VPDES PERMIT PROGRAM FACT SHEET

FILE NO: 194

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

1. **PERMIT NO.: VA0057576** **EXPIRATION DATE: 12/04/11** 06 (ms)

2. **FACILITY NAME AND LOCAL MAILING ADDRESS**

Dominion Terminal Associates
P.O. Box 967A
Newport News, VA 23607

CONTACT AT FACILITY:
NAME: Mr. Dan Wagoner
TITLE: Superintendent
PHONE: (757)245-2275

FACILITY LOCATION ADDRESS (IF DIFFERENT)

Dominion Terminal Associates
Harbor Road Pier 11
Newport News, VA 23607

CONTACT AT LOCATION ADDRESS
NAME: Mr. Dan Wagoner
TITLE: Superintendent
PHONE: (757)245-2275

3. **OWNER CONTACT**: (TO RECEIVE PERMIT)
NAME: Mr. Charles E. Brinley
TITLE: President and COO
ADDRESS: P.O. Box 967A
Newport News, VA 23607
PHONE: (757)427-4628

CONSULTANT CONTACT:
NAME: NA
FIRM NAME:
ADDRESS: **PHONE**: ( )

4. **PERMIT DRAFTED BY**: DEQ, Water Permits, Regional Office

Permit Writer(s): Thompson, Woodruff Date(s): 06/06/06
Reviewed By: Sauer Thompson Date(s): 8/14/06 8/7/06

5. **PERMIT ACTION:**

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

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/303(d) Listed Segments
Attachment 11	TABLE III(a) and TABLE III(b) - Change Sheets
Attachment 12	NPDES Industrial Permit Rating Worksheet and EPA Permit Checklist
Attachment 13	Chronology Sheet
Attachment 14	Public Participation

APPLICATION COMPLETE: 07/17/06

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

(x) Existing Discharge
( ) Proposed Discharge
( ) Municipal
SIC Code(s)
(x) Industrial
SIC Code(s)4491
( ) POTW
( ) PVOTW
(x) Private
( ) Federal
( ) State
( ) Publicly-Owned Industrial

(x) Effluent Limited
( ) Water Quality Limited
( ) WET Limit
( ) Interim Limits in Permit
( ) Interim Limits in Other Document
( ) Compliance Schedule Required
( ) Site Specific WQ Criteria
( ) Variance to WQ Standards
( ) Water Effects Ratio
(x) Discharge to 303(d) Listed Segment
(x) Toxics Management Program Required
( ) Toxics Reduction Evaluation
(x) Storm Water Management Plan
( ) Pretreatment Program Required
( ) Possible Interstate Effect
( ) CBP Significant Dischargers List

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

Outfall No(s):001

Receiving Stream:	Hampton Roads
River Mile:	2-JMS000.55
Basin:	Lower James River
Subbasin:	NA
Section:	1
Class:	II
Special Standard(s):	a, z, bb, NEW-19
Tidal:	YES
7-Day/10-Year Low Flow:	MGD
1-Day/10-Year Low Flow:	MGD
30-Day/5-Year Low Flow:	MGD
Harmonic Mean Flow:	MGD

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

EXISTING industrial discharge resulting from coal pile dust suppression runoff and storm water runoff.

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

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

12. **SITE INSPECTION DATE**: 07/30/2004, 06/29/2006 **REPORT DATE**: 08/05/2004, 07/13/2006

Performed By: Susan Mackert (TRO Compliance), Melinda Woodruff (06/29)

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: Newport News South Quadrant No.: 35B **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 consists of two parallel sedimentation ponds followed by a polishing pond with systems for polymer addition and neutralization.

SEE ATTACHMENT 3

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

SEE TABLE I - ATTACHMENT 4

16. **COMBINED TOTAL FLOW**:

TOTAL: 1.01 MGD (for public notice)

PROCESS FLOW: _____ MGD (IND.)

NONPROCESS/RAINFALL DEPENDENT FLOW: _____(Est.)

DESIGN FLOW: _____ MGD (MUN.)

17. **STATUTORY OR REGULATORY BASIS FOR EFFLUENT LIMITATIONS AND 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)
_____ EPA Effluent Guidelines (40 CFR 133 or 400 - 471)
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 and monitoring requirements being placed on each outfall.

