted by the 10th of the month following sampling.

(a)	**Conduct first annual WET test for outfall 001 using Americamysis bahia (A.b.)**	**By December 31, 2017**
(b)	**Submit results of all biological tests**	**By the 10th of the month following sampling but no later than January 10, 2018**
(c)	**Conduct subsequent annual WET tests for outfall 001, using (A.b.)**	**By December 31, 2018, 2019, and 2020**
(d)	**Submit subsequent annual biological tests**	**By the 10th of the month following sampling but no later than January 10, 2019, 2020 and 2021**

ATTACHMENT 9

MATERIAL STORED

ATTACHMENT 9
MATERIALS STORED

GENERAL DISCUSSION:

The applicant operates a coal storage and vessel loading activity on the James River in Newport News, Virginia. Portland cement and Petcoke are also handled at the site.

Based on information presented in the operations and maintenance manual, the following applies with respect to the quantities of each material handled on a regular basis:

- Coal and Petcoke are stockpiled on a 60 acre site with a total storage capacity of 1.2 million tons and permitted capacity of 1 million tons at any given time.
- Portland cement is stored in three silos with a total capacity of 35,000 tons.

Each commodity held in bulk is controlled and handled in a manner that conforms to established industrial standards and serves to prevent, to the extent practicable, loss of those materials by direct deposition into surface waters or conveyance by storm water runoff leaving the facility.

In addition to the materials noted above, the tables that follow were derived from material filed by the applicant over time, or with the application submitted for reissuance of the permit.

Material Safety Data Sheets (MSDS) submitted by the applicant as part of the recent permit application are provided in this attachment to the fact sheet.

Section 1: Chemical Product and Company Identification

Product Name:	Ground Granulated Blast-Furnace Slag (GGBFS) or Granulated Blast-Furnace Slag (GBFS)
Synonym:	Chemical Name and Synonyms: Ground granulated blastfurnace slag (GGBFS), GranCem, ProCemTM, slag, granulated blast-furnace slag (GBFS)
Product Codes:	Granulated blast-furnace slag. (This MSDS coversmany products, ground and not ground. Individual constituents willvary.)
Chemical Family:	Amorphous silica; Fused mineral composite
Distributor:	Holcim (US) Inc.
Distributor Address 1:	201 Jones Road Waltham, MA 02451
Distributor Phone:	(781) 647-2307
Revision Date:	02/24/2011
Notes from Section 1:	Formula: This product consists of a glassy granular material formed when molten blast-furnace slag is rapidly chilled, as by immersion in water. It may then be finely pulverized.

Section 2: Hazards Identification

Emergency Overview:	GGBFS is a light gray, tan, or white powder that poses little immediate hazard. GBFS is sand-sized granules. A single shortterm exposure to these materials are not likely to cause serious harm. However, exposure to these wet materials can cause serious, potentially irreversible tissue (skin or eye) destruction in the form of chemical (caustic) burns. The same type of tissue destruction can occur if wet or moist areas of the body are exposed for sufficient duration to these materials by chemical (caustic) burns or an allegoric reaction.
Route of Exposure:	Eye contact, skin contact, inhalation, and ingestion.
Acute Eye Effects:	Exposure to airborne dust may cause immediate or delayed irritation or inflammation. Eye contact with larger amounts of dry powder or splashes of these wet materials may cause effects ranging from moderate eye irritation to chemical burns and blindness. Such exposures require immediate first aid (see section 4) and medical attention to prevent significant damage to the eye.
Acute Skin Effects:	Discomfort or pain cannot be relied upon to alert a person to a hazardous skin exposure. Consequently, the only effective means of avoiding skin injury or illness involves minimizing skin contact, particularly contact with wet GBFS or GGBFS. Exposed persons may not feel discomfort until hours after the exposure has ended and significant injury has occurred. Exposure to dry GBFS or GGBFS may cause drying of the skin with consequent mild irritation or more significant effects attributable to aggravation of other conditions. Dry GBFS or GGBFS contacting wet skin or exposure to moist or wet GBFS or GGBFS may cause more severe skin effects including thickening, cracking or fissuring of the skin. Prolonged exposure can cause severe skin damage in the form of (caustic) chemical burns. Some individuals may exhibit an allergic response (e.g., allergic contact dermatitis) upon exposure to GBFS or GGBFS, possibly due to trace amounts of chromium. The response may appear in a variety of forms ranging from a mild rash to severe skin ulcers. Persons already sensitized may react to the first contact with the product. Other persons may experience this effect after years of contact with GBFS or GGBFS products.
Acute Ingestion Effects:	Although small quantities of dust are not known to be harmful, ill effects are possible if larger quantities are consumed. GBFS or GGBFS should not be eaten.
Acute Inhalation Effects:	GBFS or GGBFS contains small amounts of free crystalline silica. Prolonged exposure to respirable free crystalline silica can aggravate other lung conditions and cause silicosis, a disabling and potentially fatal lung disease and/or other diseases. Risk of injury or disease depends on duration and

	degree of exposure. (Also see "Carcinogenic potential" below.) Exposure to GBFS or GGBFS may cause irritation to the moist mucous membranes of the nose, throat, and upper respiratory system. It may also leave unpleasant deposits in the nose.
Carcinogenicity:	NTP, OSHA, or IARC has not listed GBFS or GGBFS as a carcinogen. It may, however, contain trace amounts of substances listed as carcinogens by these organizations. Crystalline silica, which is present in GBFS or GGBFS in small amounts, has been listed by IARC and NTP as a known human carcinogen (Group I) through inhalation. Hexavelant chromium is listed by IARC, EPA, NTP and OSHA as Group I known carcinogen by inhalation.
PreExisting Conditions Aggravated by Exposure:	Pre-existing upper respiratory and lung diseases Unusual (hyper) sensitivity to hexavalent chromium (chromium +6) salts.

Crystalline Silica (Quartz)4:

Nts2:	4 The National Institute for Occupational Safety and Health (NIOSH) recommended exposure limit (REL) is based on time-weighted average (TWA) concentration for up to a 10-hour workday during a 40-hour workweek. For this chemical NIOSH REL is 0.05 mg/m3 respirable quartz dust.

Section 3: Composition, Information on Ingredients

Ingredient Name	CAS Number	Ingredient Percent	EC Number	Comments
Material ground slag, cement	65996-69-2	NA		
Silica dioxide (Amorphous)	7631-86-9	NA		
Crystalline Silica (Quartz)4	14808-60-7	NA		

Crystalline Silica (Quartz)4:

Notes from Section 2:	4 The National Institute for Occupational Safety and Health (NIOSH) recommended exposure limit (REL) is based on time-weighted average (TWA) concentration for up to a 10-hour workday during a 40-hour workweek. For this chemical NIOSH REL is 0.05 mg/m3 respirable quartz dust.

Section 4: First Aid Measures

Eye Contact:	Immediately flush eyes thoroughly with water. Continue flushing eye for at least 15 minutes, including under lids, to remove all particles. Call physician immediately.
Skin Contact:	Wash skin with cool water and pH-neutral soap or a mild detergent. Seek medical treatment in all cases of prolonged exposure to wet GBFS or GGBFS, wet cement mixtures, wet concrete liquids from fresh GBFS or GGBFS products, or prolonged wet skin exposure to dry GBFS or GGBFS.
Inhalation:	Inhalation of Airborne Dust: Remove to fresh air. Seek medical help if coughing or other symptoms do not subside. (Inhalation of gross amounts of GBFS or GGBFS requires immediate medical attention.)
Ingestion:	Do not induce vomiting. If conscious, have the victim drink plenty of water and call a physician immediately.

Section 5: Fire Fighting Measures

Explosion:	None
Flash Point:	None
Auto Ignition Temperature:	Not Combustible
Upper Flammable Limit:	None
Lower Flammable Limit:	None
Extinguishing Media:	Not Combustible
Hazardous Combustion	None

Byproducts:

Fire Fighting Instructions: None. (Although GBFS or GGBFS poses no fire-related hazards, a self-contained breathing apparatus is recommended to limit exposure to combustion products when fighting any fire.)

Unusual Fire Hazards: None

Section 6: Accidental Release Measures

Spill Cleanup Measures: Collect dry material using a scoop. Avoid actions that cause dust to become airborne. Avoid inhalation of dust and contact with skin. Wear appropriate personal protective equipment as described in Section 8.

Scrape up wet material and place in an appropriate container. Allow the material to "dry" before disposal. Do not attempt to wash GBFS or GGBFS down drains.

Dispose of waste material according to local, state, and federal regulations.

Section 7: Handling and Storage

Handling: Keep GBFS or GGBFS dry until used. Normal temperatures and pressures do not affect the material. Promptly remove dusty clothing or clothing that is wet with GBFS or GGBFS fluids, and launder before reuse. Wash thoroughly after exposure to dust, wet GBFS or GGBFS mixtures or fluids.

Section 8: Exposure Controls, Personal Protection

Ventilation: Use local exhaust or general dilution ventilation to control exposure within applicable limits.

Skin Protection: Prevention is essential to avoid potentially severe skin injury. Avoid contact with unhardened wet GBFS or GGBFS products. If contact occurs, promptly wash affected area with soap and water. Where prolonged exposure to unhardened GBFS or GGBFS products might occur, wear impervious clothing and gloved to prevent skin contact. Where required, wear sturdy boots that are impervious to water to eliminate foot and ankle exposure. Do not rely on barrier creams; barrier creams should not be used in place of impervious gloves and clothing. Periodically wash areas contacted by dry GBFS or GGBFS or wet GBFS or GGBFS or concrete containing GBFS or GGBFS with a pH neutral soap. Wash again at the end of the work. If irritation occurs, immediately wash the affected area and seek treatment. If clothing becomes saturated with wet concrete containing GBFS or GGBFS, it should be removed and replaced with clean dry clothing.

Eye Protection: In conditions where user may be exposed to splashes or puffs of GBFS or GGBFS wear safety glasses with side shields or goggles. In extremely or unpredictable environments, wear unvented or indirectly vented goggles to avoid eye irritation or injury. Contact lenses should not be worn when working with GBFS or GGBFS or fresh cement products

Respiratory Protection: Avoid actions that cause dust to become airborne. Use local or general ventilation to control exposures below applicable exposure limits. Use NIOSH/MSHA-approved (under 30 CFR II) or NIOSH-approved (under 42 CFR 84) respirators in poorly ventilated areas, if an applicable exposure limit is exceeded, or when dust causes discomfort or irritation. (Advisory: Respirators and fillers purchased after July 10, 1998, must be certified under 42 CFR 84.)

Exposure Guidelines - Ingredient Based:

Material ground slag, cement:

USA - OSHA - PEL - TWA:	(8-hour TWA)1 15 mg/m³ (T); 5 mg/m³ (R)3
ACGIH - TLV:	ACGIH TLV2 : None3

Silica dioxide (Amorphous):

USA - OSHA - PEL - TWA:	(8-hour TWA)1 80 mg/m³ /(percent silica)
ACGIH - TLV:	ACGIH TLV2 : None

Crystalline Silica (Quartz)4:

USA - OSHA - PEL - TWA:	(8-hour TWA)1 10 mg/m³ (R) /(percent silica + 2) 30 mg/m³ (T) /(percent silica + 2)
ACGIH - TLV:	ACGIH TLV2 ; 0.025 mg/m³ (R)

Notes from Section 8:

Symbology Used:
(I) = Measured as inhalable fraction of the aerosol (see 2010 ACGIH-TLV Booklet for Additional Information)
(R) = Measured as respirable fraction
(T) = Total particulate; OSHA's Particulates Not Otherwise Regulated (PNOR); or ACGIH's Particulates Not Otherwise Classified (PNOC)
(E) = For particulate matter containing no asbestos and <1% crystalline silica.

Trace constituents: GBFS or granulated blast-furnace slag is a co-product of the steel industry produced by adding a limestone flux to the ore to remove non-ferrous contaminants. As such, it may contain small quantities of hazardous heavy metals, including trace amounts of chromium, usually in solution in the glass. Although this material is not listed as a carcinogen, it does contain slight quantities of titanium in complexes, as well as, crystalline silica. Crystalline silica has been classified by IARC and NTP as a known human carcinogen. Hexavelant chromium is listed by IARC, EPA, NTP and OSHA as a known human carcinogen inhalation. When finely ground, it is referred to as ground granulated blast-furnace slag (GGBFS).

1 U.S. Occupational Safety and Health Administration (OSHA) permissible exposure limits (PELs) are based on Occupational Safety and Health Standards (29 CFR 1910.1000-1052) established at the time this MSDS was last updated.
2 American Conference of Governmental Industrial Hygienists (ACGIH) threshold limit values (TLVs) were taken from the 2010 publication of the Guide to Occupational Exposure Values established at the time this MSDS was last updated. Any component with no defined TLV designation is listed as "none."
3 OSHA standards (29 CFR 1910.1000 Table Z-1), defined these components as inert or nuisance dusts, whether mineral, inorganic, or organic, not listed specifically by substance name in Table Z-1 are covered by PNOR limit which is the same as the inert or nuisance dust limit of Table Z-3 or ACGIH as PNOC.

Section 9: Physical and Chemical Properties

Physical State:	Solid (powder)
Odor:	No distinct odor
pH:	(in water): 10.5 to 12.7
Vapor Pressure:	Not applicable
Vapor Density:	Not applicable
Boiling Temperature:	Not applicable (i.e., > 1000 ° C) 1300-1350 °C
Melting Temperature:	1300-1350 deg C
Solubility In Water:	Slightly (0.1 to 1.0%)
Specific Gravity:	(H2O = 1.0): 2.70-3.10
Evaporation Rate:	Not applicable
Flash Point:	None
Auto Ignition Temperature:	Not Combustible
Upper Flammable Limit:	None

Lower Flammable Limit:	None

Section 10: Stability and Reactivity

Chemical Stability:	Stable.
Conditions To Avoid:	Unintentional contact with water or acids.
Incompatible Materials:	Wet GBFS or GGBFS is alkaline. As such it is incompatible with acids, ammonium salts, and aluminum metal.
Hazardous Decomposition Products:	Will not spontaneously occur. Adding water produces (caustic) calcium hydroxide as a result of hydration.
Hazardous Polymerization:	Will not occur.

Section 11: Toxicological Information

Route of Exposure:	Eye contact, skin contact, inhalation, and ingestion.
Carcinogenicity:	NTP, OSHA, or IARC has not listed GBFS or GGBFS as a carcinogen. It may, however, contain trace amounts of substances listed as carcinogens by these organizations. Crystalline silica, which is present in GBFS or GGBFS in small amounts, has been listed by IARC and NTP as a known human carcinogen (Group I) through inhalation. Hexavelant chromium is listed by IARC, EPA, NTP and OSHA as Group I known carcinogen by inhalation.
Notes from Section 11:	For a description of available, more detailed toxicological information, contact Holcim (US) Inc. (in Section I).

Section 12: Ecological Information

Ecotoxicity:	No recognized unusual toxicity to plants or animals
Notes from Section 12:	Relevant physical and chemical properties: See Sections IX & X

Section 13: Disposal Considerations

Waste Disposal:	Dispose of waste material according to local, state, and federal regulations. (Since GBFS or GGBFS is stable, uncontaminated material may be saved for future use.) Dispose of bags in an approved landfill or incinerator.

Section 14: Transport Information

DOT Shipping Name:	GBFS or GGBFS is not hazardous under U.S. Department of Transportation (DOT) regulations
DOT UN Number:	Not applicable
DOT Hazard Class:	Not applicable
DOT Other:	Identification class: Not applicable Required label text: Not applicableHazardous substances/reportable quantities (RQ): Not applicable

Section 15: Regulatory Information

Regulatory - Product Based:

Sections 311 & 312:	GBFS OR GGBFS qualifies as a "hazardous substance" with delayed health effects.
Section 313 Toxic Release Form:	Not subject to reporting requirements under section 313.

TSCA 8(b): Inventory Status:
(as of May 1997): Some substances in GBFS OR GGBFS are on the TSCA inventory list.

Status under CERCLA/Superfund, 40 CFR 117 and 302:
Not listed.

Status under the Federal Hazardous Substances Act:
GBFS OR GGBFS is a "hazardous substance" subject to statutes promulgated under the subject act.

Status under USDOL-OSHA Hazard Communication Rule, 29 CFR 1910.1200:
GBFS OR GGBFS is considered a "hazardous chemical" under this regulation, and should be part of any hazard communication program.

California Proposition 65:
WARNING: This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. California law requires the manufacturer to give the above warning in the absence of definitive testing to prove that the defined risks do not exist.

Status under Canadian Environmental Protection Act:
Not listed.

Canada WHMIS:
GBFS OR GGBFS is considered to be a hazardous material under the Hazardous Product Act as defined by the Controlled Products Regulations (Class E - Corrosive Material) and is therefore subject to the labeling and MSDS requirements of the Workplace Hazardous Materials Information System (WHMIS).

Section 16: Additional Information

Revision Date:	02/24/2011
Author:	Reviewed by: James Joyce, Corporate Manager Occupational Health, Safety, and Security Approved by: Russell Wiles, Senior Vice President Human Resources
Disclaimer:	SELLER MAKES NO WARRANTY, EXPRESSED OR IMPLIED, CONCERNING THE PRODUCT OR THE MERCHANTABILITY OR FITNESS THERE OF FOR ANY PURPOSE OR CONCERNING THE ACCURACY OF ANY INFORMATION PROVIDED BY HOLCIM (US) INC., EXCEPT THAT THE PRODUCT SHALL CONFORM TO CONTRACTED SPECIFICATIONS.
Notes from Section 16:	Other important information: GBFS or GGBFS should only be used by knowledgeable persons. While the information provided in the material safety data sheet is believed to provide a useful summary of the hazards of GBFS or GGBFS as it is commonly used, the sheet cannot anticipate and provide all of the information that might be needed in every situation. Inexperienced product users should obtain proper training before using this product. A key to using the product safely requires the user to recognize that GBFS or GGBFS chemically reacts with water, and that some of the intermediate products of this reaction (that is, those present while a GGBFS product is "setting") pose a more severe hazard than does GBFS or GGBFS itself. These hazards include potential injuries to eyes and skin. The data furnished in this sheet do not address hazards that may be posed by other materials mixed with GBFS or GGBFS to produce GBFS or GGBFS products. Users should review other relevant material safety data sheets

before working with this GBFS or GGBFS or with GBFS or GGBFS products, including, for example, concrete containing OR GGBFS.

HMIS:

Health	
Flammability	
Reactivity	
PPE	

Chronic Health Hazard

MATERIAL SAFETY DATA SHEET (MSDS) FOR PORTLAND CEMENT

(Complies with OSHA and MSHA Hazard Communication Standards,
29 CFR 1910.1200and 30 CFR Part 47)

CEMEX, INC.
CEMEX CALIFORNIA CEMENT LLC
VICTORVILLE CEMENT PLANT
16888 NORTH "E" STREET
VICTORVILLE, CALIFORNIA 92394-2999

Section 1 - IDENTIFICATION

Supplier/Manufacturer

CEMEX, Inc.
CEMEX California Cement LLC
Victorville Cement Plant
16888 North "E" Street
Victorville, California 92394-2999

Emergency Contact Information

(619) 381-7600

Chemical name and synonyms

Portland Cement (CAS #65997-15-1)

Product name

"CEMEX Type I/II"
"CEMEX Type III"
"CEMEX Type II/V"
"CEMEX Type V"
"CEMEX Block"
"CEMEX Class G"

Chemical family

Calcium salts.