SEE TABLE II - ATTACHMENT 5

19. **EFFLUENT LIMITATIONS/MONITORING RATIONALE**: Attach any analyses of an outfall by individual toxic parameter. As a minimum, it will include: 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 all calculations used for each outfall and set of effluent limits and those used in any model(s). Include all calculations/documentation of any antidegradation or anti-backsliding issues in the development of any limitations; complete the review statements below. Provide a rationale for limiting internal waste streams and indicator pollutants. Attach chlorine mass balance calculations, if performed. Attach any additional information used to develop the limitations, including any applicable water quality standards calculations (acute, chronic and human health).

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.

NA

SUITABLE DATA: In 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 in accordance with water quality standards, federal effluent guidelines and best professional judgment which will result in attaining and/or maintaining all water quality criteria which apply to the receiving stream, including narrative criteria. These permit limits will provide for the protection and maintenance of all existing uses.

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 a rationale for each of the permit's special conditions.

SEE ATTACHMENT 7

21. **TOXICS MONITORING/TOXICS REDUCTION AND WET LIMIT SPECIAL CONDITIONS RATIONALE**: Provide the justification for any toxics monitoring program and/or toxics reduction program and 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.

NA

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.

The materials stored onsite include various types of coal, fuels, lubricants, anti-freeze, acid, caustic, polymer and waste oil. The coal is stored in open piles until shipped. The other materials are stored in buildings and/or contained in storage tanks.

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 **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.

This facility discharges directly to Hampton Roads. This receiving stream segment has been listed in Category 5 of the 305(b)/303(d) list for exhibiting benthic impairment. A TMDL has not been prepared or approved for this stream segment. The permit contains a TMDL reopener clause which will allow the it to be modified, in compliance with section 303(d)(4) of the Act once a TMDL is approved.

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: 43 **SEE ATTACHMENT 12**

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

The discharge is not addressed in any planning document but will be included when the plan is updated.

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 Sanitaiton and noted how resolved.

The VDH reviewed the application and waived their right to comment and/or object on the adequacy of the draft permit.

The DSS has no comments on the application/draft permit.

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.

NA

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.

DESCRIBE PN COMMENTS AND RESOLUTIONS. PROVIDE PUBLIC HEARING DATE AND REFERENCE BACKGROUND MEMORANDUM, IF APPROPRIATE.

PUBLIC NOTICE INFORMATION: Comment Period: Start Date 09/16/2006
End Date 10/15/2006

Persons may comment in writing or by e-mail to the DEQ on the proposed reissuance of the permit within 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 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 Debra Thompson at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462. Telephone: 757-518-2162 E-mail: dlthompson@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:**

Frequency of monitoring for flow, pH, total suspended solids, and total phosphorus and dissolved Copper, Nickel and Zinc have changed for this permit cycle. Flow monitoring increased from 1/3M to 1/M because flow should be monitored at the same frequency as the most-frequent monitored parameter which is 1/M (i.e. pH, and TSS). pH monitoring was increased from 1/3 M to 1/M based on inspection report recommendations, laboratory data and best professional judgment for water quality. Total Suspended Solids monitoring was increased to 1/M based on best professional judgment. The previous permit contained a special condition for effluent monitoring frequencies for TSS and total phosphorus. The special condition stated that should the facility be issued a Warning Letter, a Notice of Violation, an unsatisfactory laboratory determination, or be the subject of an active enforcement action, the frequency for monitoring both TSS and total phosphorus would increase from 1/3 M to 1/M. During the previous permit cycle the 1/M special condition became effective for TSS and will be the final monitoring frequency for this permit because of historical laboratory data and inspections. The historical laboratory results from the previous permit cycle for Total Phosphorus were continuously acceptable and therefore the frequency of monitoring will return to 1/6 months for this permit cycle. The monitoring requirements for dissolved Copper, Nickel and Zinc were decreased from 1/3M to 1/6M based on best professional judgment, consistent historical laboratory data, and continuous operations with a homogeneous discharge.

ATTACHMENT 1

SITE INSPECTION REPORT/MEMORANDUM

Memo

To: File

From: Melinda Woodruff

Date: July 13, 2006

Re: Site Visit to Dominion Terminal Associates VPDES No. 0057576

On June 29, 2006 I performed a site visit at Dominion Terminal Associates (DTA) for the reissuance of VPDES permit no. VA0057576. The facility is a coal transportation facility which has recently submitted an application for the reissuance of the industrial stormwater permit required for stormwater associated with the industrial activity. Mr. Dan Wagoner represented DTA during the site visit. Dan showed me a video describing the facility. We visited the old observation tower/control room, the stormwater management ponds and the mobile maintenance shop.