Formula

$3CaO.SiO_2$	(CAS #12168-85-3)
$2CaO.SiO_2$	(CAS #10034-77-2)
$3CaO.Al_2O_2$	(CAS #12042-78-3)
$4CaO,.Al_2O_3Fe_2O_3$	(CAS #12068-35-8)
$CaSO_2.2H_2O$	(CAS #13397-24-5)

Other salts:

Small amounts of MgO, and trace amounts of K_2SO_4 and Na_2SO_4 may also be present.

Section 2 - COMPONENTS

Hazardous Ingredients

Portland cement clinker (CAS# 65997-15- 1) - approximately - 93.5-96.0 % by weight
ACGIH TLV-TWA (2000) = 10 mg total dust/m^3
OSHA PEL (8-hour TWA) = 50 million particles/ft^3

Gypsum (CAS# 7778-18-9) - approximately - 4.0-6.5 % by weight
ACGIH TLV-TWA (2000) = 10 mg total dust/m^3
OSHA PEL (8-hour TWA) = 15 mg total dust/m^3
OSHA PEL (8-hour TWA) = 5 mg respirable dust/m^3

Respirable quartz (CAS# 14808-60-7) – greater than 0.1% by weight
ACGIH TLV-TWA (2000) = 0.05 mg respirable quartz dust/m^3
OSHA PEL (8-hour TWA) = (10 mg respirable dust/$m^{3)}$/(percent silica + 2)

Trace Ingredients

Trace amounts of naturally occurring chemicals might be detected during chemical analysis. Trace constituents may include up to 0.75% insoluble residue, some of which may be free crystalline silica, calcium oxide (Also known as lime or quick lime), magnesium oxide, potassium sulfate, sodium sulfate, chromium compounds, and nickel compounds.

Section 3 - HAZARD IDENTIFICATION

Emergency Overview

Portland cement is a light gray powder that poses little immediate hazard. A single short-term exposure to the dry powder is not likely to cause serious harm. However, exposure of sufficient duration to wet portland cement can cause serious, potentially irreversible tissue (skin or eye) destruction in the form of chemical (caustic) burns. The same type of tissue destruction can occur if wet or moist areas of the body are exposed for sufficient duration to dry portland cement.

Potential Health Effects

Relevant Routes of Exposure:
Eye contact, skin contact, inhalation, and ingestion.

Effects Resulting from Eye Contact:
Exposure to airborne dust may cause immediate or delayed irritation or inflammation. Eye contact by large amounts of dry powder or splashes of wet portland cement may cause effects ranging from moderate eye irritation to chemical burns or blindness. Such exposures require immediate first aid (see Section 4) and medical attention to prevent significant damage to the eye.

Effects Resulting from Skin Contact:
Discomfort or pain cannot be relied upon to alert a person to hazardous skin exposure. Consequently, the only effective means of avoiding skin injury or illness involves minimizing skin contact, particularly with wet cement. Exposed persons may not feel discomfort until hours after the exposure has ended and significant injury has occurred.

Dry portland cement contacting wet skin or exposure to moist or wet portland cement may cause more severe skin effects including thickening, cracking or fissuring of the skin. Prolonged exposure can cause severe skin damage in the form of (alkali) chemical burns.

Some individuals may exhibit an allergic response upon exposure to portland cement, possibly due to trace elements of chromium. The response may appear in a variety of forms ranging from a mild rash to severe skin ulcers. Persons already sensitized may react to their first contact with the product. Other persons may first experience this effect after years of contact with portland cement products.

Effects Resulting from Inhalation:
Portland cement may contain trace amounts of free crystalline silica. Prolonged exposure to respirable free silica can aggravate other lung conditions and cause silicosis, a disabling and potentially fatal lung disease.

Exposure to portland cement may cause irritation to the moist mucous membranes of the nose, throat, and upper respiratory system. It may also leave unpleasant deposits in the nose.

Effects Resulting from Ingestion:
Although small quantities of dust are not known to be harmful, ill effects are possible if larger quantities are consumed. Portland cement should not be eaten.

Carcinogenic potential:
Portland cement is **not** listed as a carcinogen by NTP, OSHA, or IARC. It may however, contain trace amounts of substances listed as carcinogens by these organizations.

Crystalline silica, a potential trace level contaminate in Portland cement, is now classified by IARC as known human carcinogen (Group I). NTP has characterized respirable silica as "reasonably anticipated to be [a] carcinogen".

Medical conditions which may be aggravated be, inhalation or dermal exposure:
Pre-existing upper respiratory and lung diseases.
Unusual (hyper) sensitivity to hexavalent chromium (chromium^{+6}) salts.

Section 4 - FIRST AID

Eyes

Immediately flush eyes thoroughly with water. Continue flushing eye for at least 15 minutes, including under lids, to remove all particles. Call physician immediately.

Skin

Wash skin with cool water and pH-neutral soap or a mild detergent. Seek medical treatment in all cases of prolonged exposure to wet cement, cement mixtures, liquids from fresh cement products, or prolonged wet skin exposure to dry cement.

Inhalation of Airborne Dust

Remove to fresh air. Seek medical help if coughing and other symptoms do not subside.

Ingestion

Do not induce vomiting. If conscious, have the victim drink plenty of water and call a physician immediately.

Section 5 - FIRE AND EXPLOSION DATA

Flash point .....None	Lower Explosive Limit.....None
Upper Explosive Limit.....None	Auto ignition temperature.....Not Combustible
Extinguishing media.....Not Combustible	Special fire fighting Procedures.....None
Hazardous combustion products.....None	Unusual fire and explosion hazards...None

Section 6 - ACCIDENTAL RELEASE MEASURES

Collect dry material using a scoop. Avoid actions that cause dust to become airborne. Avoid inhalation of dust and contact with skin. Wear appropriate personal protective equipment as described in Section 8.

Scrape up wet material and place in an appropriate container. Allow the material to "dry" before disposal. Do not attempt to wash portland cement down drains.

Dispose of waste material according to local, state and federal regulations.

Section 7 - HANDLING AND STORAGE

Keep portland cement dry until used. Normal temperatures and pressures do not affect the material.

Promptly remove dusty clothing or clothing which is wet with cement fluids and launder before reuse. Wash thoroughly after exposure to dust or wet cement mixtures or fluids.

Section 8 - EXPOSURE CONTROLS/PERSONAL PROTECTION

Skin Protection

Prevention is essential to avoiding potentially severe skin injury. Avoid contact with unhardened portland cement. If contact occurs, promptly wash affected area with soap and water. Where prolonged exposure to unhardened portland cement products might occur, wear impervious clothing and gloves to eliminate skin contact. Wear sturdy boots that are impervious to water to eliminate foot and ankle exposure.

Do not rely on barrier creams: barrier creams should not be used in place of gloves.

Periodically wash areas contacted by dry portland cement or by wet cement or concrete fluids with a pH neutral soap. Wash again at the end of work. If irritation occurs, immediately wash the affected area and seek treatment. If clothing becomes saturated with wet concrete, it should be removed and replaced with clean dry clothing.

Respiratory Protection

Avoid actions that cause dust to become airborne. Use local or general exhaust ventilation to control exposures below applicable exposure limits.

Use NIOSH/MSHA approved (under 30 CFR 11) or NIOSH approved (under 42 CFR 84) respirators in poorly ventilated areas, if an applicable exposure limit is exceeded, or when dust causes discomfort or irritation. (Advisory: Respirators and filters purchased after June 10, 1998 must be certified under 42 CFR 84.)

Ventilation

Use local exhaust or general dilution ventilation to control exposure within applicable limits.

Eye Protection

Where potentially subject to splashes or puffs of cement, wear safety glasses with side shields or goggles. In extremely dusty environments and unpredictable environments wear unvented or indirectly vented goggles to avoid eye irritation or injury. Contact lenses should not be worn when working with portland cement or fresh cement products.

Section 9 - PHYSICAL AND CHEMICAL, PROPERTIES

Appearance.....Gray Powder
Physical state.....Solid (powder)
Solubility in water...Slightly soluble (0.1 to 1.0%)
Vapor density.....Not applicable
Melting point.....Not applicable
Evaporation rate.....Not applicable

Odor.....No distinct odor
pH (in water).....12 to 13
Vapor pressure.....Not applicable
Boiling point.....Not applicable (i.e., > 1000 C)
Specific gravity (H20 = 1.0).....3.15

Section 10 - STABILITY AND REACTIVITY

Stability

Stable.

Conditions to avoid

Unintentional contact with water.

Incompatibility

Wet Portland cement is alkaline. As such it is incompatible with acids, ammonium salts and phosphorous.

Hazardous decomposition

Will not spontaneously occur. Adding water produces (caustic) calcium hydroxide

Hazardous Polymerization

Will not occur.

Section 11 - TOXICOLOGICAL INFORMATION

For a description of available, more detailed toxicological information contact the supplier or manufacturer.

Section 12 - ECOLOGICAL INFORMATION

Ecotoxicity

No recognized unusual toxicity to plants or animals

Relevant physical and chemical properties

(See Sections 9 and 10.)

Section 13 - DISPOSAL

Dispose of waste material according to local, state and federal regulations. (Since portland cement is stable, uncontaminated material may be saved for future use.

Dispose of bags in an approved landfill or incinerator.

Section 14 - TRANSPORTATION DATA

Hazardous materials description/proper shipping name
Portland is cement is not hazardous under U.S. Department of Transportation (DOT) regulations.

Hazard class
Not applicable

Identification number
Not applicable.

Required label text
Not applicable.

Hazardous substances/reportable quantities (RQ)
Not applicable.

Section 15 - OTHER REGULATORY INFORMATION

Status under USDOL-OSHA Hazard Communication Rule, 29 CFR 1910.1200
Portland cement is considered a "hazardous chemical" under this regulation, and should be part of any hazard communication program.

Status under CERCLA/SUPERFUND 40 CFR 117 and 302
Not listed.

Hazard Category under SARA(Title III), Sections 311 and 312
Portland cement qualifies as a "hazardous substance" with delayed health effects.

Status under SARA (Title III), Section 313
Not subject to reporting requirements under Section 313.

Status under TSCA (as of May 1997)
Some substances in portland cement are on the TSCA inventory list.

Status under the Federal Hazardous Substances Act
Portland cement is a "hazardous substance" subject to statutes promulgated under the subject act.

Status under California Proposition 65
This product contains up to 0.05 percent of chemicals (trace elements) known to the State of California to cause cancer, birth defects or other reproductive harm. California law requires the manufacturer to give the above warning in the absence of definitive testing to prove that the defined risks do not exist.

Section 16 - OTHER INFORMATION

Prepared by

Kevin Keegan
Director - Health and Safety
CEMEX, Inc.
Houston, Texas

Approval date or Revision date

Approved: August, 1997
Revised: March, 2001

Other important information

Portland cement should only be used by knowledgeable persons. A key to using the product safely requires the user to recognize that portland cement chemically reacts with water, and that some of the intermediate products of this reaction (that is those present while a portland cement product is "setting") pose a more severe hazard than does dry portland cement itself.

While the information provided in this material safety data sheet is believed to provide a useful summary of the hazards of portland cement as it is commonly used, the sheet cannot anticipate and provide the all of the information that might be needed in every situation. Inexperienced product users should obtain proper training before using this product.

SELLER MAKES NO WARRANTY, EXPRESSED OR IMPLIED, CONCERNING THE PRODUCT OR THE MERCHANTABILITY OR FITNESS THEREOF FOR ANY PURPOSE OR CONCERNING THE ACCURACY OF ANY INFORMATION PROVIDED BY CEMEX, Inc. except that the product shall conform to contracted specifications. The information provided herein was believed by CEMEX, Inc. to be accurate at the time of preparation or prepared from sources believed to be reliable, but it is the responsibility of the user to investigate and understand other pertinent sources of information to comply with all laws and procedures applicable to the safe handling and use of product and to determine the suitability of the product for its intended use. Buyer's exclusive remedy shall be for damages and no claim of any kind, whether as to product delivered or for non-delivery of product, and whether based on contract, breach of warranty, negligence, or otherwise shall be greater in amount than the purchase price of the quantity of product in respect of which damages are claimed. In no event shall Seller be liable for incidental or consequential damages, whether Buyer's claim is based on contract, breach of warranty, negligence or otherwise.

In particular, the data furnished in this sheet do not address hazards that may be posed by other materials mixed with portland cement to produce portland cement products. Users should review other relevant material safety data sheets before working with this portland cement or working on portland cement products, for example, portland cement concrete.

Section 1: Chemical Product and Company Identification

Product Name:	Coal, Bituminous
Trade Name:	None
Manufacturer Name:	Arch Coal, Inc.
Manufacturer Address 1:	City Place One St. Louis, MO 63141
Business Phone:	(314) 994-2700
Revision Date:	April 15, 1998 Date Revised: Not Revised
Chemical Name:	Coal, Bituminous

Section 2: Composition, Information on Ingredients

Ingredient Name	CAS Number	Ingredient Percent	EC Number	Comments

Notes from Section 2:

OSHA Permissible Exposure Level:
< 5% Quartz = 2.4 mg/cu meter
> 5% Quartz = 10 mg/cu meter
% Respirable quartz + 2

ACGID Threshold Limit Value:
< 5% Quartz = 2.0 mg/cu meter
> 5% Quartz = 10 mg/cu meter
% Respirable quartz + 2

Section 3: Physical and Chemical Properties

Physical State:	Solid
Color:	Black color
Odor:	No odor at ambient temperature
Vapor Pressure:	@ 20 deg C: Essentially 0.0
Melting Temperature:	> 350 deg C
Solubility:	IN WATER: Very Slightly
Specific Gravity:	1.22 TO 1.55
Molecular Formula:	None

Section 4: Fire Fighting Measures

Fire Fighting Instructions: If a small amount of coal is involved in the fire, separate it and cool it with water.

If a large quantity is burning, cool it with water and spread the hot area so it will cool. Care should be taken as the use of water on hot coal can cause the pile to explode releasing steam, hydrogen and/or carbon monoxide which might explode. Protective fire fighting clothing and self contained breathing equipment is recommended.

Unusual Fire Hazards: Piles of coal not properly compacted or stored may ignite by spontaneous combustion.

Notes from Section 5: Ignition Temperature: 407 deg C

Section 5: Hazards Identification

Route of Exposure: Inhalation of dust through mouth or nose.

Chronic Health Effects:	Overexposure to the dust over an extended period of time may cause pneumoconiosis, an irreversible obstructive lung disease that may cause coughing and shortness of breath.
OSHA Carcinogen:	No
NTP:	No
IARC:	No
PreExisting Conditions Aggravated by Exposure:	Chronic respiratory disease may be aggravated when exposed to this dust.
Sign and Symptoms:	Symptoms and Effects of Acute Overexposure: May cause irritation to the eyes, nose, throat, and/or lungs which may cause coughing.
Nts2:	OSHA Permissible Exposure Level: < 5% Quartz = 2.4 mg/cu meter > 5% Quartz = 10 mg/cu meter % Respirable quartz + 2 ACGID Threshold Limit Value: < 5% Quartz = 2.0 mg/cu meter > 5% Quartz = 10 mg/cu meter % Respirable quartz + 2

Section 6: First Aid Measures

Eye Contact:	If material is in the eye, flush particles with water. Consult a physician.
Inhalation:	If a person breathes in a very large amount of dust: Remove from exposure, if breathing has stopped, perform artificial respiration. Call a physician.

Section 7: Stability and Reactivity

Chemical Stability:	Stable under normal conditions.
Incompatible Materials:	Oxidizing agents.
Hazardous Decomposition Products:	Burning of coal will produce carbon dioxide, carbon monoxide, and sulfur oxides.
Hazardous Polymerization:	Will not occur.

Section 8: Handling, Storage, and Release Measures

Spill Cleanup Measures:	Recover material for use. Avoid creating dust, Wear respirators when area is dusty.
Handling:	Pack pile as densely as possible to minimize air content and reduce the chances of spontaneous combustion.

Section 9: Exposure Controls, Personal Protection

Engineering Controls:	Use ventilation to maintain exposure within permissible limits.
Respiratory Protection:	Use a NIOSH/MSHA approved respirator if exposure exceeds the permissible exposure limit.
Exposure limit:	OSHA Permissible Exposure Level: < 5% Quartz = 2.4 mg/cu meter > 5% Quartz = 10 mg/cu meter % Respirable quartz + 2 ACGID Threshold Limit Value: < 5% Quartz = 2.0 mg/cu meter > 5% Quartz = 10 mg/cu meter % Respirable quartz + 2

Section 10: Other Information

Waste Disposal: Dispose of in accordance with Federal State and local laws and regulations.

Section 1: Chemical Product and Company Identification

SDS Number : 888100004472

Product Name:	Petroleum Coke
Synonym:	Green Coke, Uncalcined Coke, Thermocracked Coke, Fuel Grade Coke, 888100004472
Product Codes:	163, 275, 1142
Product Description:	Product Use Description : Fuel
Manufacturer MSDS Number:	SDS Number : 888100004472
Product Uses:	Product Use Description : Fuel
Manufacturer Name:	For: Tesoro Refining & Marketing Co
Manufacturer Address 1:	19100 Ridgewood Parkway, San Antonio, TX 78259
Business Phone:	(877) 783-7676
Chemtrec:	CHEMTREC Numbers: For emergencies in the US, call CHEMTREC: 800-424-9300
Revision Date:	10/29/2012

Section 2: Hazards Identification

SDS Number : 888100004472

Acute Eye Effects:	May cause irritation, experienced as mild discomfort and seen as slight excess redness of the eye.
Acute Skin Effects:	Contact may cause skin irritation.
Acute Ingestion Effects:	Low order of oral toxicity. Ingestion is considered unlikely. However, good personal hygiene such as washing hands and face after handling or contacting material before eating, drinking or smoking should be practiced to minimize ingestion of this product.
Acute Inhalation Effects:	Inhalation of excessive dust concentrations may be irritating to the upper respiratory system. Repeated chronic inhalation exposure may cause impaired lung function. There is no evidence that such exposures cause pneumoconiosis, carcinogenicity, or other chronic health effects. Acute inhalation toxicity No data available
Carcinogenicity:	CA Prop 65 This product does not contain any chemicals known to State of California to cause cancer, birth, or any other reproductive defects.
OSHA Carcinogen:	No component of this product which is present at levels greater than or equal to 0.1 % is identified as a carcinogen or potential carcinogen by OSHA.
NTP:	No component of this product which is present at levels greater than or equal to 0.1 % is identified as a known or anticipated carcinogen by NTP.
IARC:	No component of this product which is present at levels greater than or equal to 0.1 % is identified as probable, possible or confirmed human carcinogen by IARC.
Note:	Classifications : Combustible Dust Pictograms None Signal Word WARNING Hazard Statements May form combustible dust concentrations in air. Excessive exposure may cause skin, eye or respiratory tract irritation. Precautionary Statements : Prevention Avoid accumulations of finely ground dust. Keep away from flames and hot surfaces. No smoking. Wear gloves, eye protection and face protection as needed to prevent skin and eye contact with liquid. Wash hands or liquid-contacted skin thoroughly after handling. Do not eat, drink or smoke when using this product. Do not breathe dust. Use only outdoors or in a well-ventilated area. Response In case of fire: Use dry chemical, CO2, water spray or fire fighting foam to extinguish. If on skin (or hair): Rinse skin with water or shower. Remove and wash

contaminated clothing.
If in eye: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing.
If inhaled: Remove person to fresh air and keep comfortable for breathing. Immediately call or doctor or emergency medical provider.
If skin, eye or respiratory system irritation persists, get medical attention.

Storage :
Avoid generating heavy concentrations of airborne, finely-ground petroleum coke dust. Avoid accumulations of finely ground dust on surfaces of equipment or buildings.
Disposal:
Dispose of contents/containers to approved disposal site in accordance with local, regional, or national regulations.