Dan provided a brief overview of the operations conducted at DTA. The 100 acre facility has been in business since 1984. Coal is shipped for domestic and export use. DTA handles coal, petroleum coke and limestone but the primary product handled is coal. DTA holds a VPDES permit, a groundwater withdrawal permit and an air permit with DEQ.

Stormwater and coal pile dust suppression water are collected in concrete drainage ditches with weirs throughout the facility. These ditches drain to three stormwater management ponds (Pond 1, Pond 2, and Pond 3). Sedimentation occurs in Pond 1 and Pond 3. Pond 1 and Pond 3 drain to Pond 2. Neutralization occurs in Pond 2 then the stormwater is recycled for dust suppression. The discharge from the facility occurs from Pond 2 via a manual valve to the James River.

Equipment used on site includes bull dozers, front end loaders, cranes, locomotives, and trucks. The majority of maintenance on the equipment occurs at the mobile equipment maintenance shop. Used oil is collected in a sink which is connected to an aboveground storage tank. This oil is used to heat the shop during cold weather. No significant leaks or spills have occurred on-site in the past three years.

Discharges from outfall 001 occur on an as needed basis. The facility uses a Marsh Mcburney flow system, where the meter is calibrated annually. Samples are collected from Pond 2 prior to discharges. Outfall 001 is in good operational condition.

PIN - 194

TRO - Water Compliance Inspections

Permit Number	Facility Name	FACTYPE	FACLASS
VA0057576	DOMINION TERMINAL ASSOCIATES	IND	MINOR

Inspection Type	INSPBY	INSPDATE	RPTDATE	SCHED	ANN
TECHNICAL	SDM	7/30/04	8/5/04	N	N

LAB RATING	LABCMTS

COMMENT:
DISCHARGE TO STATE WATERS EXCEEDING PERMIT LIMITS. WARNING LETTER RECOMMENDED.

IAT	IAR	WL/NOV ISSUED	WL/NOV RESOLVED
		8/6/04	

Route	Staff	Info	Action	Sign	Initials	Date
8.6.04 1	KTR		Reviews	✓	KTR	8.6.04
2	RKE	✓			KTR for RKE	8.6.04
	DDA					
	JYD					
	SJL					
3	SDM		Copy		SDM	8-18-04
	SJT					
4	BJ		Mail		BJ	8/18/04
	DAK					
	MGG					
5	JRM	✓			JRM	08/23/04
	MRN					
6	NIT	✓	File			8/24/04

Comments:
[✓] WL/NOV recommended

Signed: Susan J. Mackert Date: August 6th, 2004

E-mailed DAK 8-6-04
Entered CEDS 8-6-04

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

5636 Southern Boulevard
Virginia Beach, VA 23462
www.deq.state.va.us

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

Robert G. Burnley
Director

Francis L. Daniel
Tidewater Regional Director
(757) 518-2000

Mr. Dan Wagoner
Superintendent Engineering and Maintenance
Dominion Terminal Associates
P.O. Box 967-A
Newport News, VA 23607

Re: Technical Inspection Report
Dominion Terminal Associates
Permit #VA0057576

Dear Mr. Wagoner:

Enclosed is a copy of the technical inspection report prepared for the inspection conducted on July 30, 2004. Please note the recommendations for action cited on pages six and seven of this report and implement appropriate corrective measures in order to ensure permit compliance. Within fifteen (15) days of receipt of this report, you are requested to submit a letter to me documenting that the necessary measures have been implemented. In addition to this report, a warning letter (WL) will be issued for not completing site inspections on a monthly basis as stated on the monthly site compliance evaluation and for a discharge to State waters exceeding the permit limits. Your cooperation and assistance provided during the inspection are appreciated.

If you have any questions regarding this report, please feel free to contact me at the above address or telephone (757) 518-2180.

Sincerely,

Susan D. Mackert

Susan D. Mackert
Environmental Specialist II

Enclosure

cc: DEQ/OWPP: Bill Purcell
DEQ/TRO: File
DEQ/TRO: D. Kay – Compliance Auditor

Facility:	DOMINION TERMINAL ASSOCIATES
County/city:	NEWPORT NEWS, VA

VPDES NO.	VA0057576

DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTEWATER FACILITY
INSPECTION REPORT
PART 1

Inspection date:	**July 30, 2004**	Date form completed:	**August 5, 2004**
Inspection by:	**Susan D. Mackert**	Inspection agency:	**DEQ/TRO**
Time spent:	**7 hours**	Announced Inspection:	[ ] Yes [X] No
Reviewed by: **Kenneth T. Raum** KTR		Photographs taken at site?	[X] Yes [ ] No
Present at inspection:	**Dan Wagoner – Superintendent Engineering and Maintenance**		

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

TYPE OF INSPECTION:

Routine	X	Reinspection		Compliance/assistance/complaint	
Date of previous inspection:	**October 9, 2003**	Agency:	**DEQ/TRO**		

Population Served:		Connections Served:					
Last Month Average: Influent	BOD_5 (mg/l)		TSS (mg/l)		Flow (MGD)		
	Other:						
Last Month Average: 6/1/04 – 6/30/04 001 Effluent	pH (SU)	**8.2**	TSS (mg/l)	**9.0**	Flow (MGD)	**0.4348**	TP (mg/l) **0.04**
	Other: **Dissolved Ni = 60 ug/l, Dissolved Cu = <7 ug/l, Dissolved Zn = <52 ug/l**						
Last Quarter Average: Effluent	BOD_5 (mg/l)		TSS (mg/l)		Flow (MGD)		NH_3 (mg/l)
	Other:						

Data verified in preface:	Updated?		No Changes?	X
Has there been any new construction?		YES		NO X
If yes, were the plans and specifications approved?		YES	N/A	NO
DEQ approval date:				

COPIES TO: (x) DEQ/TRO; (x) DEQ/OWPP; (x) OWNER; ( ) OPERATOR; ( ) EPA-Region III; ( ) Other: _____

PLANT OPERATION AND MAINTENANCE														
1.	Class/number of licensed operators:	I		II		III		IV		Trainee		N/A		
2.	Hours per day plant manned?	On average, 24 hours per day / 7 days per week												
3.	Describe adequacy of staffing	GOOD		AVERAGE	X	POOR								
4.	Does the plant have an established program for training personnel	YES	X	NO										
5.	Describe the adequacy of training	GOOD		AVERAGE	X	POOR								
6.	Are preventative maintenance tasks scheduled	YES	X	NO										
7.	Describe the adequacy of maintenance	GOOD	X	AVERAGE		POOR								
8.	Does the plant experience any organic/hydraulic overloading?	YES	X	NO										
	If yes, identify cause/impact on plant	Excessive precipitation can lead to unscheduled discharge from Pond 2 (Outfall 001).												
9.	Any bypassing since last inspection?	YES		NO	X									
10.	Is the standby electrical generator operational?	YES		NO		NA	X							
11.	How often is the standby generator exercised?	N/A												
	Power transfer switch?	N/A		ALARM SYSTEM?	N/A									
12.	When was the cross connection last tested on the potable supply?	N/A												
13.	Is the STP alarm system operational?	YES		NO		NA	X							
14.	Is sludge disposed in accordance with an approved SMP	YES		NO		NA	X							
15.	Is septage received by the facility?	YES		NO	X									
	Is septage loading controlled?	YES		NO		NA	X							
	Are records maintained?	YES		NO		NA	X							

OVERALL APPEARANCE OF FACILITY	GOOD		AVERAGE	X	POOR		

COMMENTS:	**#8. An unscheduled discharge occurred on 7/29/04 – 7/30/04. See inspection comments for additional information.**

PLANT RECORDS

	WHICH OF THE FOLLOWING RECORDS DOES THE PLANT MAINTAIN?						
	Operational logs for each process unit	YES	X	NO		NA	
	Instrument maintenance and calibration	YES		NO		NA	X
	Mechanical equipment maintenance	YES	X	NO		NA	
1.	Industrial waste contribution (municipal facilities)	YES		NO		NA	X

	WHAT DOES THE OPERATIONAL LOG CONTAIN					
	Visual Observations		Flow Measurement	X	Laboratory Results	
2.	Process Adjustments		Control Calculations		Other?	X

COMMENTS: **#2. Addition of caustic and polymer to the ponds for pH and TSS adjustment is discussed in the operational log.**

#2. Flow measurement is determined by a Marsh McBirney flow meter, although only estimated flows are required by the permit. The flow meter was last calibrated on February 27, 2004.