Section 3: Composition, Information on Ingredients

SDS Number : 888100004472

Ingredient Name	CAS Number	Ingredient Percent	EC Number	Comments
Coke (Petroleum)	64741-79-3	100%		

Section 4: First Aid Measures

SDS Number : 888100004472

Eye Contact:	Remove contact lenses. Immediately flush eyes thoroughly with warm water for at least 15 minutes. Hold the eyelids open and away from the eyeballs to ensure that all surfaces are flushed thoroughly. Seek medical advice.
Skin Contact:	Take off all contaminated clothing immediately. Wash off with soap and plenty of water. Wash contaminated clothing before re-use. Seek medical advice if symptoms persist or develop
Inhalation:	If inhaled, remove to fresh air. If not breathing, give artificial respiration. If necessary, provide additional oxygen once breathing is restored if trained to do so. Seek medical attention immediately.
Ingestion:	Ingestion is considered unlikely. However, inhalation procedures should be followed if this happens. Drink 1 or 2 glasses of water. Do NOT induce vomiting. Never give anything by mouth to an unconscious person. Obtain medical attention.
Note To Physicians:	Symptoms: Vomiting, Diarrhea, Pain

Section 5: Fire Fighting Measures

SDS Number : 888100004472

Fire:	Flammability (solid, gas) Solid
Flash Point:	Not determined
Auto Ignition Temperature:	670°C (1,238°F)
Upper Flammable Limit:	Not determined
Lower Flammable Limit:	15 to 1000 g/m³
Extinguishing Media:	Water spray, Dry chemical, Foam, Carbon dioxide blanket, A solid stream of water may scatter and spread the fire.
Protective Equipment:	Specific hazards during fire fighting : Product will burn. In very large quantities, spontaneous heating and combustion may occur. Fire will produce dense black smoke containing hazardous combustion products (see Section 10).
NFPA Health:	0
NFPA Fire:	1
NFPA Reactivity:	1
Notes from Section 5:	Specific hazards during fire fighting : Product will burn. In very large quantities, spontaneous heating and combustion may occur. Fire will produce dense black smoke containing hazardous combustion products (see Section 10). Further information : Large fires are best extinguished with water. Surfactant (foam or soap) in water may be effective in reaching deep, smoldering fires (such as in coke pile).

Section 6: Accidental Release Measures

SDS Number : 888100004472

Methods for Cleanup:	Carefully vacuum, shovel, scoop or sweep up into a waste container for reclamation or disposal. Water fog may be necessary to minimize dust generation. Respiratory protection is recommended where visible dust may be generated.
Personnel Precautions:	ACTIVATE FACILITY'S SPILL CONTINGENCY OR EMERGENCY RESPONSE PLAN if applicable. Ventilate the area. Evacuate personnel to safe areas.
Environmental Precautions:	Prevent further leakage or spillage. Should not be released into the environment. Do not allow material to contaminate ground water system. In case of accident or road spill notify CHEMTREC (800) 424-9300. U.S. Coast Guard regulations require immediate reporting of spills that could reach any waterway including intermittent dry creeks. Report spill to Coast Guard toll free number (800) 424- 8802

Section 7: Handling and Storage

SDS Number : 888100004472

Storage:	Conditions for safe storage, including incompatibilities : Avoid generation and accumulation of dust when handling this material. Refer to NFPA 654 Standard for Prevention of Fire & Dust Explosions. ; Stable under recommended storage conditions.
Special Handling:	Precautions for safe handling : Minimize physical contact with the product. Avoid conditions which create dust. Do not breathe vapors or dust. Avoid dispersal of coke dust into air such as cleaning dusty surfaces with compressed air. Keep away from heat and sources of ignition. No smoking near areas where material is stored or used. Ground and bond containers during product transfers to reduce the possibility of static-initiated fire or explosion.
Notes from Section 7:	Dust explosion class : High concentrations of airborne petroleum coke dusts may be ignited by contact with heated surface. Airborne coke dust is primarily a fire hazard, but explosion may be possible.

Section 8: Exposure Controls, Personal Protection

SDS Number : 888100004472

Ventilation:	Engineering measures : Use adequate ventilation to keep dust concentrations of this product below occupational exposure limits. Facilities storing or utilizing this material should be equipped with an eyewash facility and a safety shower. Dust control equipment such as local exhaust ventilation or material transport systems handling coke should contain explosion relief vents or explosion suppression systems.
Skin Protection:	Disposable clothing such as Tyvek® (DuPont) may be warranted to minimize skin and clothing contamination, depending on the work to be performed. Flame resistant clothing such as Nomex ® is recommended in areas where material is stored or handled.
Hand Protection:	Work gloves are recommended if needed to prevent repeated or prolonged skin contact.
Eye Protection:	Indirect vented, dust-tight goggles are recommended if dust is generated when handling this product.
Respiratory Protection:	A NIOSH/ MSHA-approved air-purifying respirator with particulate classification N- 95 or greater filter cartridges or canister may be permissible under certain circumstances where airborne concentrations are or may be expected to exceed exposure limits or for odor or irritation. Protection provided by air-purifying respirators is limited. Refer to OSHA 29 CFR 1910.134, ANSI Z88.2-1992, NIOSH Respirator Decision Logic, and the manufacturer for additional guidance on respiratory protection selection. Use a NIOSH/ MSHA-approved positive-pressure supplied-air respirator if there is a potential for uncontrolled release, exposure levels are not known, in oxygen-deficient atmospheres, or any other circumstance where an air-purifying respirator may not provide adequate protection.

Exposure Guidelines - Product Based:

Exposure Guidelines:	List :OSHA Components:Coal Tar Pitch Volatiles Benzene Soluble Fraction Type: TWA Value :0.2 mg/m3 List :ACGIH Type: TLv Components:Coal Tar Pitch Volatiles Benzene Soluble Fraction Value :0.2 mg/m3

Exposure Guidelines - Ingredient Based:

Coke (Petroleum):

Exposure Guidelines:	List :OSHA Type: TWA Value :15mg/m3 (total dust) 5 mg/m3 (respirable dust) List :ACGIH Type: TL Value :10 mg/m3 (total dust) 3 mg/m3 (respirable dust)
Notes from Section 8:	NOTE: Limits shown for guidance only. Follow applicable regulations

Section 9: Physical and Chemical Properties

SDS Number : 888100004472

Odor:	Asphalt – like odor
pH:	Not determined
Vapor Pressure:	Not applicable
Vapor Density:	(air = 1) No data available
Boiling Temperature:	Initial boiling point Not determined
Freezing Temperature:	Not determined
Melting Temperature:	Not determined
Solubility In Water:	Insoluble
Density:	Relative density (water = 1) >1.0
Evaporation Rate:	Not determined
Viscosity:	Kinematic viscosity No data available
Odor Threshold:	Not determined
Octanol Water Partition Coef:	No data available
Flash Point:	Not determined
Auto Ignition Temperature:	670°C (1,238°F)
Upper Flammable Limit:	Not determined
Lower Flammable Limit:	15 to 1000 g/m³
Note from Section 9:	Kst 47 to 74 bar m/s >br< MIE > 1000 mj

Section 10: Stability and Reactivity

SDS Number : 888100004472

Chemical Stability:	Stable under normal conditions.
Conditions To Avoid:	Avoid accumulation of finely ground dust. Minimize generation of airborne dust. See Section 7 for additional information.
Reactivity:	Airborne dust may become flammable or explosive. Possibility of hazardous reactions :Keep away from oxidizing agents, and acidic or alkaline products
Hazardous Decomposition Products:	In case of fire, hazardous decomposition products may be produced such as carbon monoxide, carbon dioxide, hydrocarbons and smoke. No

decomposition if stored and applied as directed.

Section 11: Toxicological Information

SDS Number : 888100004472

Skin Toxicity:	LD50 rabbit Dose: > 2,000 mg/kg The toxicological data has been taken from products of similar composition
Ingestion Toxicity:	LD50 rat Dose: > 2,000 mg/kg The toxicological data has been taken from products of similar composition.
Carcinogenicity:	CA Prop 65 This product does not contain any chemicals known to State of California to cause cancer, birth, or any other reproductive defects.
Notes from Section 11:	May cause irritation, experienced as mild discomfort and seen as slight excess redness of the eye.

Section 12: Ecological Information

SDS Number : 888100004472

Notes from Section 12:	Additional ecological information : Keep out of sewers, drainage areas, and waterways. Report spills and releases, as applicable, under Federal and State regulations.

Section 13: Disposal Considerations

SDS Number : 888100004472

Waste Disposal:	: Dispose of container and unused contents in accordance with federal, state and local requirements. Product is suitable for burning for fuel value in compliance with applicable laws and regulations. RCRA: The unused product, in our opinion, is not specifically listed by the EPA as a hazardous waste (40 CFR, Part 261D), nor is it formulated to contain materials which are listed hazardous wastes. It does not exhibit the hazardous characteristics of ignitability, corrosivity, or reactivity. The unused product is not formulated with substances covered by the Toxicity Characteristic Leaching Procedure (TCLP). However, used product may be regulated.

Section 14: Transport Information

SDS Number : 888100004472

DOT Other:	CFR : Not regulated by USA DOT 49 CFR.
IATA:	Not regulated by ICAO/IATA.
ICAO:	Not regulated by ICAO/IATA.

Section 15: Regulatory Information

SDS Number : 888100004472

Regulatory - Product Based:

U.S. FEDERAL, STATE AND LOCAL REGULATORY INFORMATION:

Any spill or uncontrolled release of this product, including any substantial threat of release, may be subject to federal, state and/local reporting requirements. This product and/or its constituents may also be subject to other regulations at the state and/or local level. Consult those regulations applicable to your facilty/operation.
TSCA Status : On TSCA Inventory
DSL Status : All components of this product are on the Canadian DSL list.
SARA 311/312 Hazards : No SARA Hazards

CERCLA SECTION 103 and SARA SECTION 304 (RELEASE TO THE ENVIROMENT):

The CERCLA definition of hazardous substances contains a "petroleum exclusion" clause which exempts crude oil, Fractions of crude oil, and products (both finished and intermediate) from the crude oil refining process and any indigenous components of such from the CERCLA Section 103 reporting requirements. However, other federal reporting requirements, including SARA Section 304, as well as the Clean Water Act may still apply.
PENN RTK US. Pennsylvania Worker and Community Right-to-Know Law (34 Pa. Code Chap. 301-323)

Regulatory - Ingredient Based:

Coke (Petroleum):

California Prop. 65: This product may contain detectable quantities of chemicals known to the State of California to cause cancer, birth defects or other reproductive harm, and which may be subject to the requirements of California Proposition 65.

Nickel / Nickel Compounds Cancer 7440-02-0
Chromium, Hexavalent Compounds Cancer 18540-29-9
Lead Cancer 7439-92-1
Lead Developmental 7439-92-1

Polycyclic Aromatic Hydrocarbons including: Benzo(a)pyrene Cancer 50-32-8
Indeno(1,2,3-cd)pyrene Cancer 193-39-5

NJ RTK: US. New Jersey Worker and Community Right-to-Know Act (New Jersey Statute Annotated Section 34:5A-5)

Section 16: Additional Information

SDS Number : 888100004472

Revision Date: 10/29/2012

Version Number: 1.20

Disclaimer: The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text.

HMIS:

Health	
Flammability	
Reactivity	
PPE	

Chronic Health Hazard

NFPA:

ATTACHMENT 10

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

Thomas, Carl (DEQ)

From: Britt, Kristie (DEQ)
Sent: Monday, July 11, 2016 2:38 PM
To: Thomas, Carl (DEQ)
Subject: RE: Reissuance of VA0057142, Kinder Morgan Bulk Terminals - Pier IX

Carl- I have finished the Conformance review for KM. See below for minor revision to FS statement in #25.

305(b)/303(d) Listed Segments: Indicate if the facility discharges to a segment that is listed on the current 303(d) list and, if so, provide all appropriate information/ calculations.

Outfalls discharge to impaired segment VAT-G11E_JMS03A06, Lower James River. This segment is impaired for Aquatic Life Use and Chesapeake Bay Open Water for Dissolved Oxygen, Aquatic Life Use for ~~Chia~~ Chl a and Fish Consumption Use for PCBs.

Kristie Britt
Water Quality Planning
Virginia Dept. of Environmental Quality
Tidewater Regional Office
5636 Southern Blvd.,Virginia Beach, VA 23462
Phone: 757-518-2153
Email: kristie.britt@deq.virginia.gov

From: Thomas, Carl (DEQ)
Sent: Friday, July 01, 2016 10:07 AM
To: Britt, Kristie (DEQ)
Cc: Austin, Deanna (DEQ)
Subject: Reissuance of VA0057142, Kinder Morgan Bulk Terminals - Pier IX

Please find the subject permit materials at the following link such that a conformance review can be performed.

U:\PERMITS\WATER\PLANNING\VA0057142 KM PIER IX TERMINAL\CONFORMANCE REVIEW

A question – how long do you all plan to keep on U:/ blah-blah all of the permits that have been reissued, within your PLANNING folder? I take the x-tra effort to identify my past permit actions via TRO planning, as 'REISSUED' in the final title to clarify what is active and in process and what has concluded all processing and those permits are now reissued. Your program's respective actions, via fact sheet content, should now be codified w/in ECM when the FS/DP/etc. are scanned after permit signature, so why keep past permit action materials on file w/in U:/?

Thanks.

carl.thomas@deq.virginia.gov

757.518.2161

Conformance Review

Date: July 1, 2016

To: Kristie Britt, TRO Water Planning Section

Permit Writer: C. Thomas, TRO Water Permit Section

Facility: Kinder Morgan Bulk Terminals – Pier IX

Permit Number: VA0057142

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

Permit Expiration Date: July 20, 2016 (administratively continued)

Waterbody ID (ex: VAT-G15E): VAT-G11E

Topo Name: Newport News South (035B)

Facility AddressFacility Address: 1900 Harbor Access Road, Newport News, Virginia 23607

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

	This Facility is **NOT MENTIONED** in an existing Board adopted water quality management planning document or TMDL.
	This Facility will be included
X	This Facility **IS MENTIONED** in an existing Board adopted water quality management planning document or TMDL.
The facility is included in the Chesapeake Bay TMDL as a non-significant discharger with an aggregate WLA.	
	The Facility **APPEARS TO CONFORM** with the plans.
	This Facility **IS NOT IN CONFORMANCE** with the existing Board adopted water quality management planning document and/ or TMDL.

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

Additional Comments:

KNB 7/11/2016

Thomas, Carl (DEQ)

From: Britt, Kristie (DEQ)
Sent: Wednesday, June 08, 2016 9:46 AM
To: Thomas, Carl (DEQ)
Cc: Austin, Deanna (DEQ)
Subject: RE: Reissuance of VA0057142 - KM Pier IX/X Terminal - Scheduled Reissuance

Carl-
The TMDL and Plan Reviews are complete for KM. We do not have any current metals data within this area to provide. Our most recent Fish Tissue sample was from 2012 and only included PCBs. Prior to that we have fish tissue data for metals in the early 2000s.

Would this be your request for water column metals monitoring at site 2-JMS013.10? I am still drafting a list of permit requested monitoring data so that we can rally for money and for DCLS to get their saltwater clean metals certification.

Thanks,

Kristie Britt
Water Quality Planning
Virginia Dept. of Environmental Quality
Tidewater Regional Office
5636 Southern Blvd.,Virginia Beach, VA 23462
Phone: 757-518-2153
Email: kristie.britt@deq.virginia.gov

From: Thomas, Carl (DEQ)
Sent: Friday, May 13, 2016 1:56 PM
To: Britt, Kristie (DEQ)
Cc: Austin, Deanna (DEQ)
Subject: Reissuance of VA0057142 - KM Pier IX/X Terminal - Scheduled Reissuance

The forms and permit application necessary for TRO Planning and TMDL reviews may be found at the following link:

U:\PERMITS\WATER\PLANNING\VA0057142 KM PIER IX - X TERMINAL

Thanks.

carl.thomas@deq.virginia.gov

757.518.2161

TMDL Permit Review

Date: May 13, 2016
To: Kristie Britt, TRO Planning √ KNB 6/8/2016
Permit Writer: C. Thomas, TRO Water Permits
Facility: Kinder Morgan, Incorporated Pier IX/X
Permit Number: VA0057142
Issuance, Reissuance or Modification (if Modification describe): Regular reissuance
Permit Expiration Date: July 20, 2016
Waterbody ID: VAT-G11E
Topo Name: Newport News South (035B)
Facility Address: 1900 Harbor Access Road, Newport News, Virginia 23607
Receiving Stream: James River

Stream Name:	Eastern Branch of the Elizabeth River
Stream Data Requested?	Yes, T°C, salinity, pH, **dissolved metals**, DO, nutrients (N, P) - all those data for last 3 years

Outfall Numbers:	**Latitude(s) / Longitude(s):**
001	36°58'04.6" N / 76°25'38.1" W
002	36°58'04.4" N / 76°25'38" W
003	36°58'04.8" N / 76°25'38.2" W

Is there a design flow change? YES If yes give the change in comments.

TMDL Review:

Is a TMDL IN PROGRESS for the receiving stream? Yes, the James River PCB TMDL.	
Has a TMDL been APPROVED that includes the receiving stream?	
Yes	
If yes, Include TMDL Name, Pollutant(s) and date of approval:	
Chesapeake Bay TMDL EPA approved 12/29/2010 for TN, TP, and TSS.	
Is the facility assigned a WLA from the TMDL?	Yes
If Yes, what is the WLA?	
The facility is a non-significant discharger within Bay segment JMSMH in the Chesapeake Bay TMDL and therefore is assigned an aggregate WLA for TN, TP and TSS. Because an aggregated WLA exists, this permit did not receive an individual WLA. The aggregated WLA is presented as a delivered load for each of the impaired 92 Bay segments. (TMDL Report-Appendix Q)	

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

Additional Comments:

VIRGINIA

Draft 305(b)/303(d)

WATER QUALITY INTEGRATED REPORT

to

CONGRESS and the EPA ADMINISTRATOR

for the

PERIOD

January 1, 2005 to December 31, 2010

Richmond, Virginia

March 2012

2012 Impaired Waters - 303(d) List

Category 5 - Waters needing Total Maximum Daily Load Study

James River Basin

Cause Group Code / Impaired Use	Water Name / Cause	Cause Category	Estuary (Sq. Miles)	Reservoir (Acres)	River (Miles)	Initial List Date	TMDL Dev. Date
G01E-02-EBEN	James River						
Aquatic Life	Estuarine Bioassessments	5A	31.343			2012	2024
G01E-03-PCB	James River and Various Tributaries						
Fish Consumption	PCB in Fish Tissue	5A	62.773			2002	2014
	PCB in Fish Tissue	5A	1.837			2004	2016
	PCB in Fish Tissue	5A	191.964		7.49	2006	2018
	PCB in Fish Tissue	5A	0.012			2008	2014
	PCB in Fish Tissue	5A	0.003			2010	2018
G01L-01-DO	Falling Creek Reservoir						
Aquatic Life	Oxygen, Dissolved	5A		88.37		2012	2024
G01R-01-PCB	Goode Creek						
Fish Consumption	PCB in Water Column	5A			1.25	2012	2024
G01R-02-CU	XVP - Almond Creek, UT						
Aquatic Life	Copper	5A			0.36	2012	2024
Wildlife	Copper	5A			0.36	2012	2024
G01R-02-PCB	Almond Creek						
Fish Consumption	PCB in Water Column	5A			2.36	2012	2024
G01R-02-PH	XVO and XVP (Almond Creek, UTs)						
Aquatic Life	pH	5A			0.82	2004	2016
G01R-02-ZN	XVP - Almond Creek, UT						
Aquatic Life	Zinc	5A			0.36	2012	2024
Wildlife	Zinc	5A			0.36	2012	2024
G01R-04-DO	Falling Creek						
Aquatic Life	Oxygen, Dissolved	5A			0.98	2008	2020
G01R-05-PH	Kingsland Creek						
Aquatic Life	pH	5C			8.50	2006	2018
G01R-06-PCB	Gillies Creek						
Fish Consumption	PCB in Water Column	5A			6.02	2012	2024
G01R-06-PH	Gillies Creek						
Aquatic Life	pH	5A			6.02	2004	2016
G01R-07-DO	Redwater Creek						
Aquatic Life	Oxygen, Dissolved	5C			2.94	2010	2022
G01R-09-DO	UT to James River - XPF						
Aquatic Life	Oxygen, Dissolved	5C			0.39	2004	2016
G01R-09-PH	UT to James River - XPF						
Aquatic Life	pH	5C			0.39	2004	2016
G01R-12-DO	Coles Run, UT						
Aquatic Life	Oxygen, Dissolved	5C			0.63	2006	2018

James River Basin

Cause Group Code: **G01E-03-PCB** **James River and Various Tributaries**

Location: Estuarine James River from the fall line to the Hampton Roads Bridge Tunnel, including several tributaries listed below.