	WHAT DO THE MECHANICAL EQUIPMENT RECORDS CONTAIN?					NA	
	MFG. Instructions	X	As Built Plans/specs		Spare Parts Inventory		
3.	Lube Schedules	X	Other?		Equipment/parts Suppliers		X

COMMENTS:

	WHAT DO INDUSTRIAL WASTE CONTRIBUTION RECORDS CONTAIN? (MUNICIPAL)			NA	X
	Waste Characteristics		Impact on Plant		
4.	Location and Discharge Types		Other?		

COMMENTS:

	WHICH OF THE FOLLOWING RECORDS ARE AT THE PLANT & AVAILABLE TO PERSONNEL?					NA	
	Equipment Maintenance Records	X	Industrial Contributor Records				
5.	Operational Log	X	Sampling/testing Records	X	Instrumentation Records		

6.	Records not normally available to personnel at their location:	**Records are available.**

7.	Were the records reviewed during the inspection	YES	X	NO	
8.	Are records adequate and the O&M manual current?	YES	X	NO	
9.	Are the records maintained for the required 3-year time period	YES	X	NO	

COMMENTS:

SAMPLING

1.	Are sampling locations capable of providing representative samples?					YES	X	NO
2.	Do sample types correspond to VPDES permit requirements?					YES	X	NO
3.	Do sampling frequencies correspond to VPDES permit requirements?					YES	X	NO
4.	Does plant maintain required records of sampling?					YES	X	NO
5.	Are composite samples collected in proportion to flow?	YES		NO		NA	X	
6.	Are composite samples refrigerated during collection?	YES		NO		NA	X	
7.	Does the plant run operational control tests?	YES		NO		NA	X	

COMMENTS:

TESTING

	Who performs the testing?	Plant	X	Central Lab		Commercial Lab	X
1.	Name: **Universal Laboratories**						

IF THE PLANT PERFORMS ANY TESTING, PLEASE COMPLETE QUESTIONS 2-4

2.	Which total residual chlorine method is used?	**N/A**				
3.	Does plant appear to have sufficient equipment to perform required tests?	YES	X	NO		
4.	Does testing equipment appear to be clean and/or operable?	YES	X	NO		

COMMENTS:

FOR INDUSTRIAL FACILITIES WITH TECHNOLOGY BASED LIMITS ONLY

1.	Is the production process as described in permit application? If no, describe changes in comments section.	YES	X	NO		NA	
2.	Are products/production rates as described in the permit application? If no list differences in comments section.	YES	X	NO		NA	
3.	Has the Agency been notified of the changes and their impact on plant effluent? Date agency notified:	YES		NO		NA	X

COMMENTS:

	PROBLEMS IDENTIFIED AT LAST INSPECTION:	CORRECTED	NOT CORRECTED
	Perform and document: ▪ Site Inspections ▪ Quarterly Visual Examinations of Storm Water Quality ▪ Training ▪ Comprehensive Site Evaluation	X*	
	Report all results for the discharge monitoring performed.	X	
	Increase frequency of monitoring for Total Suspended Solids and Total Phosphorous.	X	

SUMMARY

INSPECTION COMMENTS:

Dominion Terminal Associates is a coal transshipping facility. Coal is stored on soil/cement paved ground until it is loaded on to vessels for shipment to domestic and international ports.

A copy of the Storm Water Pollution Prevention Plan (SWP3) was reviewed on site with the following noted:

1. The plan was created by Parsons Engineering in Newport News, Virginia.
2. The plan was last revised November 13, 2003 and is currently under revision by the SWP3 team.
3. The frequency of training and inspections is noted as "in accordance with the Spill Prevention and Containment Control Plan (SPCC)". The SPCC was reviewed and states training and inspections will be conducted periodically. The permit requires training to be conducted at least annually and inspections to be conducted at a minimum of quarterly. The SPCC must be updated to state a more definitive time period for completing these items such as training will be conducted annually and site inspections will be conducted quarterly. If the SPCC is not referenced, the SWP3 must include this information.
4. SWP3 team meetings are held. The goal of the facility is to hold them monthly, although Mr. Wagoner stated this has been difficult. An agenda is created for each meeting and updates with minutes and follow up items are provided to each team member.

As stated above, the SPCC was reviewed on site. Bay Environmental is now being used as the PE for the site. The plan must be updated to reflect this change and any other changes in the operation of the facility.

Employee training was last conducted in January 2004. Attendance was documented. Topics covered included the VPDES permit, SWP3 and SPCC.