City / County					
	Charles City Co	Chesapeake City	Chesterfield Co	Colonial Heights City	Dinwiddie Co
	Hampton City	Henrico Co	Hopewell City	Isle Of Wight Co	James City Co
	New Kent Co	Newport News City	Norfolk City	Petersburg City	Portsmouth City
	Prince George Co	Richmond City	Suffolk City	Surry Co	Virginia Beach City
	Williamsburg City				

Use(s): Fish Consumption

Cause(s) /
VA Category PCB in Fish Tissue / 5A

During the 2002 cycle, the James River from the Fall line to Queens Creek was considered not supporting of the Fish Consumption Use due to PCBs in multiple fish species at multiple DEQ monitoring locations.

During the 2004 cycle, a VDH Fish Consumption Restriction was issued from the fall line to Flowerdew Hundred and the segment was adjusted slightly to match the Restriction. In addition, in the 2004 cycle, the Chickahominy River from Walkers Dam to Diascund Creek was assessed as not supporting the Fish Consumption Use because the DEQ screening value for PCBs was exceeded in 3 species during sampling in 2001.

During the 2006 cycle, the VDH restriction was extended on 12/13/2004 to extend from the I-95 bridge downstream to the Hampton Roads Bridge Tunnel and include the tidal portions of the following tributaries:

Appomattox River up to Lake Chesdin Dam
Bailey Creek up to Route 630
Bailey Bay
Chickahominy River up to Walkers Dam
Skiffes Creek up to Skiffes Creek Dam
Pagan River and its tributary Jones Creek
Chuckatuck Creek
Nansemond River and its tributaries Bennett Creek and Star Creek
Hampton River
Willoughby Bay and the Elizabeth R. system (Western, Eastern, and Southern Branches and Lafayette R.) and tributaries St. Julian Creek, Deep Creek, and Broad Creek

The advisory was modified again on 10/10/2006 to add Poythress Run.

The impairments were combined. The TMDL for the lower extended portion is due in 2018.

James River and Various Tributaries **Fish Consumption**	Estuary (Sq. Miles)	Reservoir (Acres)	River (Miles)
PCB in Fish Tissue - Total Impaired Size by Water Type:	**256.589**		**7.49**

Sources:

Contaminated Sediments	Source Unknown	Sources Outside State Jurisdiction or Borders

2012 Impaired Waters (Category 4A) TMDL Approved and (Category 4B) Other Control Measures Present*

James River Basin

Cause Group Code / Impaired Use	Water Name / Cause	Cause Category	Estuary (Sq. Miles)	Reservoir (Acres)	River (Miles)	Initial List Date	TMDL Dev. Date
G03R-09-BAC	Southerly Run						
Recreation	Escherichia coli	4A			2.75	2008	2020
G03R-10-BAC	Powell Creek, UT						
Recreation	Escherichia coli	4A			1.59	2008	2020
G04E-04-CHLA	James River						
Aquatic Life	Chlorophyll-a	4A	42.682			2008	2010
Open-Water Aquatic Life	Chlorophyll-a	4A	42.682			2008	2010
G05R-01-BEN	Chickahominy River, UT - Unnamed Tributary						
Aquatic Life	Benthic-Macroinvertebrate Bioassessments	4A			1.15	1996	2004
	pH	4A			1.15	2006	2004
G05R-02-BAC	Upham Brook Watershed						
Recreation	Escherichia coli	4A			67.27	2006	2010
G06R-03-BAC	White Oak Swamp						
Recreation	Escherichia coli	4A			6.68	2006	2004
G08E-01-BAC	Morris Creek						
Recreation	Enterococcus	4A	0.396			2010	2010
G10E-01-BAC	Powhatan Creek/Sandy Bay						
Recreation	Enterococcus	4A	0.201			1998	2010
G10E-03-BAC	Mill Creek						
Recreation	Enterococcus	4A	0.075			1998	2010
G10E-04-CHLA	James River - Lower						
Aquatic Life	Chlorophyll-a	4A	126.390			2008	2010
	Chlorophyll-a	4A	0.782			2010	2010
Open-Water Aquatic Life	Chlorophyll-a	4A	126.390			2008	2010
	Chlorophyll-a	4A	0.782			2010	2010
G11E-01-BAC	Warwick River - Middle Tidal Portion						
Recreation	Enterococcus	4A	0.075			2008	2020
G11E-01-SF	Chuckatuck Creek System						
Shellfishing	Fecal Coliform	4A	0.560			1998	2010
G11E-03-BAC	Deep Creek - Lower						
Recreation	Enterococcus	4A	0.101			2006	2010
G11E-05-BAC	Pagan River - Upstream of Chalmers Point						
Recreation	Enterococcus	4A	0.178			1998	2010
G11E-06-BAC	Lawnes Creek (Tributary to James River)						
Recreation	Enterococcus	4A	0.292			2010	2022

2012 Impaired Waters (Category 4A) TMDL Approved and (Category 4B) Other Control Measures Present*

James River Basin

Cause Group Code / Impaired Use	Water Name / Cause	Cause Category	Estuary (Sq. Miles)	Reservoir (Acres)	River (Miles)	Initial List Date	TMDL Dev. Date
JMSMH-DO-BAY	James River CBP segment JMSMH and Tidal Tributaries						
Aquatic Life	Oxygen, Dissolved	4A	100.291			1998	2010
	Oxygen, Dissolved	4A	18.371			2006	2010
Open-Water Aquatic Life	Oxygen, Dissolved	4A	100.291			1998	2010
	Oxygen, Dissolved	4A	18.371			2006	2010
JMSOH-DO-BAY	James River Oligohaline Estuary						
Aquatic Life	Oxygen, Dissolved	4A	48.740			2006	2010
Open-Water Aquatic Life	Oxygen, Dissolved	4A	2.212			2006	2010
JMSPH-BNUT-BAY	James River CBP segment JMSPH and Tidal Tributaries						
Aquatic Life	Nutrient/Eutrophication Biological Indicators	4A	25.011			2010	2010
JMSPH-DO-BAY	James River CBP segment JMSPH and Tidal Tributaries						
Aquatic Life	Oxygen, Dissolved	4A	0.547			2006	2010
Open-Water Aquatic Life	Oxygen, Dissolved	4A	0.547			2006	2010
JMSTFL-DO-BAY	James River Tidal Freshwater (Lower) Estuary						
Aquatic Life	Oxygen, Dissolved	4A	0.123			1994	2010
	Oxygen, Dissolved	4A	28.981			2006	2010
	Oxygen, Dissolved	4A	0.049			2008	2010
Open-Water Aquatic Life	Oxygen, Dissolved	4A	0.123			1994	2010
	Oxygen, Dissolved	4A	28.981			2006	2010
	Oxygen, Dissolved	4A	0.049			2008	2010
JMSTFL-SAV-BAY	James River Tidal Freshwater (Lower) Estuary						
Aquatic Life	Aquatic Plants (Macrophytes)	4A	29.103			2006	2010
	Aquatic Plants (Macrophytes)	4A	0.049			2008	2010
Shallow-Water Submerged Aquatic Vegetation	Aquatic Plants (Macrophytes)	4A	29.103			2006	2010
	Aquatic Plants (Macrophytes)	4A	0.049			2008	2010
JMSTFU-DO-BAY	James River Tidal Freshwater (Upper) Estuary						
Aquatic Life	Oxygen, Dissolved	4A	7.773			2010	2010
JMSTFU-SAV-BAY	James River Tidal Freshwater (Upper) Estuary						
Aquatic Life	Aquatic Plants (Macrophytes)	4A	7.773			2006	2010
Shallow-Water Submerged Aquatic Vegetation	Aquatic Plants (Macrophytes)	4A	7.773			2006	2010
LAFMH-DO-BAY	Chesapeake Bay segment LAFMH (Lafayette River)						
Aquatic Life	Oxygen, Dissolved	4A	2.163			2006	2010
Open-Water Aquatic Life	Oxygen, Dissolved	4A	2.163			2006	2010
SBEMH-DO-BAY	Chesapeake Bay segment SBEMH (Southern Branch, Elizabeth River)						
Aquatic Life	Oxygen, Dissolved	4A	3.195			2006	2010
Deep-Water Aquatic Life	Oxygen, Dissolved	4A	2.446			2006	2010
Open-Water Aquatic Life	Oxygen, Dissolved	4A	3.195			2006	2010

Planning Permit Review

Date: May 13, 2016
To: Kristie Britt, TRO Planning
Permit Writer: C. Thomas, TRO Water Permits
Facility: Kinder Morgan, Incorporated Pier IX/X
Permit Number: VA0057142
Issuance, Reissuance or Modification (if Modification describe): Regular reissuance
Permit Expiration Date: July 20, 2016
Waterbody ID: VAT-G11E
Topo Name: Newport News South (035B)
Facility Address: 1900 Harbor Access Road, Newport News, Virginia 23607
Receiving Stream: James River

Stream Name:	James River
Stream Data Requested?	Yes, T°C, salinity, pH, dissolved metals, DO, nutrients (N, P) - all those data for last 3 years. See Attachment 1.

Outfall Numbers:	**Latitude(s) / Longitude(s):**
001	36°58'04.6" N / 76°25'38.1" W
002	36°58'04.4" N / 76°25'38" W
003	36°58'04.8" N / 76°25'38.2" W

Planning Review:

303 (d): Indicate Outfalls which discharge directly to an impaired (Category 5) stream segment and parameters impaired

Outfall discharges to impaired segment VAT-G11E_JMS03A06, lower James River. This segment is impaired for Aquatic Life Use and Chesapeake Bay Open Water for Dissolved Oxygen, Aquatic Life Use for Chla and Fish Consumption Use for PCBs. See Attachment 2.

Tier Determination

Tier	**Outfalls discharge to impaired Tier 1 segment. See Attachment 2.**
Tier	

Management Plan

Is the facility Referenced in a Management Plan?	**No**
Are limits contained in a Management Plan?	**No**

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

Additional Comments:

KNB 6/8/2016

Planning / TMDL Review Form Additional Information

Date: May 13, 2016
To: Kristie Britt, TRO Planning
Permit Writer: C. Thomas, TRO Water Permits
Facility: Kinder Morgan, Incorporated Pier IX/X
Permit Number: VA0057142
Issuance, Reissuance or Modification (if Modification describe): Regular reissuance
Permit Expiration Date: July 20, 2016
Waterbody ID: VAT-G11E
Topo Name: Newport News South (035B)
Facility Address: 1900 Harbor Access Road, Newport News, Virginia 23607
Receiving Stream: James River

Stream Name:	Noted above.
Stream Data Requested? all those data for last 3 years	Yes, T°C, salinity, pH, **dissolved metals**, DO, nutrients (N, P) -

Outfall Numbers:	**Latitude(s) / Longitude(s):**
001	36°58'04.6" N / 76°25'38.1" W
002	36°58'04.4" N / 76°25'38" W
003	36°58'04.8" N / 76°25'38.2" W

See Attachment 1 for monitoring data collected at station 2-JMS013.10.

SUMMARY OF AVAILABLE IN-STREAM WATER QUALITY DATA
AQM STATION 2-JMS013.10 - VA0057142

SAMPLE DATE	TEMP (°C)	pH (SU)	DIS O_2 (mg/l)	SALINITY (0/00)	NH_3-N (mg/l)	NITRITE-N (mg/l)	NITRATE-N (mg/l)	NO_2+NO_3 -N (mg/l)	TOT N (mg/l)	TOT PHOS (mg/l)	ORTHO PHOS (mg/l)
01/08/2013	6.4	8.1	11.8	19.0	0.004	0.002	0.004	0.004	0.230	0.007	0.010
03/20/2013	8.3	8.5	11.8	7.5	0.009	0.003	0.173	0.176	0.444	0.007	0.002
04/02/2013	9.3	8.8	13.5	12.1	0.005	0.002	0.004	0.004	0.223	0.004	0.002
05/09/2013	17.2	7.7	7.7	9.9	0.108	0.005	0.111	0.116	0.434	0.025	0.020
06/06/2013	22.1	7.9	7.2	17.5	0.039	0.003	0.032	0.034	0.258	0.013	0.007
07/15/2013	27.6	7.9	7.3	8.3	0.011	0.004	0.060	0.064	0.294	0.023	0.018
08/15/2013	25.6	8.2	8.0	16.1	0.012	0.002	0.004	0.005	0.195	0.028	0.024
09/04/2013	25.8	8.0	6.9	17.4	0.012	0.012	0.003	0.015	0.305	0.038	0.026
10/01/2013	20.7	7.9	7.3	18.6	0.029	0.052	0.075	0.127	0.361	0.039	0.039
11/06/2013	15.4	7.9	8.9	18.8	0.054	0.012	0.164	0.176	0.409	0.038	0.039
12/03/2013	8.6	8.0	10.9	20.7	0.017	0.002	0.037	0.039	0.254	0.018	0.011
02/04/2014	3.1	8.3	14.3	14.6	0.009	0.002	0.002	0.002	0.176	0.006	0.002
03/19/2014	6.0	7.8	11.0	12.5	0.124	0.005	0.205	0.210	0.522	0.020	0.014
04/01/2014	9.0	8.0	11.6	10.3	0.026	0.005	0.218	0.223	0.446	0.013	0.007
05/06/2014	17.2	7.9	9.0	5.9	0.018	0.006	0.060	0.066	0.243	0.010	0.012
06/03/2014	21.8	7.9	8.1	8.6	0.020	0.003	0.128	0.131	0.346	0.020	0.018
07/01/2014	27.0	7.9	7.1	12.8	0.014	0.004	0.006	0.010	0.272	0.020	0.017
08/05/2014	25.3	7.9	7.1	18.5	0.023	0.019	0.007	0.027	0.254	0.035	0.030
09/03/2014	26.9	7.9	7.6	16.8	0.012	0.014	0.008	0.022	0.269	0.038	0.025
10/07/2014	20.9	8.0	7.7	19.3	0.036	0.016	0.054	0.070	0.307	0.039	0.033
11/04/2014	13.6	8.0	8.9	21.1	0.050	0.003	0.043	0.046	0.307	0.030	0.034
12/03/2014	9.1	8.0	10.8	20.9	0.026	0.002	0.002	0.002	0.211	0.011	0.002
02/04/2015	3.9	8.2	12.2	16.8	0.010	0.002	0.002	0.002	0.159	0.006	0.003
03/03/2015	1.2	8.0	16.0	15.5	0.011	0.002	0.002	0.002	0.191	0.004	0.006
04/16/2015	14.5	8.1	9.7	14.3	0.019	0.002	0.088	0.090	0.310	0.005	0.004
05/06/2015	17.6	7.8	8.0	9.5	0.062	0.002	0.066	0.068	0.330	0.014	0.011
06/02/2015	24.0	7.8	6.6	17.1	0.031	0.002	0.003	0.003	0.203	0.014	0.014
07/07/2015	27.2	7.7	7.0	14.6	0.012	0.002	0.002	0.002	0.207	0.034	0.029
08/13/2015	26.5	7.6	7.1	18.9	0.014	0.013	0.008	0.021	0.297	0.050	0.034
09/02/2015	26.6	7.7	6.0	17.9	0.009	0.029	0.015	0.044	0.297	0.053	0.050
11/04/2015	16.7	7.9	8.5	14.8	0.035	0.002	0.101	0.104	0.439	0.028	0.026
02/17/2016	4.3	8.2	12.9	10.8	0.007	0.002	0.189	0.190	0.393	0.003	0.002
03/01/2016	8.4	8.0	11.6	5.4	0.045	0.002	0.244	0.246	0.480	0.005	0.003
05/19/2015	18.1	8.0	8.3	10.7	0.028	0.002	0.026	0.028	0.214	0.013	0.009
MAXIMUM	27.6	8.8	16.0	21.1	0.124	0.052	0.244	0.246	0.522	0.053	0.050
MINIMUM	1.2	7.6	6.0	5.4	0.004	(0.002)	(0.002)	(0.002)	0.159	(0.003)	(0.002)
AVERAGE	16.3	8.0	9.4	14.5	0.028	0.007	0.063	0.070	0.302	0.021	0.017
90th%	26.9	8.2									
COUNT	34	34	34	34	34	34	34	34	34	34	34


2-JMS013.10
JMSMH_1A_M
258
17
Ballard Creek
Warwick Blvd
Huntington Ave
Jefferson Ave
Chestnut Ave
351
29th St
Roanoke Ave
664
28th St
26th St
Hampton Roads Belt
16th
Port of Newport News
2NPC-2-SCC
2JMS-4-SSC
2JMS-3A-SCC

ATTACHMENT 11

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

ATTACHMENT 12
TABLE III(a) - Permit Processing Change Sheet

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

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
001	Total Recoverable Iron	FROM: 1/3 Months TO: 1/Month	FROM: NL, monitoring only TO: No change	See Attachment 6 for discussions, calculations and rationale	CDT 5/2016
	Total Kjeldahl Nitrogen, Nitrite plus Nitrate, Total Nitrogen, Total Phosphorus	FROM: Not in permit TO: 1/Year	FROM: Not in permit TO: Monitor/report only		
002	Total Petroleum Hydrocarbons	FROM: 1/Year TO: Remove from permit	FROM: NL, monitoring only TO: Remove from permit		
003	Flow, pH, Total Suspended Solids, Total Recoverable Iron	FROM: 1/3 Months TO: 1/6 Months	FROM: pH (6-9 SU), others NL monitoring only TO: No Change		
	Total Kjeldahl Nitrogen, Nitrite plus Nitrate, Total Nitrogen, Total Phosphorus	FROM: Not in permit TO: 1/6 Months for two years from permit reissuance	FROM: Not in permit TO: NL monitoring only		
	Total Petroleum Hydrocarbons	FROM: 1/Year TO: Remove from permit	FROM: NL, monitoring only TO: Remove from permit		

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL
PERMIT CONDITIONS OR OTHER REQUIREMENTS I.B.1. Permit Reopeners (WQ, TMDL) - retain, update; Nutrient reopener - remove I.B.2. Operations and Maintenance Manual - retain, revise I.B.3. Notification Levels - retain I.B.4. Quantification Level Under Part I.A. - retain, revise I.B.5. Compliance Reporting Under Part I.A. - retain, revise I.B.6. Materials Handling and Storage - retain I.B.7. Minimum Freeboard - retain I.C. Toxics Management Program - review, update/revise & reimpose, if necessary I.D. Storm Water Management Conditions - retain, revise, update, expand	PERMIT CONDITIONS OR OTHER REQUIREMENTS I.B.1. Permit Reopeners (WQ, TMDL) - retained I.B.2. Operations and Maintenance Manual - retained, revised I.B.3. Notification Levels - retained I.B.4. Quantification Level Under Part I.A. - retained, revised I.B.5. Compliance Reporting Under Part I.A. - retained, revised I.B.6. Materials Handling and Storage - retained I.B.7. Minimum Freeboard - retained I.B.8. Discharges to Waters in the Chesapeake Bay Watershed - incorporate into permit at reissuance I.C. Toxics Management Program - review, update/revise & reimpose, if necessary I.D. Storm Water Management Conditions - retain, revise, update, expand	CDT 5/2016

ATTACHMENT 12

TABLE III(b) - Permit Processing Change Sheet

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

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
As of May 2016, no changed to identify or address.					