Site compliance evaluations are to be completed on a monthly basis on the Monthly Site Compliance Evaluation form. These inspections cover various areas of the site and are completed by a SWP3 team member. All inspections are signed and dated by the individual completing the inspection. If corrective actions are necessary, they are either completed at the time of inspection (if small in nature) or a work order is issued. Inspection reports were reviewed for January, February, March and May of 2004. When asked about inspection reports for April, June and July 2004 Mr. Wagoner stated the facility has not been keeping up with inspections as they should. The permit only requires site inspections be completed quarterly. A more frequent inspection schedule is fine, but should be set at a level in which the facility can comply. Please note that if a more rigid inspection schedule is stated in the SWP3 or SPCC, it **must** be adhered to. If a DEQ water inspector arrives at your facility to conduct a routine inspection and the SWP3 or SPCC states monthly inspections, monthly inspection records must be produced.

Quarterly visual examinations of storm water quality are conducted during scheduled discharges from outfall 001. Discharge is valved and not dependent on rainfall. Check sheets, including all parameters of this examination, are maintained at the discharge location and are moved to the administration building as necessary.

A comprehensive site evaluation was completed in 2003. This evaluation is included in the 2003 annual report for the facility.

A site inspection was conducted with the assistance of Dan Wagoner with the following noted:

1. The DTA site is approximately 100 acres with a 1000 foot pier. There is roughly 70 acres of coal storage on impervious surfaces.
2. Storm water is collected by concrete lined ditches which bound roughly 65 acres of the site. Storm water is transported by gravity to three lined storm water retention ponds. These ponds are connected by submerged culverts and have a storage capacity of approximately 10.6 million gallons. Ponds 1 and 3 initially collect and retain storm water on site. Water is pumped to pond 2 for additional retention time for treatment and correction of pH and solids issues. Discharge from pond 2 is valved and is

scheduled as needed. A valve is opened manually at the pond with storm water discharged to a vault and then to the river. The discharge is monitored prior to the vault and is reported as outfall 001.

3. All retention ponds are valved and allow for movement of storm water between the three ponds.
4. Retained storm water is used in the rainbird dust control system. The facility has approximately 80 rainbirds on site. Four rainbirds are operated at a time for 20 seconds. A complete cycle of the 80 rainbirds takes 35 minutes. A minimum of 7 cycles per day is completed. During hot, dry and windy conditions, additional cycles are required.
5. The facility has had problems in the past exceeding TSS limits. Railroad ties have been added to the ditch system at varying intervals. These are to act as a dam backing up and slowing down water to reduce solids. Additional methods of solids removal are being looked at by the facility.
6. Universal Laboratories conducts sampling for the facility. The laboratory is contacted prior to any scheduled discharge. Discharges are scheduled when the volume of water in the storm water retention ponds is greater than what is needed for use in the dust suppression system. The laboratory performs a pH analysis at the discharge location. If the pH is greater than 6.0 SU and less than 9.0 SU discharge is initiated and compliance samples are taken. If the pH is less than 6.0 SU or greater than 9.0 SU the discharge is not initiated and additional treatment of the pond is conducted. To better understand your treatment process, please provide with your response to this report a detailed description of how DTA adjusts pH. This response should include the chemical(s) used, the method for addition and the location of addition.
7. The facility has difficulty maintaining a neutral pH in the retention ponds which affects scheduled and unscheduled discharges. Mr. Wagoner stated they have identified a coal pile that is high in sulfur which they believe is contributing to the current pH difficulties. Coal from this particular mine will be received by DTA for the next year. The pile was to be moved to a more distant location on site to allow for more retention time in the ditch system. While this suspect pile may be contributing to the current pH issues (which will be discussed in detail below), this has been a recurring problem for the facility. This item was addressed during the previous inspection of the facility and continues to be an issue.
8. Mr. Wagoner stated various methods are being considered in an attempt to gain control over pH fluctuations in the retention ponds.