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL

ATTACHMENT 12

NPDES INDUSTRIAL PERMIT RATING WORKSHEET

NPDES Permit Rating Work Sheet

___ Regular Addition
___ Discretionary Addition
_✓_ Score change, but no status change
___ Deletion

NPDES NO: VA0057142

Facility Name: KINDER MORGAN BULK TERMINALS PIER IX

City: NEWPORT NEWS, VIRGINIA

Receiving Water: JAMES RIVER

Reach Number:

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

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

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

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

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

FACTOR 1: Toxic Pollutant Potential

PCS SIC Code: ____ Primary SIC Code: 4911

Other SIC Codes: 5052 ____ ____ ____

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

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

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

Code Number Checked: 08

Total Points Factor 1: 40

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

Section A–Wastewater Flow Only Considered

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

Section B–Wastewater and Stream Flow Considered

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

Code Checked from Section A or B: 51

Total Points Factor 2: 00

NPDES Permit Rating Work Sheet

NPDES No.: VA0051711 2

FACTOR 3: Conventional Pollutants
(only when limited by the permit)

A. Oxygen Demanding Pollutant: (check one) ___ BOD ___ COD ✓ Other: NOT APPLICABLE

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

Code Checked: [-]
Points Scored: [0|0]

B. Total Suspended Solids (TSS)

Permit Limits: (check one)	Code	Points
✓ < 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 Checked: [2]
Points Scored: [0|5]

C. Nitrogen Pollutant: (check one) ___ Ammonia ✓ Other: NOT APPLICABLE

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

Code Checked: [-]
Points Scored: [0|0]

Total Points Factor 3: [0|5]

FACTOR 4: Public Health Impact
Is there a public drinking water supply located within 50 miles downstream of the effluent discharge (this includes any body of water to which the receiving water is a tributary)? A public drinking water supply may include infiltration galleries, or other methods of conveyance that ultimately get water from the above referenced supply.

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

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

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

Code Number Checked: [-]
Total Points Factor 4: [0|0]

NPDES Permit Rating Work Sheet

NPDES No.: | V | A | 0 | 0 | 5 | 7 | 1 | 4 | 2 |

FACTOR 5: Water Quality Factors

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

	Code	Points
___ 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 | 2 | B | 1 | C | 2 |

Points Factor 5: A | 0 | 0 | + B | 0 | + C | 0 | 0 | = | 0 | 0 | TOTAL

FACTOR 6: Proximity to Near Coastal Waters

A. ***Base Score: Enter flow code here (from Factor 2):*** | 5 | 1 | ***Enter the multiplication factor that corresponds to the flow code:*** | . | 1 |

Check appropriate facility HPRI Code (from PCS):

HPRI #	*Code*	*HPRI Score*
___ 1	1	20
___ 2	2	0
_✓_ 3	3	30
___ 4	4	0
___ 5	5	20

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

HPRI code checked: | 3 |

Base Score: (HPRI Score) 30 x (Multiplication Factor) 0.1 = 3 (TOTAL POINTS)

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

	Code	Points
_✓_ Yes	1	10
___ No	2	0

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

	Code	Points
___ Yes	1	10
_✓_ No	2	0

Code Number Checked: A | 3 | B | 1 | C | 2 |

Points Factor 6: A | 0 | 3 | + B | 1 | 0 | + C | 0 | 0 | = | 1 | 3 | TOTAL

NPDES Permit Rating Work Sheet

NPDES NO: VA0057142

SCORE SUMMARY

Factor	Description	Total Points
1	Toxic Pollutant Potential	40
2	Flow/Stream flow Volume	0
3	Conventional Pollutants	5
4	Public Health Impacts	0
5	Water Quality Factors	0
6	Proximity to Near Coastal Waters	13
	TOTAL (Factors 1-6)	58

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 discretionary major?

✓ No

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

Reason:

_____

_____

_____

_____

_____

NEW SCORE: 58

OLD SCORE: 68

C D THOMAS
Permit Reviewer's Name

(757) 518 - 2161
Phone Number

6/27/2011
Date

ATTACHMENT 13

CHRONOLOGY SHEET

Code	Description	Date Completed	Comments
		Total: 37	
PREVFLED	Old expiration date	7/20/2016	
APDU	Reissuance application due	1/22/2016	
APRD	Application received at RO 1st time	1/19/2016	several initial deficiencies noted in e-mail to submitter
APRD2	Applic/Additional Info received at RO 2nd time	1/26/2016	applicant visited TRO to verify application content and discuss permitting issues
DTC2VDH	VDH concurrence on draft permit	8/1/2016	Waived, although VDH/DW SEFO requested a copy of the final permit for their files.
DTLP	Reissuance package sent	7/29/2015	
APRMND	Application reminder 1st time	12/31/2015	Regular e-mails and discussions
APRET	App returned/additional info requested 1st time	1/22/2016	Minor deficiencies and wrong form used for public notice information.
APRET	App returned/additional info requested 1st time	1/19/2016	Various comments pertaining to application as initially submitted conveyed via e-mail
APPPLAN	Application sent to planning/TMDL	5/13/2016	
APPSTATE	App sent to State Agency (list in comment field)	4/14/2016	Application sent via .ftp site to VDH/DW, VDH/dss, & VMRC
APPCSTATE	State Agency comments received 1st time (list)	4/21/2016	VDH/DW comments of 04/18/2016 rcvd. NNWW (PWSID Number 3700500) and intake for Lee Hall facility is a raw water intake located approx. 22 miles fm point source discharge from VA0057142. Please forward a copy of the final permit for files of SEFO of VDH/DW;
APCP	Application totally / technically complete	2/3/2016	
APCOMLET	App complete letter sent to permittee	2/3/2016	The date entered reflects the date when additional clarifying information and lingering effluent data were provided, thus constituting a complete permit application. In this regard and due to other more pressing issues and necessities with other permits developments, an application complete letter was not sent to the applicant and sending one at this point in time serves no purpose. 07/01/2016
DTDDP	Draft permit developed	6/8/2016	
DT1PLAN	Draft permit sent to planning/TMDL	7/1/2016	For conformance review
DTPLAN	Planning concurrence on draft permit	7/11/2016	
DTOWN	Draft permit sent to owner	6/9/2016	Draft permit materials sent to company via VITASHARE
DTCOWN	Owner comments received on draft 1st time	6/17/2016	
DTC2TOWN	Owner concurrence of draft permit	6/22/2016	
DTPNAUT	Public notice authorization received from owner	1/26/2016	With application
DTNEWS	Public notice letter sent to newspaper	6/27/2016	
PNCO	PN sent to CO for mailing list web site distrib	6/23/2016	
LGNPERM	Public notice sent to local government	6/27/2016	
PNOT	Public notice	6/29/2016	
NEWSVER	Newspaper affidavit/verification received	7/18/2016	PN affidavit rcvd fm Daily Press; as of this date and time, no comments received pertaining to proposed permit.
DTSIGN	Permit signed		
DTEFF	Permit effective	8/1/2016	
FLED	Permit expiration	7/31/2021	
MISC	Miscellaneous	2/3/2016	In meeting with applicant, minor application deficiencies were corrected and the application appeared complete.
MISC	Miscellaneous	6/8/2016	COURTESY COPY OF DP PROVIDED TO APPLICANT FOR INITIAL REVIEW AND PREPARATION OF QUESTIONS/COMMENTS.

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Description for 5052: Coal and Other Minerals and Ores

Division F: Wholesale Trade | Major Group 50: Wholesale Trade-durable Goods

Industry Group 505: Metals And Minerals, Except Petroleum

5052 Coal and Other Minerals and Ores
Establishments primarily engaged in the wholesale distribution of coal and coke; copper, iron, lead, and other metallic ores, including precious metal ores; and crude nonmetallic minerals (including concentrates), except crude petroleum. Establishments primarily engaged in the wholesale distribution of nonmetallic minerals used in construction, such as sand and gravel, are included in Industry 5032.

- Coal-wholesale
- Coke-wholesale
- Copper ore-wholesale
- Gold ore-wholesale
- Iron ore-wholesale
- Lead ore-wholesale
- Metallic concentrates-wholesale
- Metallic ores-wholesale
- Nonmetallic minerals and concentrates crude: except
- Silver ore-wholesale
- Zinc ore-wholesale

SIC Search Division Structure Major Group Structure

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Description for 4491: Marine Cargo Handling

Division E: Transportation, Communications, Electric, Gas, And Sanitary Services | Major Group 44: Water Transportation

Industry Group 449: Services Incidental To Water Transportation

4491 Marine Cargo Handling
Establishments primarily engaged in activities directly related to marine cargo handling from the time cargo, for or from a vessel, arrives at shipside, dock, pier, terminal, staging area, or in-transit area until cargo loading or unloading operations are completed. Included in this industry are establishments primarily engaged in the transfer of cargo between ships and barges, trucks, trains, pipelines, and wharfs. Cargo handling operations carried on by transportation companies and separately reported are classified here. This industry includes the operation and maintenance of piers, docks, and associated buildings and facilities; but lessors of such facilities are classified in Real Estate, Industry 6512.

- Docks, including buildings and facilities: operation and maintenance
- Loading vessels
- Marine cargo handling
- Piers, including buildings and facilities: operation and maintenance
- Ship hold cleaning
- Stevedoring
- Unloading vessels
- Waterfront terminal operation

SIC Search Division Structure Major Group Structure

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DEPARTMENT OF LABOR

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Washington, DC 20210
800-321-OSHA (6742)
TTY
www.OSHA.gov

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Wednesday, August 03, 2016 10:21 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction VP7J5F00PS8TGLH2

Carl Thomas,
The status for your transaction VP7J5F00PS8TGLH2, has changed to 'Dixon.Tucker@vdh.virginia.gov downloaded all the files '.

Date: Wed, Aug 3, at 09:39

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example- user1@virginia.gov, user2@virginia.gov:	Dixon.Tucker@vdh.virginia.gov, Daniel.Horne@vdh.virginia.gov
Message - Describe file attachment:	Attached is final permit for KMBT Pier IX per earlier mailing.
Notify me when the file is downloaded?:	Yes

Files:
/VP7J5F00PS8TGLH2/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT.pdf

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Wednesday, August 03, 2016 10:16 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction VP7J5F00PS8TGLH2

Carl Thomas,
The status for your transaction VP7J5F00PS8TGLH2, has changed to 'Dixon.Tucker@vdh.virginia.gov accessed the download page from IP address: 10-161-29-206'.

Date: Wed, Aug 3, at 09:39

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example- user1@virginia.gov, user2@virginia.gov:	Dixon.Tucker@vdh.virginia.gov, Daniel.Horne@vdh.virginia.gov
Message - Describe file attachment:	Attached is final permit for KMBT Pier IX per earlier mailing.
Notify me when the file is downloaded?:	Yes

Files:
/VP7J5F00PS8TGLH2/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT.pdf

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Wednesday, August 03, 2016 9:40 AM
To: Thomas, Carl (DEQ)
Subject: New Transaction VP7J5F00PS8TGLH2-0001

Transaction details for Carl Thomas(user carl.thomas@deq.virginia.gov)

Job Id: VP7J5F00PS8TGLH2-0001
Date: Wed, Aug 3, at 09:39

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example- user1@virginia.gov, user2@virginia.gov:	Dixon.Tucker@vdh.virginia.gov, Daniel.Horne@vdh.virginia.gov
Message - Describe file attachment:	Attached is final permit for KMBT Pier IX per earlier mailing.
Notify me when the file is downloaded?:	Yes

Files:
/VP7J5F00PS8TGLH2/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT.pdf

View details here

Total Estimated File Size: 31561 KB
Total Number of Files: 1
Estimated Upload Time: 00:01:39

Thomas, Carl (DEQ)

From: Thomas, Carl (DEQ)
Sent: Wednesday, August 03, 2016 9:14 AM
To: Horne, Daniel (VDH)
Cc: Tucker, Dixon (VDH)
Subject: Reissuance of VPDES Permit Number VA0057142, Kinder Morgan Bulk Terminals - Pier IX, Newport News, Virginia

Good Morning,

Per VDH/DW comments of April 18, 2016, pertaining to the Department's review of the permit application specific to the subject VPDES permit transaction, the following statement of review was provided:

"Please forward a copy of the final permit for our files."

The permit has been reissued with an effective date of August 1, 2016, and scheduled expiration date of July 31, 2021. No comments were received during the 30 day period of Public Notice.

A copy of the final VPDES permit may now be found at the following link:

Y:\PERMIT\TRO\VDH, DSS, VMRC For Review\VA0057142 2016-2021 KINDER MORGAN PIER IX X TERM\FINAL PERMIT VA0057142 KMBT PIER IX

If there are any questions, or if we can be of further assistance, please feel free to contact this office.

Thanks.

carl.thomas@deq.virginia.gov

757.518.2161

not used by VDH, VITASHARE

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Wednesday, August 03, 2016 8:47 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction 2K1TS1LCGWZMQF4Z

Carl Thomas,
The status for your transaction 2K1TS1LCGWZMQF4Z, has changed to 'mark_lieberman@kindermorgan.com downloaded all the files '.

Date: Tue, Aug 2, at 14:37

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example-user1@virginia.gov, user2@virginia.gov:	bradley_gilliatt@kindermorgan.com, Cory_Steil@kindermorgan.com, mark_lieberman@kindermorgan.com
Message - Describe file attachment:	Good Afternoon. VPDES Permit Number VA0057142 has been signed and became effective August 1, 2016. The scheduled expiration date is July 31, 2021. Please comply with the reissued permit that is now available at the VITA SHARE site. You will be provided access to the permit and its transmittal letter via the VITA SHARE site by a link to be provided. If there are any questions, please pass them along as your schedules allow. Thanks for the assistance of KM and KM Pier IX during the process of reissuing VA0057142.
Notify me when the file is downloaded?:	Yes

Files:

/2K1TS1LCGWZMQF4Z/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT TRANSLTR.pdf
/2K1TS1LCGWZMQF4Z/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT.pdf

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Wednesday, August 03, 2016 8:45 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction 2K1TS1LCGWZMQF4Z

Carl Thomas,
The status for your transaction 2K1TS1LCGWZMQF4Z, has changed to 'mark_lieberman@kindermorgan.com accessed the download page from IP address: 98-159-8-17'.

Date: Tue, Aug 2, at 14:37

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example-user1@virginia.gov, user2@virginia.gov:	bradley_gilliatt@kindermorgan.com, Cory_Steil@kindermorgan.com, mark_lieberman@kindermorgan.com
Message - Describe file attachment:	Good Afternoon. VPDES Permit Number VA0057142 has been signed and became effective August 1, 2016. The scheduled expiration date is July 31, 2021. Please comply with the reissued permit that is now available at the VITA SHARE site. You will be provided access to the permit and its transmittal letter via the VITA SHARE site by a link to be provided. If there are any questions, please pass them along as your schedules allow. Thanks for the assistance of KM and KM Pier IX during the process of reissuing VA0057142.
Notify me when the file is downloaded?:	Yes

Files:

/2K1TS1LCGWZMQF4Z/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT TRANSLTR.pdf
/2K1TS1LCGWZMQF4Z/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT.pdf

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Tuesday, August 02, 2016 2:37 PM
To: Thomas, Carl (DEQ)
Subject: New Transaction 2K1TS1LCGWZMQF4Z-0002

Transaction details for Carl Thomas(user carl.thomas@deq.virginia.gov)

Job Id: 2K1TS1LCGWZMQF4Z-0002
Date: Tue, Aug 2, at 14:37

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example-user1@virginia.gov, user2@virginia.gov:	bradley_gilliatt@kindermorgan.com, Cory_Steil@kindermorgan.com, mark_lieberman@kindermorgan.com
Message - Describe file attachment:	Good Afternoon. VPDES Permit Number VA0057142 has been signed and became effective August 1, 2016. The scheduled expiration date is July 31, 2021. Please comply with the reissued permit that is now available at the VITA SHARE site. You will be provided access to the permit and its transmittal letter via the VITA SHARE site by a link to be provided. If there are any questions, please pass them along as your schedules allow. Thanks for the assistance of KM and KM Pier IX during the process of reissuing VA0057142.
Notify me when the file is downloaded?:	Yes

Files:

/2K1TS1LCGWZMQF4Z/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT TRANSLTR.pdf
/2K1TS1LCGWZMQF4Z/VA0057142 2016-2021 KNDR MRGN PIER IX FNL PRMT.pdf

View details here

Total Estimated File Size: 47127 KB
Total Number of Files: 2
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Public Notice

Public Notice - Environmental Permit PURPOSE OF NOTICE: To seek public comment on a draft permit from the Department of Environmental Quality that will allow the release of treated wastewater and industrial storm water into a water body in Newport News, Virginia. PUBLIC COMMENT PERIOD: June 29, 2016 - July 29, 2016 PERMIT NAME: Virginia Pollutant Discharge Elimination System Permit - treated wastewater and industrial storm water issued by DEQ, under the authority of the State Water Control Board APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Kinder Morgan Bulk Terminals - Pier IX; 1900 Harbor Access Road, Newport News, Virginia 23607; VA0057142 FACILITY NAME AND LOCATION: Same as above. PROJECT DESCRIPTION: Kinder Morgan Bulk Terminals - Pier IX has applied for reissuance of a permit for the private Kinder Morgan Bulk Terminals - Pier IX. The applicant proposes to release treated wastewater and industrial storm water at a rate commensurate with the duration and intensity of storm events, into a water body. The facility proposes to release the treated wastewater and industrial storm water in the James River in Newport News, Virginia, in the Lower James River watershed. A watershed is the land area drained by a river and its incoming streams. The permit will limit the following pollutants to amounts that protect water quality: pH, total suspended solids. HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing hand-delivery, by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit. CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: Carl D. Thomas; Tidewater Regional Office; 5636 Southern Boulevard, Virginia Beach, Virginia 23462; Phone: (757) 518-2161; e-mail:carl.thomas@deq.virginia.gov; Fax: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment or may request copies of the documents from the contact person listed above. 23607

Additional Information
Posted: 13 hours ago
Category: Public & Legal Notices

PUBLIC NOTICE: ISSUE DATE: June 27, 2016

DEPARTMENT OF ENVIRONMENTAL QUALITY-WATER DIVISION, P. O. Box 1105, Richmond, Virginia 23218
Telephone: (804) 698-4000

PROPOSAL(S) TO ISSUE/REISSUE/AMEND/TERMINATE ONE OR MORE OF THE FOLLOWING: VA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES), VA PRETREATMENT PROGRAM in a VPDES PERMIT; VA POLLUTION ABATEMENT (VPA) OR VA WATER PROTECTION PERMIT(S) PURSUANT TO U. S. PUBLIC LAW 92-500 AS AMENDED AND SECTION 62.1-44.2 ET SEQ OF THE CODE OF VIRGINIA AS AMENDED.