An unscheduled discharge from 001 began on July 29, 2004 at approximately 0400. The Tidewater area received excessive precipitation in the weeks prior to this date and the facility was no longer able to retain all storm water. An e-mail was received from Dan Wagoner in the afternoon of July 29, 2004 advising DEQ of the low pH (high 5s) of the discharge (see attached e-mail). Upon arrival at the facility on July 30, 2004 at 0915 the discharge was still occurring. At this time, the flow of discharge had diminished to a small trickle. Mr. Wagoner estimated that 700,000 gallons of water had been discharged to the James River. The pH of the discharge at 001 (pond 2) was measured by the DEQ inspector on site and was recorded at 4.71 SU at 1048 (temperature 28.1°C) . Additional pH measurements were recorded at pond 1 at 3.15 SU at 1058 (temperature 29.1°C) and pond 3 at 5.47 SU at 1102 (temperature 27.5°C). Please note only pond 2 discharges to the James River. The permit only requires pH be monitored once every three months. However, if additional pH readings are taken during a discharge (scheduled or unscheduled) **at the discharge location** throughout the course of a monitoring period, those values must reported. Because additional pH analyses were performed by the facility (as stated in the attached e-mail) those values obtained must be reported on the DMR for this monitoring period. The DMR must reflect the frequency of monitoring such as 2/3M, 3/3M or 4/3M. Please note that any pH taken for in house process control or QA/QC purposes does not have to be reported on the DMR. Only those pH results taken during a discharge at the discharge location must be reported. It should also be noted that any analytical result reported on a DMR must be determined using an approved method as set forth in 40CFR.136. Please see the laboratory inspection report for additional details.

Because of the continuing pH issues at this facility, it is strongly recommended that pH monitoring be increased to at least 1/M at the time of permit reissuance in 2006.

COMPLIANCE RECOMMENDATIONS FOR ACTION:

Update the SWP3 to reflect current operating conditions of DTA. This update must include the frequency of training and inspections if not included in the SPCC.

Update the SPCC to reflect current operating conditions of DTA. This update must include the frequency of training and inspections if not included in the SWP3.

Begin conducting site inspections on at least a quarterly basis. The facility must evaluate their ability to conduct site inspections on a more frequent basis as is now attempted and then revise the SPCC or SWP3 as necessary to include this frequency.

Provide with your response to this report a **detailed** description of how DTA adjusts pH in the retention ponds, specifically at pond 2. This response should include the chemical(s) used, the method for addition and the location of addition.

Ensure all pH analyses conducted by DTA during the course of the unscheduled discharge on 7/29/04 – 7/30/03 are reported on the DMR for this monitoring period. If additional pH readings are taken during a discharge (scheduled or unscheduled) at the discharge location throughout the course of this monitoring period, those values must also be reported.

A written response is required within 15 days of your receipt of this inspection report.

UNIT PROCESS:	INDUSTRIAL POND

										YES	NO	NA
1.	Type of filters	Aerated		Polishing	X	Unaerated						
2.	Number of cells	3										
3.	Number cells in operation	3										
	Operation of system											
4.	Series		Parallel		Other:	X						
	Color					Light Brown						
5.	Gray		Brown		Green	X	Other:					
	EVIDENCE OF THE FOLLOWING PROBLEMS:											
	Vegetation in lagoon or dikes?										X	
	Rodents burrowing on dikes?										X	
	Erosion?										X	
	Sludge bars?										X	
	Excessive foam?										X	
6.	Floating material?										X	
7.	If aerated, are lagoon contents mixed adequately?											X
8.	If aerated, is aeration system operating properly?											X
9.	Odors:	Septic		Earthy		None	X	Other:				
10.	Fencing intact?									X		
11.	Grass maintained properly?											X
12.	Level control valves working properly?									X		
13.	Effluent discharge elevation?	Top		Middle		Bottom	X					
14.	Freeboard	1-2 feet										
15.	Appearance of effluent?	GOOD	X	FAIR		POOR						
	Are monitoring wells present?									X		
	Are wells adequately protected from runoff?									X		
16.	Are caps on and secured?									X		

GENERAL CONDITION:	GOOD	X	FAIR		POOR	

COMMENTS:	**#15. An unscheduled discharge was occurring while on site. See inspection comments for additional information.**

UNIT PROCESS:	EFFLUENT/PLANT OUTFALL

									YES	NO	NA
1.	Type of outfall		Shore Based	X	Submerged						
	TYPE IF SHORE BASED:										
2.	Wingwall		Headwall		Rip Rap		Pipe	X			
3.	Flapper valve present?									X	
4.	Erosion of bank area?									X	
5.	Effluent plume visible?									X	
	Condition of outfall and the supporting structure?										
6.	GOOD	X	FAIR		POOR						
	FINAL EFFLUENT, EVIDENCE OF FOLLOWING PROBLEMS?										
	Oil sheen?									X	
	Grease?									X	
	Sludge bar?									X	
	Turbid effluent?									X	
	Visible foam?									X	
7.	Unusual color?									X	