The municipal, industrial or private facility owners on the attached list have applied for issuance, reissuance or amendment of a permit to either discharge treated wastes into the waters of the Commonwealth of Virginia (VPDES); approve or modify a pretreatment program or parts thereof for facilities that discharge to a POTW that is covered by a VPDES permit; handle waste and wastewater in a manner that does not involve discharging to a sewage treatment works or to state waters (VPA); or withdraw surface water, impound non-agricultural waters or impact surface waters such as by land clearing, dredging, filling, excavating, draining, or ditching in open water, streams, and wetlands (VWP).
On the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Quality (DEQ) proposes to issue/reissue/amend/terminate the permit(s) subject to certain limitations and special conditions. These proposed determinations are tentative.

Public Notices for Virginia Water Protection (VWP) Permits can be found in full at the following web site:
http://www.deq.virginia.gov/Programs/Water/WetlandsStreams/PublicNotices.aspx

PROCEDURES FOR FORMULATION OF FINAL DETERMINATIONS

Persons may comment in writing to the DEQ on the proposed permit within 30 days from the date of newspaper public notice. Comments shall include address and phone number of the writer, and shall contain a complete, concise statement of the factual basis for the comments. Only those comments received within this period will be considered by the DEQ. The DEQ may, upon request or upon its own motion, decide to hold a public hearing if it determines that public response is significant. As of September 1, 1985, the mailing notice will be *informational only* and is considered to be confirmation of newspaper notices and not the official notice for comments.

All pertinent information is on file and may be inspected and arrangements made for copying at the Regional Office having jurisdiction as indicated in the first column of the attached list:

Southwest Regional Office, 355-A Deadmore Street, Abingdon, Virginia 24210, (276) 676-4800.

Blue Ridge Regional Office–Roanoke (WCRO), 3019 Peters Creek Road, Roanoke, Virginia 24019, (540) 562-6700.

Valley Regional Office, 4411 Early Road, P. O. Box 3000, Harrisonburg, Virginia 22801, (540) 574-7800.

Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia 22193, (703) 583-3800.

Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060, (804) 527-5020.

Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462, (757) 518-2000.

Blue Ridge Regional Office–Lynchburg (SCRO), 7705 Timberlake Road, Lynchburg, Virginia 24502, (434) 582-5120

Following the newspaper notice comment period, the DEQ will make its determination regarding name, the proposed permit. These determinations will then become effective unless the DEQ grants a public hearing. Due notice of any public hearing will be given.

June 27, 2016
DEQ/Public Notice

Central Office – (CO), 629 East Main Street, Richmond, Virginia 23219

The purpose of this notice is to seek public comment on a proposed General VPDES Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia registration list modification that will allow the Hampton Roads Sanitation District (VAN040090) to acquirer permanent annual waste load allocations of total nitrogen (153,500 lbs) and total phosphorus (21,500 lbs) from J.H. Miles and Company (VAN040091). Applicant: Hampton Roads Sanitation District, 1436 Air Rail Avenue, Virginia Beach, Virginia 23455. Permit No. VAN040090. DEQ Contact: Matthew Richardson, Email: matthew.richardson@deq.virginia.gov , Phone: 804-698-4195 and Fax: 804-698-4032.

The purpose of this notice is to seek public comment on a General VPDES Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia registration list modification that will allow the Hampton Roads Sanitation District (VAN040090) to provide an annual waste load allocation of total phosphorus (9,011 lbs) to the Robert G. House Jr. Water Treatment Facility (VAN040127) for a period beginning January 1, 2015 through December 31, 2053. Applicant: Hampton Roads Sanitation District, 1436 Air Rail Avenue, Virginia Beach, Virginia 23455. Permit No. VAN040090. DEQ Contact: Matthew Richardson, Email: matthew.richardson@deq.virginia.gov , Phone: 804-698-4195 and Fax: 804-698-4032.

Valley Regional Office, 4411 Early Road, P. O. Box 3000, Harrisonburg, Virginia 22801

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Frederick County, Virginia. Applicant: Frederick-Winchester Service Authority, P. O. Box 43, Winchester, Virginia 22604. Facility: Opequon Water Reclamation Facility, 3100 Berryville Pike, Winchester, Virginia 22603. Permit No. VA0065552. DEQ Contact: Dawn Jeffries, Email: dawn.jeffries@deq.virginia.gov, Phone: 540-574-7898, Fax: 540-574-7878.

Blue Ridge Regional Office–Lynchburg (SCRO), 7705 Timberlake Road, Lynchburg, Virginia 24502

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Halifax County, Virginia. Applicant: Halifax County Public Schools, P. O. Box 1849, Halifax, Virginia 24558, Permit No. VA0022705. Facility: Cluster Springs Early Learning Center Sewage Treatment Plant (STP), 1011 Cluster Springs Road, Halifax County. DEQ Contact: Frank Bowman, Email: frank.bowman@deq.virginia.gov, Phone: 434-582-6207 and Fax: 434-582-5125.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Halifax County, Virginia. Applicant: South Boston Foursquare Church, 1011 South of Dan Road, South Boston, Virginia 24592. Permit No. VA0022691. Facility: South Boston Foursquare Church, 1011 South of Dan Road, South Boston, Halifax County. DEQ Contact: Frank Bowman, Email: frank.bowman@deq.virginia.gov, Phone: 434-582-6207 and Fax: 434-582-5125.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Halifax County, Virginia. Applicant: Halifax County Public Schools, P. O. Box 1849, Halifax, Virginia 24558. Permit No. VA0022730. Facility: Sydnor Jennings Elementary School Sewage Treatment Plant (STP), 1011 Sydnor Jennings Road, Halifax County. DEQ Contact: Frank Bowman, Email: frank.bowman@deq.virginia.gov, Phone: 434-582-6207 and Fax: 434-582-5125.

June 27, 2016
DEQ/Public Notice

Blue Ridge Regional Office–Roanoke (WCRO), 3019 Peters Creek Road, Roanoke, Virginia 24019

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Roanoke City, Virginia. Applicant: Steel Dynamics, Roanoke Bar Division, PO Box 13948, Roanoke, VA 24038, Permit No. VA0001589. Facility: Steel Dynamics Roanoke Bar Division, 102 Westside Boulevard NW, Roanoke, Virginia. DEQ Contact: Susan Edwards, Email: susan.edwards@deq.virginia.gov, Phone: 540-562-6764 and Fax: 540-562-6725.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Halifax County, Virginia. Applicant: Halifax County Public Schools, P. O. Box 1849, Halifax, Virginia 24558, Permit No. VA0022721. Facility: Meadville Elementary School, 1011 Meadville Loop, Halifax County. DEQ Contact: Kevin A. Harlow, Email: kevin.harlow@deq.virginia.gov, Phone: 540-562-6700, and Fax: 540-562-6725.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Halifax County, Virginia. Applicant: Halifax County Public Schools, P. O. Box 1849, Halifax, Virginia 24558. Permit No. VA0022748. Facility: Clays Mill Elementary School, 1011 Clays Mill School Drive, Halifax County. DEQ Contact: Kevin A. Harlow, Email: kevin.harlow@deq.virginia.gov, Phone: 540-562-6700, and Fax: 540-562-6725.

Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia 22193

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated industrial non-contact cooling wastewater into a water body in Arlington County, Virginia. Applicant: Department of Defense, Washington Headquarters Services, Federal Facilities Division, Room 5E 330A, 1155 Defense, Pentagon, Washington, DC 20030, Permit No. VA0032000. Facility: The Pentagon Reservation, 425 Old Jefferson Davis Highway, Arlington, Virginia 22202. DEQ Contact: Anna T. Westernik, Phone: 703-583-3837 and Email: anna.westernik@deq.virginia.gov.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Loudoun County, Virginia. Applicant: Town of Hamilton, P. O. Box 130, Hamilton, Virginia 20159. Permit No. VA0020974. Facility: Town of Hamilton Sewage Treatment Plant, 104 North Rogers Street, Hamilton, Virginia 20159. DEQ Contact: Caitlin Shipman, Phone: 703-583-3859 and Email: Caitlin.shipman@deq.virginia.gov.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Loudoun County, Virginia. Applicant: North Spring Behavioral Healthcare, 42009 Victory Lane, Leesburg, Virginia 20176, Permit No. VA0067938. Facility: North Spring Behavioral Healthcare, 42009 Victory Lane, Leesburg, Virginia 20176. DEQ Contact: Anna T. Westernik, Phone: 703-583-3837 and Email: anna.westernik@deq.virginia.gov.

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Orange County, Virginia. Applicant: town of Orange, 119 Belleview Avenue, Orange, Virginia 22960, Permit No. VA0021385. Facility: Town of Orange Wastewater Treatment Plant, 13222 Spicers Mill Road, Orange, Virginia 22960. DEQ Contact: Caitlin Shipman, Email: Caitlin.shipman@deq.virginia.gov, Phone: 703-583-3859.

June 27, 2016
DEQ/Public Notice

Southwest Regional Office, 355-A Deadmore Street, Abingdon, Virginia 24210

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater into a water body in Washington County, Virginia. Applicant: Washington County Service Authority, 25122 Regal Drive, Abingdon, Virginia 24211, Permit No. VA0092860. Facility: Western Washington County Water Reclamation Facility, Off Bordwine Road, Near Bristol, Virginia. DEQ Contact: Fred M. Wyatt, Email: frederick.wyatt@deq.virginia.gov, Phone: 276-676-4810 and Fax: 276-676-4899.

Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462

The purpose of this notice is to seek public comment on a draft permit that will allow the release of treated wastewater and industrial storm water into a water body in Newport News, Virginia. Applicant: Kinder Morgan Bulk Terminals – Pier 1X, 1900 Harbor Access Road, Newport News, Virginia 23607, Permit No. VA0057142. DEQ Contact: Carl D. Thomas, Email: carl.thomas@deq.virginia.gov, Phone: 757-518-2161 and Fax: 757-518-2009.

The public may review any draft permit and applications at the DEQ offices named above by appointment.

Thomas, Carl (DEQ)

From: Jenson, Catherine (DEQ)
Sent: Monday, June 27, 2016 8:51 AM
To: Askew, Hope; LegalAds@dailypress.com
Cc: Thomas, Carl (DEQ); bradley_gilliatt@kindermorgan.com
Subject: Public Notice for VA0057142 - Kinder Morgan Bulk Terminals-Pier IX to be published
Attachments: VA0057142 2016-2021 KMBT PIER IX PN.docx; VA0057142 2016-2021 KMBT PIER IX PN DAILY PRESS.pdf; Signed Public Notice Form Pier IX.pdf

Hi Hope!

Please publish the attached public notice in the earliest edition of your paper once a week for two consecutive weeks, exactly seven days apart- Starting on June 29, 2016. Proceed with the publishing as follows:

1. Publish it in the legal section in the smallest print possible.
2. Please bill this ad to the Agent's address on the BILLING AUTHORIZATION form submitted with this e-mail
3. PLEASE NOTE ON THE BILLING DOCUMENT THEY HAVE AUTHORIZED YOU TO SEND THE AFFIDAVIT TO THIS OFFICE certifying that the public notice has been published as requested as soon possible after the last publication date to the attention of Cathy Jenson.

Please provide me with a proof upon processing.

Thanks.

Cathy Jenson
Administrative Support Technician - Water Permits
Department of Environmental Quality, Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462
757.518.2011
catherine.jenson@deq.virginia.gov

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

June 27, 2016

The Daily Press
Legal Advertising Department
7505 Warwick Boulevard
Newport News, Virginia 23607

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals – Pier IX
Newport News, Virginia

Dear Sirs:

Please publish the attached public notice in the earliest possible edition of your paper once a week for two consecutive weeks, exactly seven days apart. Proceed with the publishing as follows:

1. Publish it in the legal section in the smallest print possible.
2. Please **bill this ad to the Agent's address** on the billing document attached to the e-mail.
3. **In accordance with the authorization on the Billing Document please send the affidavit** certifying that the public notice has been published as requested to this office to the attention of Ms. Cathy Jenson.

If you have any questions, please contact me at (757) 518-2161, or by e-mail at the following: carl.thomas@deq.virginia.gov.

Sincerely,

Carl D. Thomas
Environmental Specialist, Senior

Attachment: Public Notice, Public Notice Authorization Form

cc: DEQ – TRO/file (VA0057142@ECM)
Kinder Morgan Bulk Terminals – Pier IX

Public Notice – Environmental Permit

PURPOSE OF NOTICE: To seek public comment on a draft permit from the Department of Environmental Quality that will allow the release of treated wastewater and industrial storm water into a water body in Newport News, Virginia.

PUBLIC COMMENT PERIOD: Thirty (30) days from the first date of this public notice **(date to be inserted by newspaper)**

PERMIT NAME: Virginia Pollutant Discharge Elimination System Permit – treated wastewater and industrial storm water issued by DEQ, under the authority of the State Water Control Board

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Kinder Morgan Bulk Terminals – Pier IX; 1900 Harbor Access Road, Newport News, Virginia 23607; VA0057142

FACILITY NAME AND LOCATION: Same as above.

PROJECT DESCRIPTION: Kinder Morgan Bulk Terminals – Pier IX has applied for reissuance of a permit for the private Kinder Morgan Bulk Terminals – Pier IX. The applicant proposes to release at a rate commensurate with the duration and intensity of storm events, into a water body. The facility proposes to release the treated wastewater and industrial storm water in the James River in Newport News, Virginia, in the Lower James River watershed. A watershed is the land area drained by a river and its incoming streams. The permit will limit the following pollutants to amounts that protect water quality: pH, total suspended solids.

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing hand-delivery, by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: Carl D. Thomas; Tidewater Regional Office; 5636 Southern Boulevard, Virginia Beach, Virginia 23462; Phone: (757) 518-2161; e-mail:carl.thomas@deq.virginia.gov; Fax: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment or may request copies of the documents from the contact person listed above.

PUBLIC NOTICE VERIFICATION SHEET

To: Daily Press, Accounting Department

Re: Public Notice – VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals – Pier IX
Newport News, Virginia

ATTACH PRINTED COPY OF NOTICE ON REVERSE SIDE OF THIS DOCUMENT

I hereby certify that the notice attached in the space above appeared in The Daily Press, once weekly for two consecutive weeks, exactly seven days apart, on these dated:

_____, 2016

_____, 2016

_____
(Signature)

_____
(Title)

_____
(Date)

Please return completed from to: Virginia Department of Environmental Quality
Tidewater Regional Office
Attention: Ms. Cathy Jenson
5636 Southern Boulevard
Virginia Beach, Virginia 23462

File: DEQ – TRO/file (VA0057142@ECM)

Thomas, Carl (DEQ)

From: Jenson, Catherine (DEQ)
Sent: Monday, June 27, 2016 8:54 AM
To: wkatchmark@hrpdcva.gov; mayorsoffice@nngov.com; city@nngov.com
Cc: Thomas, Carl (DEQ)
Subject: Draft Permit to Public Notice Notification for Kinder Morgan Bulk Terminals-Pier IX VA0057142
Attachments: VA0057142 2016-2021 KMBT PIER IX PN HRPDC.pdf; VA0057142 2016-2021 KMBT PIER IX PN NWPRTNWS CTYMGR.pdf; VA0057142 2016-2021 KMBT PIER IX PN NWPRTNWS MYR.pdf; VA0057142 2016-2021 KMBT PIER IX PN.docx

Good Morning,

Attached are your respective letters and a copy of the public notice.

If you have any questions, please feel free to contact me.

Thank you,

Cathy Jenson
Administrative Support Technician - Water Permits
Department of Environmental Quality, Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462
757.518.2011
catherine.jenson@deq.virginia.gov

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

June 27, 2016

The Honorable McKinley L. Price, DDS
Mayor
City of Newport News
2400 Washington Avenue
Newport News, Virginia 23607

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals - Pier IX
Newport News, Virginia

Dear Mayor Price:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a thirty (30) day public comment period for this proposed permit transaction. If you wish to comment on this proposed permit action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2161, or by e-mail at the following: carl.thomas@deq.virginia.gov.

Sincerely,

Carl D. Thomas
Environmental Specialist Senior

Enclosure: Public Notice
cc: DEQ – TRO/file (VA0057142@ECM)

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

June 27, 2016

Mr. James M. Bourey
City Manager
City of Newport News
2400 Washington Avenue
Newport News, Virginia 23607

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals - Pier IX
Newport News, Virginia

Dear Mr. Bourey:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a thirty (30) day public comment period for this proposed permit transaction. If you wish to comment on this proposed permit action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2161, or by e-mail at the following: carl.thomas@deq.virginia.gov.

Sincerely,

Carl D. Thomas
Environmental Specialist Senior

Enclosure: Public Notice
cc: DEQ – TRO/file (VA0057142@ECM)

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

June 27, 2016

Mr. Dwight L. Farmer
Executive Director, Headquarters Office
Hampton Roads Planning District Commission
The Regional Building
723 Woodlake Drive
Chesapeake, Virginia 23220

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals - Pier IX
Newport News, Virginia

Dear Mr. Farmer:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a thirty (30) day public comment period for this proposed permit transaction. If you wish to comment on this proposed permit action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2161, or by e-mail at the following: carl.thomas@deq.virginia.gov.

Sincerely,

Carl D. Thomas
Environmental Specialist Senior

Enclosure: Public Notice
cc: DEQ – TRO/file (VA0057142@ECM)

Thomas, Carl (DEQ)

From: Thomas, Carl (DEQ)
Sent: Wednesday, June 08, 2016 2:44 PM
To: Raum, Kenneth (DEQ)
Cc: Austin, Deanna (DEQ)
Subject: Reissuance of VPDES Permit Number VA0057142, Kinder Morgan Bulk Terminals - Pier IX

Please find the relevant draft permit materials in the named folder at the link provided below. At this time, DMRs are not yet available for review as the CEDS record in that regard is not yet complete. The CEDS record will be worked on during the remainder of this day and into tomorrow, if necessary. Once completed, DMRs will be pulled from old-CEDS and entered into the relevant file for this action, on the part of TRO Compliance.

U:\CM\WATER\DRAFT PERMIT\For Review\VA0057142 2016-2021 KNDR MRGN BULK TERM - PIER IX

Thanks.

carl.thomas@deq.virginia.gov

757.518.2161

Thomas, Carl (DEQ)

From: Raum, Kenneth (DEQ)
Sent: Friday, July 01, 2016 10:03 AM
To: Brandt, Beverly; Centeno, Megan (DEQ); Jones, Barbara (DEQ)
Cc: Austin, Deanna (DEQ); Everton, Roger (DEQ); Thomas, Carl (DEQ)
Subject: Draft Permit for CDT - Kinder Morgan Bulk Terminals / Pier IX

You may locate the subject draft permit @ "U:\CM\WATER\DRAFT PERMIT\For Review" or, by clicking on the hyperlink shown below. Please provide your comments/corrections by **noon** on 7/8/16. Thanks!

U:\CM\WATER\DRAFT PERMIT\For Review\CDT - Kinder Morgan Bulk Terminals - Pier IX (VA0057142;)

Kenneth T. Raum
Environmental Program Planner
Department of Environmental Quality
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, VA 23462

Direct Line: (757) 518-2152; Office Line: (757) 518-2000
e-mail: Ken.Raum@deq.virginia.gov
Website: www.deq.virginia.gov

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Monday, June 13, 2016 10:28 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction YXA998FQVE6JU1YQ

Carl Thomas,
The status for your transaction YXA998FQVE6JU1YQ, has changed to 'mark_lieberman@kindermorgan.com accessed the download page from IP address: 98-159-8-17'.

Date: Thu, Jun 9, at 16:56

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example-user1@virginia.gov, user2@virginia.gov:	bradley_gilliatt@kindermorgan.com, cory_Steil@kindermorgan.com, mark_lieberman@kindermorgan.com
Message - Describe file attachment:	Good Afternoon, Please find available at the link provided via this means the proposed draft permit, fact sheet and DP/FS transmittal letter that also contains the proposed public notice for the current permit transaction. If there are difficulties downloading the materials provided or if other problems present themselves, please advise this office as your schedules allow. Thanks.
Notify me when the file is downloaded?:	Yes

Files:

/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DP-FS-PN TRANSLTR.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DRAFT PERMIT.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX FACT SHEET.pdf

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Monday, June 13, 2016 10:31 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction YXA998FQVE6JU1YQ

Carl Thomas,
The status for your transaction YXA998FQVE6JU1YQ, has changed to 'mark_lieberman@kindermorgan.com downloaded all the files '.

Date: Thu, Jun 9, at 16:56

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example-user1@virginia.gov, user2@virginia.gov:	bradley_gilliatt@kindermorgan.com, cory_Steil@kindermorgan.com, mark_lieberman@kindermorgan.com
Message - Describe file attachment:	Good Afternoon, Please find available at the link provided via this means the proposed draft permit, fact sheet and DP/FS transmittal letter that also contains the proposed public notice for the current permit transaction. If there are difficulties downloading the materials provided or if other problems present themselves, please advise this office as your schedules allow. Thanks.
Notify me when the file is downloaded?:	Yes

Files:

/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DP-FS-PN TRANSLTR.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DRAFT PERMIT.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX FACT SHEET.pdf

Thomas, Carl (DEQ)

From: Steil, Cory <Cory_Steil@kindermorgan.com>
Sent: Wednesday, June 22, 2016 2:46 PM
To: Thomas, Carl (DEQ)
Cc: Gilliatt, Bradley
Subject: VPDES No: VA0057142
Attachments: VPDES draft apv.pdf

Mr. Thomas,
Good Afternoon, Please see the attached in regards to VA0057142 Draft Permit.

Best Regards,
Cory P. Steil
Pier IX & X
Newport News, Va.
Office (757) 928-1530
Cell (757) 544-1746
Fax (757) 928-1560

Do The Right Thing Every Day!

CORE PRINCIPLES
1. Safety Will Not be Compromised
2. Environmentally Compliant and Responsible Operator
3. Ethics and Integrity
4. Commitment to Employees and Resources
5. Customer Service and Fiscal Responsibility
6. Quality Focus

KINDER MORGAN

Pier IX/X Terminal

1900 Harbor Access Road Newport News, VA 23607

Telephone 757.928.1520 Facsimile 757.928.1560

June 22, 2016

Mr. Carl Thomas
Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23562

Re: VPDES Draft Permit No: VA0057142

Dear Mr. Thomas

Pier IX Management along with Regional Environmental, Health and Safety Representatives have reviewed the permit conditions set forth in VPDES Draft Permit No: VA0057142. Pier IX is currently pleased with the permit conditions, please proceed with Public Notice and the implementation of the new permit.

Please feel free to contact Cory Steil (757) 928-1530 with any additional questions, comments or concerns.

Bradley Gilliatt
Pier IX/X
Terminal Manager

AUTHORIZATION TO BILL APPLICANT FOR A PUBLIC NOTICE FOR

Re: VPDES Permit Number VA0057142
Kinder Morgan Pier IX/X Terminal
1900 Harbor Access Road
Newport News, Virginia 23607

I hereby authorize the Department of Environmental Quality to have the cost of publishing a public notice billed to the Agent/Department shown below. The public notice will be published once a week for two consecutive weeks in the:

The Daily Press
Legal Advertising Department
7505 Warwick Boulevard
Newport News, Virginia 23607

Agent/Department to be billed: Brad Gilliatt

Applicant's Address: 1900 Harbor Access Rd
Newport News, VA 23607

Agent's Telephone Number: 757-928-1520

I AM ALSO AUTHORIZING The Daily Press **TO SEND THE AFFIDAVIT TO:**

Department of Environmental Quality
Tidewater Regional Office
Water Permits - Attention: Ms. Cathy Jenson
5636 Southern Boulevard
Virginia Beach, Virginia 23462

Authorizing Agent/Date Signed: Brad Gilliatt 1/22/16
Print Name/Date Signed

Authorizing Agent's Signature: [signature]
Signature

Authorizing Agent's E-Mail Address: bradley_gilliatt@kindermorgan.com

RETURN THIS COMPLETED FORM TO: DEQ – Tidewater Regional Office
Water Permits - Attention: Ms. Cathy Jenson
5636 Southern Boulevard
Virginia Beach, Virginia 23462

Cc: DEQ – TRO/file (VA0057142@ECM)

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

PENDING

The Daily Press
Legal Advertising Department
7505 Warwick Boulevard
Newport News, Virginia 23607

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals – Pier IX
Newport News, Virginia

Dear Sirs:

Please publish the attached public notice in the earliest possible edition of your paper once a week for two consecutive weeks, exactly seven days apart. Proceed with the publishing as follows:

1. Publish it in the legal section in the smallest print possible.
2. Please **bill this ad to the Agent's address** on the billing document attached to the e-mail.
3. **In accordance with the authorization on the Billing Document please send the affidavit** certifying that the public notice has been published as requested to this office to the attention of Ms. Cathy Jenson.

If you have any questions, please contact me at (757) 518-2161, or by e-mail at the following: carl.thomas@deq.virginia.gov.

Sincerely,

Carl D. Thomas
Environmental Specialist, Senior

Attachment: Public Notice, Public Notice Authorization Form

cc: DEQ – TRO/file (VA0057142@ECM)
Kinder Morgan Bulk Terminals – Pier IX

PUBLIC NOTICE VERIFICATION SHEET

To: Daily Press, Accounting Department

Re: Public Notice – VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals – Pier IX
Newport News, Virginia

ATTACH PRINTED COPY OF NOTICE ON REVERSE SIDE OF THIS DOCUMENT

I hereby certify that the notice attached in the space above appeared in The Daily Press, once weekly for two consecutive weeks, exactly seven days apart, on these dated:

_____, 2016

_____, 2016

_____
(Signature)

_____
(Title)

_____
(Date)

Please return completed from to: Virginia Department of Environmental Quality
Tidewater Regional Office
Attention: Ms. Cathy Jenson
5636 Southern Boulevard
Virginia Beach, Virginia 23462

File: DEQ – TRO/file (VA0057142@ECM)

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

PENDING

Mr. Dwight L. Farmer
Executive Director, Headquarters Office
Hampton Roads Planning District Commission
The Regional Building
723 Woodlake Drive
Chesapeake, Virginia 23220

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals - Pier IX
Newport News, Virginia

Dear Mr. Farmer:

This letter transmits a copy of the public notice for the referenced proposed permit action for your review. This notice is being provided to you pursuant to Section 62.1-44.15:01 of the Code of Virginia. Public notice of this proposed action is also being published in a local newspaper. That publication will establish a thirty (30) day public comment period for this proposed permit transaction. If you wish to comment on this proposed permit action, please respond to the Virginia Department of Environmental Quality at the above address.

If no response is received within the 30-day public notice period, it will be assumed that you have no objections to the proposed action. If you have any questions, please contact me at (757) 518-2161, or by e-mail at the following: carl.thomas@deq.virginia.gov.

Sincerely,

Carl D. Thomas
Environmental Specialist Senior

Enclosure: Public Notice
cc: DEQ – TRO/file (VA0057142@ECM)

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

June 9, 2016

Mr. Bradley Gilliatt
Terminal Manager
Kinder Morgan Pier IX Terminal
1900 Harbor Access Road
Newport News, Virginia 23607

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Bulk Terminals - Pier IX, Newport News, Virginia

Dear Mr. Gilliatt:

The State Water Control Board is considering reissuing the referenced permit. Please review the enclosed public notice and draft permit package carefully.

Certain public notice procedures must be complied with before the actual permit can be approved. They are as follows:

1. The attached public notice must be published once a week for two consecutive weeks in a newspaper of general local circulation. We already have your signed Public Notice Billing Information Form, which will allow the newspaper to bill you for the public notice.

   In order for you to continue to discharge under state and federal laws, a new permit must be issued by the expiration date of the current permit. The term of the current permit cannot be extended beyond its expiration date if the owner is the cause of the delay in permit reissuance. Please respond with any comments and your concurrence to proceed to public notice within 14 days of the date of this letter.

2. A minimum of 30 days will be allowed for public response following the date of the first public notice. If no public response is received, or the public response can be satisfactorily answered, then the permit will be processed. However, if there is significant public response, then we may hold a public hearing. You will be advised if this occurs.

If you have any questions or comments on the draft permit or public notice requirements, please contact me at (757) 518-2161, or by email at carl.thomas@deq.virginia.gov.

Sincerely,

Carl D. Thomas
Environmental Specialist, Senior

Enclosures: Draft Permit, Fact Sheet, Public Notice
cc: DEQ – TRO/file (VA0057142@ECM)

Rev. 1/1/2013

Public Notice – Environmental Permit

PURPOSE OF NOTICE: To seek public comment on a draft permit from the Department of Environmental Quality that will allow the release of treated wastewater and industrial storm water into a water body in Newport News, Virginia.

PUBLIC COMMENT PERIOD: Thirty (30) days from the first date of this public notice (**date to be inserted by newspaper**)

PERMIT NAME: Virginia Pollutant Discharge Elimination System Permit – treated wastewater and industrial storm water issued by DEQ, under the authority of the State Water Control Board

APPLICANT NAME, ADDRESS AND PERMIT NUMBER: Kinder Morgan Bulk Terminals – Pier IX; 1900 Harbor Access Road, Newport News, Virginia 23607; VA0057142

FACILITY NAME AND LOCATION: Same as above.

PROJECT DESCRIPTION: Kinder Morgan Bulk Terminals – Pier IX has applied for reissuance of a permit for the private Kinder Morgan Bulk Terminals – Pier IX. The applicant proposes to release at a rate commensurate with the duration and intensity of storm events, into a water body. The facility proposes to release the treated wastewater and industrial storm water in the James River in Newport News, Virginia, in the Lower James River watershed. A watershed is the land area drained by a river and its incoming streams. The permit will limit the following pollutants to amounts that protect water quality: pH, total suspended solids.

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing hand-delivery, by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: Carl D. Thomas; Tidewater Regional Office; 5636 Southern Boulevard, Virginia Beach, Virginia 23462; Phone: (757) 518-2161; e-mail:carl.thomas@deq.virginia.gov; Fax: (757) 518-2009. The public may review the draft permit and application at the DEQ office named above by appointment or may request copies of the documents from the contact person listed above.

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Monday, June 13, 2016 6:47 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction YXA998FQVE6JU1YQ

Carl Thomas,
The status for your transaction YXA998FQVE6JU1YQ, has changed to 'cory_Steil@kindermorgan.com accessed the download page from IP address: 98-159-8-17'.

Date: Thu, Jun 9, at 16:56

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example-user1@virginia.gov, user2@virginia.gov:	bradley_gilliatt@kindermorgan.com, cory_Steil@kindermorgan.com, mark_lieberman@kindermorgan.com
Message - Describe file attachment:	Good Afternoon, Please find available at the link provided via this means the proposed draft permit, fact sheet and DP/FS transmittal letter that also contains the proposed public notice for the current permit transaction. If there are difficulties downloading the materials provided or if other problems present themselves, please advise this office as your schedules allow. Thanks.
Notify me when the file is downloaded?:	Yes

Files:

/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DP-FS-PN TRANSLTR.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DRAFT PERMIT.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX FACT SHEET.pdf

Thomas, Carl (DEQ)

From: VITASHARE System <vitashare@vita.virginia.gov>
Sent: Monday, June 13, 2016 6:48 AM
To: Thomas, Carl (DEQ)
Subject: Status change notification for transaction YXA998FQVE6JU1YQ

Carl Thomas,
The status for your transaction YXA998FQVE6JU1YQ, has changed to 'cory_Steil@kindermorgan.com downloaded all the files '.

Date: Thu, Jun 9, at 16:56

Transaction Details:

Acknowledge Security Policy:	I understand that this system is not intended for sensitive data.
Recipient's Email example-user1@virginia.gov, user2@virginia.gov:	bradley_gilliatt@kindermorgan.com, cory_Steil@kindermorgan.com, mark_lieberman@kindermorgan.com
Message - Describe file attachment:	Good Afternoon, Please find available at the link provided via this means the proposed draft permit, fact sheet and DP/FS transmittal letter that also contains the proposed public notice for the current permit transaction. If there are difficulties downloading the materials provided or if other problems present themselves, please advise this office as your schedules allow. Thanks.
Notify me when the file is downloaded?:	Yes

Files:

/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DP-FS-PN TRANSLTR.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX DRAFT PERMIT.pdf
/YXA998FQVE6JU1YQ/VA0057142 2016-2021 KM PIER IX FACT SHEET.pdf

Thomas, Carl (DEQ)

From: Lieberman, Mark <mark_lieberman@kindermorgan.com>
To: Thomas, Carl (DEQ)
Sent: Wednesday, June 08, 2016 2:28 PM
Subject: Read: Reissuance of VPDES Permit VA0057142

Your message

To:
Subject: Reissuance of VPDES Permit VA0057142
Sent: Wednesday, June 08, 2016 2:28:22 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Wednesday, June 08, 2016 2:27:43 PM (UTC-05:00) Eastern Time (US & Canada).

Thomas, Carl (DEQ)

From: Steil, Cory <Cory_Steil@kindermorgan.com>
Sent: Friday, May 13, 2016 10:01 AM
To: Thomas, Carl (DEQ)
Cc: Gilliatt, Bradley
Subject: RE: VA0057142

Mr. Thomas,
Good morning, 2,350' of ditch line remains unpaved and 3,058' is paved with concrete.

Cory P. Steil
Pier IX & X
Newport News, Va.
Office (757) 928-1530
Cell (757) 544-1746
Fax (757) 928-1560

Do The Right Thing Every Day!

CORE PRINCIPLES
1. *Safety Will Not be Compromised*
2. *Environmentally Compliant and Responsible Operator*
3. *Ethics and Integrity*
4. *Commitment to Employees and Resources*
5. *Customer Service and Fiscal Responsibility*
6. *Quality Focus*

From: Thomas, Carl (DEQ) [mailto:Carl.Thomas@deq.virginia.gov]
Sent: Thursday, May 12, 2016 3:21 PM
To: Steil, Cory
Subject: VA0057142

Mr. Steil,

How much of the perimeter ditch remains unpaved with concrete as of this date and time?

Thanks.

carl.thomas@deq.virginia.gov

757.518.2161

Thomas, Carl (DEQ)

From: Lieberman, Mark [mark_lieberman@kindermorgan.com]
Sent: Friday, January 22, 2016 1:53 PM
To: Thomas, Carl (DEQ)
Subject: RE: VA0057142
Attachments: Signed Public Notice Form Pier IX.pdf; Signed Pier IX Form 2F-003.pdf; Signed Pier IX Form 2F-002.pdf; Signed Pier IX Form 2F-001.pdf; Figures Pier IX.pdf; Signed Pier IX Form 2C.pdf; Signed Pier IX Form1.pdf

Mr. Thomas

Please find attached the following for the Renewal Application for Kinder Morgan's Pier IX Terminal

Signed Form 1
Signed Form 2C with analytical data transcribed from Form 2F-001
A full set of Figures
Signed Form 2F – 001
Signed Form 2F – 002
Signed Form 2F – 003
Signed Form Authorizing Billing for Public Notice

Looking forward to meeting with you on Tuesday.

Mark Lieberman
Mid-Atlantic Regional EHS Manager
KINDER MORGAN
O: (757) 928-1520
C: (708) 305-6891

Do The Right Thing Everyday!

Our Core Principles:
1) Safety Will Not Be Compromised
2) Environmentally Compliant and Responsible Operator
3) Ethics and Integrity
4) Commitment to Employees and Resources
5) Customer Service and Fiscal Responsibility
6) Quality Focus

From: Thomas, Carl (DEQ) [mailto:Carl.Thomas@deq.virginia.gov]
Sent: Friday, January 22, 2016 10:40 AM
To: Lieberman, Mark; Gilliatt, Bradley
Cc: Steil, Cory
Subject: VA0057142

Good Morning,

Just went through the app package delivered 01/19/2016. The following items were noted:

Public Notice Authorization form incorrect – proper version was resent with reissuance reminder letter attached to TRO e-mail of 01/19/16.

EPA Form 1 not provided – form was resent with reissuance reminder letter attached to TRO e-mail of 01/19/16.

EPA Form 2C – Process Wastewater identification and characterization app – Outfall 001 is considered a process WW discharge due to upland sources and industrial uses of impounded waters, and controlled nature of discharges (pumped). Data appearing on EPA 2F used for 001 should be moved to EPA 2C and for those parameters in Part V.A. that have not been sampled, a waiver from sampling request is necessary, or provide sample results (we can discuss further next week). For other data (metals, nutrients, etc.), find the relevant data entry cells and fill them in as appropriate. Parts V.B. and C. – make your choices (believed present or absent) and if data exists for any of those parameters, enter the data into the relevant data cells. All other portions of EPA 2C need responses as appropriate – such as sampling information in Part VIII.

You do not need to identify OFs 002/003 on EPA 2C as EPA Form 2F is the form to use for uncontrolled SW discharges from industrial activities provided they are not valved/controlled, or have an internal process WW present when SW discharges occur. You may certainly leave 002 and 003 on 2C should you like, but they are not process WW point source discharges. Having them on 2C will not influence the way the permit will be developed.

EPA Form 2F – you can place 002 and 003 on the same first and second pages instead of having a separate 2F for each. You can leave it as is, but those OFs can be combined on the same 2F. The reportable chemical data in Part VII. must still appear on separate pages for each outfall - on pages VII-1 and VII-2. Part VII.D. – provide specific storm event data as relevant, currently missing in package reviewed for 002/003.

Site maps and flow diagrams – sufficient to move forward.

Annual permit fee billing information – sufficient to move forward.

In conclusion, the items noted above resulted from a more focused review of the application package received earlier this week. Unless there are additional bells and whistles to add (e.g., materials stored, volumes, means of storage and protections provided; innovations and proactive measures taken over current permit term to enhance the overall environmental status of site, co-located industrial activities if their runoff enters VA0057142 drainage systems, any special requests for next permit term, etc.) to the app, then the app package is pretty close to attaining a complete status.

The issue with *timely submission* and *complete upon initial submission* come into play if the permit expires prior to scheduled reissuance. We have reg allowances to extend the term of the expired permit if the application submitted for reissuance was <u>both</u> timely and complete. Otherwise, that regulatory allowance is not provided unless other situations are in play – exterior comment during public notice, requests for a public hearing, and similar.

The database has been updated with the initial app receipt date and as additional materials developed and submitted, those will be added separately to reflect when required materials provided to supplement the initial package.

If questions, do not hesitate to call to receive clarification as to content of this app review mailing.

There ya go, Thanks and prep for the weax.

carl.thomas@deq.virginia.gov

757.518.2161

Thomas, Carl (DEQ)

From: Thomas, Carl (DEQ)
Sent: Friday, January 22, 2016 10:40 AM
To: Lieberman, Mark; Gilliatt, Bradley
Cc: 'Steil, Cory'
Subject: VA0057142

Good Morning,

Just went through the app package delivered 01/19/2016. The following items were noted:

Public Notice Authorization form incorrect – proper version was resent with reissuance reminder letter attached to TRO e-mail of 01/19/16.

EPA Form 1 not provided – form was resent with reissuance reminder letter attached to TRO e-mail of 01/19/16.

EPA Form 2C – Process Wastewater identification and characterization app – Outfall 001 is considered a process WW discharge due to upland sources and industrial uses of impounded waters, and controlled nature of discharges (pumped). Data appearing on EPA 2F used for 001 should be moved to EPA 2C and for those parameters in Part V.A. that have not been sampled, a waiver from sampling request is necessary, or provide sample results (we can discuss further next week). For other data (metals, nutrients, etc.), find the relevant data entry cells and fill them in as appropriate. Parts V.B. and C. – make your choices (believed present or absent) and if data exists for any of those parameters, enter the data into the relevant data cells. All other portions of EPA 2C need responses as appropriate – such as sampling information in Part VIII.

You do not need to identify OFs 002/003 on EPA 2C as EPA Form 2F is the form to use for uncontrolled SW discharges from industrial activities provided they are not valved/controlled, or have an internal process WW present when SW discharges occur. You may certainly leave 002 and 003 on 2C should you like, but they are not process WW point source discharges. Having them on 2C will not influence the way the permit will be developed.

EPA Form 2F – you can place 002 and 003 on the same first and second pages instead of having a separate 2F for each. You can leave it as is, but those OFs can be combined on the same 2F. The reportable chemical data in Part VII. must still appear on separate pages for each outfall - on pages VII-1 and VII-2. Part VII.D. – provide specific storm event data as relevant, currently missing in package reviewed for 002/003.

Site maps and flow diagrams – sufficient to move forward.

Annual permit fee billing information – sufficient to move forward.

In conclusion, the items noted above resulted from a more focused review of the application package received earlier this week. Unless there are additional bells and whistles to add (e.g., materials stored, volumes, means of storage and protections provided; innovations and proactive measures taken over current permit term to enhance the overall environmental status of site, co-located industrial activities if their runoff enters VA0057142 drainage systems, any special requests for next permit term, etc.) to the app, then the app package is pretty close to attaining a complete status.

The issue with *timely submission* and *complete upon initial submission* come into play if the permit expires prior to scheduled reissuance. We have reg allowances to extend the term of the expired permit if the application submitted for reissuance was <u>both</u> timely and complete. Otherwise, that regulatory allowance is not provided unless other situations are in play – exterior comment during public notice, requests for a public hearing, and similar.

The database has been updated with the initial app receipt date and as additional materials developed and submitted, those will be added separately to reflect when required materials provided to supplement the initial package.

If questions, do not hesitate to call to receive clarification as to content of this app review mailing.

There ya go, Thanks and prep for the weax.

carl.thomas@deq.virginia.gov

757.518.2161

Thomas, Carl (DEQ)

From: Thomas, Carl (DEQ)
Sent: Friday, January 22, 2016 8:54 AM
To: 'Steil, Cory'
Subject: RE: Permit Renewal

Sure, can make the time.

Just a reminder, the app is due today to be timely in submission, complete can follow. Based on the relative stability of the facility, much of what was already submitted should be complete enough and will review that here in a little bit.

If nothing else, please scan the signed forms and return them via e-mail sometime this date to ensure the application was submitted in a timely manner to leave that particular hurdle behind us.

Thanks and prep for foul weax.

carl.thomas@deq.virginia.gov

757.518.2161

From: Steil, Cory [mailto:Cory_Steil@kindermorgan.com]
Sent: Thursday, January 21, 2016 5:33 PM
To: Thomas, Carl (DEQ)
Cc: Lieberman, Mark; Gilliatt, Bradley
Subject: Permit Renewal

Mr. Thomas,
Good afternoon, Wanted to touch base with you and see if you are available sometime on Tuesday afternoon (1-26-16)? Mark Lieberman and myself would like to discuss the "draft permit application" if you have the time.

Best Regards,
Cory P. Steil
Pier IX & X
Newport News, Va.
Office (757) 928-1530
Cell (757) 544-1746
Fax (757) 928-1560

Do The Right Thing Every Day!

CORE PRINCIPLES
1. Safety Will Not be Compromised
2. Environmentally Compliant and Responsible Operator
3. Ethics and Integrity
4. Commitment to Employees and Resources
5. Customer Service and Fiscal Responsibility
6. Quality Focus

Thomas, Carl (DEQ)

From: Vogler, Christopher [Christopher_Vogler@kindermorgan.com]
Sent: Thursday, January 21, 2016 10:43 AM
To: Thomas, Carl (DEQ)
Subject: FW: Reissuance of VA0057142 Pier IX/X

Mr. Thomas,

I sincerely apologize for submitting an incomplete package. I didn't give clear enough instruction on how to send this in correctly. We need to communicate better on Kinder Morgan's side of this, it is one of our biggest hurdles with a management team spread over so many states on the east coast. I will have a complete package sent to you immediately in PDF format if that is preferable for you.

I hope you had an enjoyable long weekend.

Kindest Regards,

Chris

Christopher M Vogler, MS
Kinder Morgan Terminals
Compliance Assurance Manager - Mid-Atlantic & Southeast Regions
1500 Greenleaf Street, Charleston SC, 29405
Office: 843-853-0453
Cell: 410-916-6921

Do The Right Thing Every Day!
1) Safety Will Not Be Compromised 2) Environmentally Compliant and Responsible Operator 3) Ethics and Integrity
4) Commitment to Employees and Resources 5) Customer Service and Fiscal Responsibility 6) Quality Focus

From: Lieberman, Mark
Sent: Tuesday, January 19, 2016 3:14 PM
To: Vogler, Christopher
Subject: Fwd: Reissuance of VA0057142 Pier IX/X

Sent from my iPhone

Begin forwarded message:

> **From:** "Thomas, Carl (DEQ)" <Carl.Thomas@deq.virginia.gov>
> **To:** "Lieberman, Mark" <mark_lieberman@kindermorgan.com>
> **Subject: Reissuance of VA0057142 Pier IX/X**
>
> Good Afternoon Mr. Lieberman,
>
> Just noticed your app for reissuance of subject VPDES on my desk following a brief walk-about the TRO. Was the submittal a draft application for initial review and comment prior to formal

submission?

First off, no EPA Form 1 (attached) describing your operations and contacts in general and serves as the cover form for all other EPA forms – 2C, 2F, etc.

Next, the public notice authorization form is for groundwater withdraw and not for the subject permit transaction. On this, the app transmittal letter is also attached detailing the application actions necessary on your part, and the correct public notice authorization form, specific to your facility and permit. The PNAF should be the fourth (4th) page of the reissuance reminder letter attached hereto.

Second, at least for now and based on a very brief review of materials in-house, an electronic copy (much preferred), or should there be a lack of technical capabilities – five (5) additional complete printed copies of the application 'package' so that we can route the app to other state and other entities required to review the app prior to permit reissuance. On this, a CD or other electronic means will satisfy this requirement, including a .pdf copy of the entire package via e-mail, once complete. Almost no one sends the 5 additional copies anymore. We still need an original 'wet signature' copy of the app package per protocols and required procedures on our side. Will look for and verify the signatures once the EPA Form 1 is completed and returned.

Lastly, just looked at EPA Forms 2F and the signature required in the middle of page 2 of 3, of EPA Form 2F is missing for those outfalls, as was the required signature on page 3 of 3 of the same forms. Noticed that EPA Form 2C is also lacking required signatures of the responsible corporate official.

Since the omissions noted above were low-hanging fruit easily noticed via initial app review, thought you should know as soon as possible. Upon receipt of the initial items noted as missing, a more formal, in-depth review will occur. Nevertheless, today's date will be entered into our tracking system as the date of initial submission.

If initial or further questions or comments, pass them along.

Thanks.

carl.thomas@deq.virginia.gov<mailto:carl.dthomas@deq.virginia.gov>
757.518.2161

Thomas, Carl (DEQ)

From: Thomas, Carl (DEQ)
Sent: Tuesday, January 19, 2016 2:49 PM
To: Lieberman, Mark
Subject: Reissuance of VA0057142 Pier IX/X
Attachments: EPAForm3510-1.pdf; VA0057142 2016-2021 KM PIER IX REISSUE REMNDR LTR.pdf

Good Afternoon Mr. Lieberman,

Just noticed your app for reissuance of subject VPDES on my desk following a brief walk-about the TRO. Was the submittal a draft application for initial review and comment prior to formal submission?

First off, no EPA Form 1 (attached) describing your operations and contacts in general and serves as the cover form for all other EPA forms – 2C, 2F, etc.

Next, the public notice authorization form is for groundwater withdraw and not for the subject permit transaction. On this, the app transmittal letter is also attached detailing the application actions necessary on your part, and the correct public notice authorization form, specific to your facility and permit. The PNAF should be the fourth (4^{th}) page of the reissuance reminder letter attached hereto.

Second, at least for now and based on a very brief review of materials in-house, an electronic copy (much preferred), or should there be a lack of technical capabilities – five (5) additional complete printed copies of the application 'package' so that we can route the app to other state and other entities required to review the app prior to permit reissuance. On this, a CD or other electronic means will satisfy this requirement, including a .pdf copy of the entire package via e-mail, once complete. Almost no one sends the 5 additional copies anymore. We still need an original 'wet signature' copy of the app package per protocols and required procedures on our side. Will look for and verify the signatures once the EPA Form 1 is completed and returned.

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Since the omissions noted above were low-hanging fruit easily noticed via initial app review, thought you should know as soon as possible. Upon receipt of the initial items noted as missing, a more formal, in-depth review will occur. Nevertheless, today's date will be entered into our tracking system as the date of initial submission.

If initial or further questions or comments, pass them along.

Thanks.

carl.thomas@deq.virginia.gov

757.518.2161

COMMONWEALTH of VIRGINIA

Marissa J. Levine, MD, MPH, FAAFP
State Health Commissioner

John J. Aulbach II, PE
Director, Office of Drinking Water

DEPARTMENT OF HEALTH
OFFICE OF DRINKING WATER
Southeast Virginia Field Office

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

DATE: APR 18 2016

FROM: DBH Daniel B. Horne, PE
Engineering Field Director

TO: Carl D. Thomas
Environmental Engineer Senior
Department of Environmental Quality – Tidewater Regional Office

CITY/COUNTY: Newport News
APPLICANT: Kinder-Morgan Terminals
PERMIT TYPE: VPDES
APPLICATION TYPE: Re-Issuance
PROJECT: Kinder – Morgan (Pier IX/X Terminal)

SUBJECT: Review response for DEQ's permit application # VA0057142

Our office has reviewed the application for Storm water and dust suppression flow.

The nearest upstream (under tidal influence) raw water intake is located approximately 22 miles from the discharge point/area. The name of the waterworks is Newport News Waterworks (PWSID No. 3700500) and the intake for the Lee Hall facility coordinates are 37.17 N, 76.56 W. The intake is also upstream of an impoundment.

There are no apparent impacts to waterworks sources as a result of this permit.

Please forward a copy of the final permit for our files. ✓ cm Aug 3, 2016 via VITASHARE TO DIXON TUCKER

DWT/DBH/kcb

pc: VDH, ODW – Central Office
VDH, Newport News Health Department
Mr. Mark Lieberman, Kinder Morgan

R:\DIST21\Newport News\DEQ Permits\Kinder-Morgan Memo 4-14-16.docx

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

April 14, 2016

D. B. Horne, P.E.
Engineering Field Director
Virginia Department of Health
Office of Drinking Water
830 Southampton Ave., Room 2058
Norfolk, Virginia 23510

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Pier IX/X Terminal
Newport News, Virginia

Dear Sir:

Enclosed is a copy of the referenced VPDES permit application for your review and concurrence. A copy of this application is also being provided to the Division Of Shellfish Sanitation in Richmond for their review and comment.

Please submit a letter to this office within 14 days with your comments or objections or a statement verifying that the Virginia Department of Health, Office of Drinking Water, has no comments on the application. You may contact me at (757) 518-2161, or email at carl.thomas@deq.virginia.gov if you have any questions.

Sincerely,

Carl D. Thomas
Environmental Specialist, Senior

cc: DEQ - TRO/file (VA0057142@ECM)

Enclosure: Permit Application (via agreed upon .ftp site)

COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487
Fax: 804-864-7481

MEMORANDUM

DATE: 4/26/2016

TO: Carl D. Thomas
Department of Environmental Quality

FROM: B. Keith Skiles, MPH, Director
Division of Shellfish Sanitation

SUBJECT: Kinder Morgan Bulk Terminals - Pier IX

City / County: Newport News

Waterbody: James River

Type: ☑ VPDES ☐ VMRC ☐ VPA ☐ VWP ☐ JPA ☐ Other:

Application / Permit Number: VA0057142

☐ The project will not affect shellfish growing waters.

☐ The project is located in or adjacent to approved shellfish growing waters, however, the activity as described will not require a change in classification.

☑ The project is located in or adjacent to condemned shellfish growing waters and the activity, as described, will not cause an increase in the size or type of the existing closure.

☐ The project will affect condemned shellfish waters and will not cause an increase in the size of the total condemnation. However, a prohibited area (an area from which shellfish relay to approved waters for self-purification is not allowed) will be required within a portion of the currently condemned area. See comments.

☐ A buffer zone (including a prohibited area) has been previously established in the vicinity of this discharge, however, the closure will have to be revised. Map attached.

☐ This project will affect approved shellfish waters. If this discharge is approved, a buffer zone (including a prohibited area) will be established in the vicinity of the discharge. Map attached.

☐ Other.

ADDITIONAL COMMENTS:

Area #: 57

eta

Thomas, Carl (DEQ)

From: Aschenbach, Eric (VDH)
Sent: Tuesday, April 26, 2016 4:38 PM
To: Thomas, Carl (DEQ)
Cc: Horne, Daniel (VDH); Howell, Beth (MRC); Stagg, Ben (MRC)
Subject: RE: Reissuance of VPDES Permit Number VA0057142 - Kinder Morgan Pier IX/X Terminal
Attachments: VA0057142_VDH-DSS_ResponseLtr-20160426.pdf

Carl,

The permit action will not require a change in the classification of adjacent shellfish growing waters.

Eric

From: Thomas, Carl (DEQ)
Sent: Thursday, April 14, 2016 11:20 AM
To: Horne, Daniel (VDH); Stagg, Ben (MRC); Howell, Beth (MRC); Aschenbach, Eric (VDH)
Subject: Reissuance of VPDES Permit Number VA0057142 - Kinder Morgan Pier IX/X Terminal

Please find below, the link that will take all you all to the site where the subject permit application materials can be found, in addition to letters to each of your organizations specifically requesting a review of the materials provided.

The facility's sanitary WW are connected to the HRSD and discharges from the facility consist of storm water from industrial activities and de minimis volumes of non-process wastewaters.

If there are any questions, or if additional information is necessary, please contact this office for resolution.

Thanks.

http://www.deq.virginia.gov/fileshare/wps/PERMIT/TRO/VDH,%20DSS,%20VMRC%20For%20Review/VA0057142%202016-2021%20KINDER%20MORGAN%20PIER%20IX%20X%20TERM/

carl.thomas@deq.virginia.gov

757.518.2161

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

April 14, 2016

Division of Shellfish Sanitation
Virginia Department of Health
109 Governor Street, Room 614B
Richmond, Virginia 23219

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Pier IX/X Terminal
Newport News, Virginia

Dear Sir:

Enclosed is a copy of a VPDES permit application for your review. A copy has also been sent to the Virginia Marine Resources Commission (VMRC). Please review this application and provide your comments within 14 calendar days to DEQ identifying the location of any shellfish growing areas that would have to be condemned pursuant to Va. Code §28.2-807 (e.g., reclassified as restricted or prohibited as defined by the National Shellfish Sanitation Program) as a result of the proposed discharge of pollutants described in the application.

Alternatively, you may respond to DEQ within 14 calendar days of receipt of the application that DSS intends to conduct a further evaluation of the proposed discharge site. If DSS intends to conduct a further evaluation, please provide your comments to DEQ within 30 calendar days after receipt of the application.

In the event that DSS anticipates that, due to the complexity of a proposal or the scope of an evaluation, please, within 14 days of receipt, inform DEQ of the anticipated time required to further evaluate the application. These deadlines are specified in the agreement between the Director of DEQ and the Commissioner of the Virginia Department of Health to ensure that DEQ can process the permit in a timely manner.

Please provide a copy of any correspondence relative to this application to VMRC at the following address:

VMRC
2600 Washington Avenue, 3d Floor
Newport News, Virginia 23607

If there are any questions or if we can be of further assistance, please feel free to contact this office (757) 518-2161, or by e-mail carl.thomas@deq.virginia.gov .

Sincerely,

Carl D. Thomas
Environmental Specialist, Sr.

cc: DEQ - TRO/file (VA0057142@ECM)
Enclosure: Permit Application (via agreed upon .ftp site)

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
5636 Southern Boulevard, Virginia Beach, Virginia 23462
(757) 518-2000 Fax (757) 518-2009
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

April 14, 2016

Virginia Marine Resources Commission
2600 Washington Avenue, 3rd Floor
Newport News, VA 23607

Re: Reissuance of VPDES Permit Number VA0057142
Kinder Morgan Pier IX/X Terminal
Newport News, Virginia

Dear Sir or Madam:

Enclosed for your review is a copy of a VPDES permit application for a proposed discharge of pollutants from a point source to state waters adjacent to, or in near proximity to, shellfish growing areas. A copy of this application has also been sent to the Virginia Department of Health Division of Shellfish Sanitation (DSS), and DSS has been requested to copy VMRC on correspondence relative to this application.

Please review the application and DSS correspondence. If DSS notifies you that no condemnation of shellfish growing areas would be necessary as a result of the proposed discharge, then VMRC is not required to take any further action.

If DSS indicates in its correspondence that shellfish growing areas will have to be condemned (i.e., reclassified as restricted or prohibited as defined by the National Shellfish Sanitation Program) as a result of the proposed discharge, please fill out the attached certification form and send it to DEQ within 21 days of receipt of the DSS comments.

Alternatively, VMRC may respond to DEQ that more information is needed and that VMRC either intends to or does not intend to perform a field evaluation. If VMRC notifies DEQ that more information is needed and that it intends to perform a field evaluation, VMRC agrees to certify to DEQ within 30 calendar days after receipt of the notice that the condemnation will or will not have an effect on shellfish use now and in the foreseeable future. If VMRC certifies to DEQ that more information is needed and that it does not intend to perform a field evaluation, DEQ will contact the permit applicant to allow the applicant the option of obtaining a field evaluation of the areas proposed for condemnation. If VMRC receives a field evaluation from the applicant, please review the evaluation and fill out the attached certification form and send it to DEQ within 21 days of receipt of the evaluation.

These deadlines are specified in an agreement between the Director of DEQ and the Commissioner of VMRC to ensure that DEQ can process the permit in a timely manner. If you have any questions, please do not hesitate to contact me by telephone at (757) 518 – 2161 or by e-mail at carl.thomas@deq.virginia.gov .

Sincerely,

Carl D. Thomas
Environmental Specialist, Senior

Enclosure: Certification Form
Permit Application (via .ftp site)

cc: DEQ – TRO/file (VA0057142@ECM)
DSS (via .ftp site)

Virginia Marine Resources Commission
Evaluation and Certification on the Effects of Proposed Shellfish Condemnation
VPDES Permit Number:
Facility Name:
Facility Location:
Description of the designated area:

Presence or Absence of Shellfish; Identification of Species; Results of Survey:

Commercial Harvest Rates:

Private Oyster Ground Leases/Public Ground Designations:

Physical Parameters:

In accordance with 9 VAC 25-260-270, MRC has reviewed the above information for the VPDES application referenced above, and DSS information on shellfish growing areas that will be condemned (i.e. reclassified as restricted or prohibited as defined by the National Shellfish Sanitation Program) if the VPDES permit is issued for this discharge, and concludes the proposed condemnation will have the following effects on the shellfish use now and in the foreseeable future:

Signed:_____

Title: _____

Date: _____

This certification is intended to provide factual information to DEQ required by 9 VAC 25-260-270. This is not a final determination or case decision under the Virginia Administrative Process Act applicable to the above-mentioned facility or VPDES permit application. The final decision to issue or deny the VPDES permit application is within the discretion of the State Water Control Board.

ATTACHMENT 14

PUBLIC PARTICIPATION