GENERAL CONDITION:	GOOD	X	FAIR		POOR	

COMMENTS:	**A discharge was observed while on site. See inspection comments for additional information.**

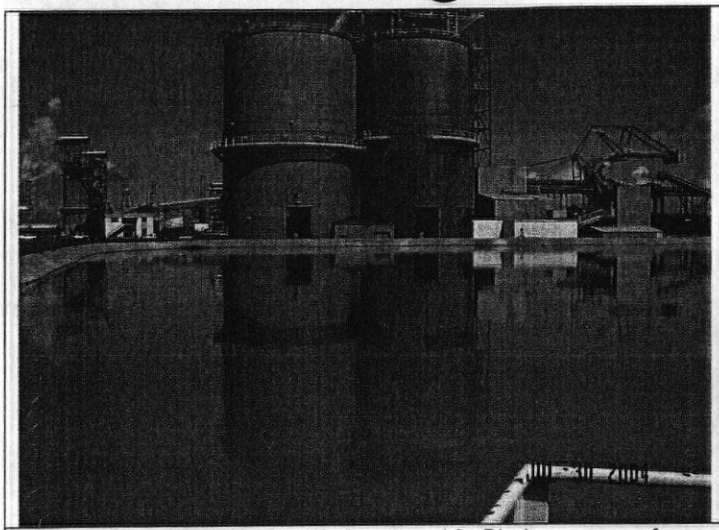


Photo 1. Combined with photo 2 shows pond 2. Discharge occurs from this pond.

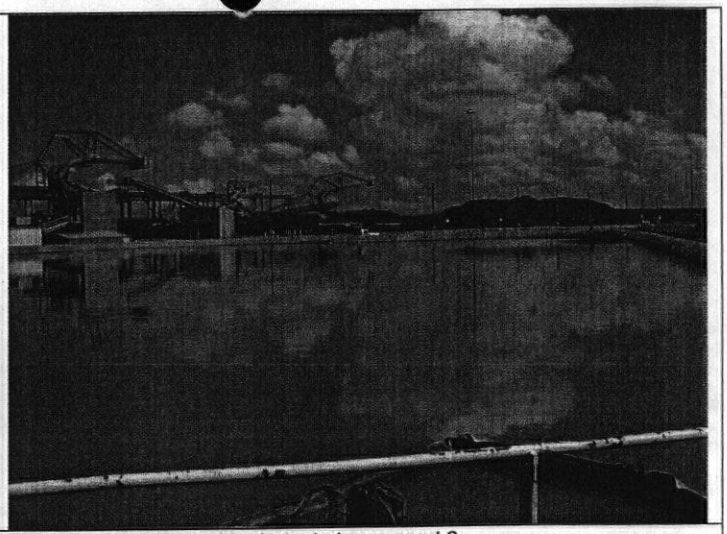


Photo 2. Combined with photo 1 shows pond 2.

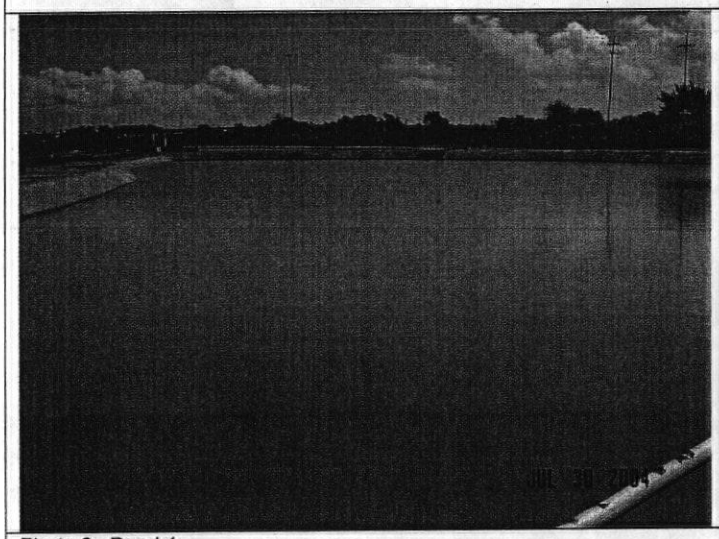


Photo 3. Pond 1.

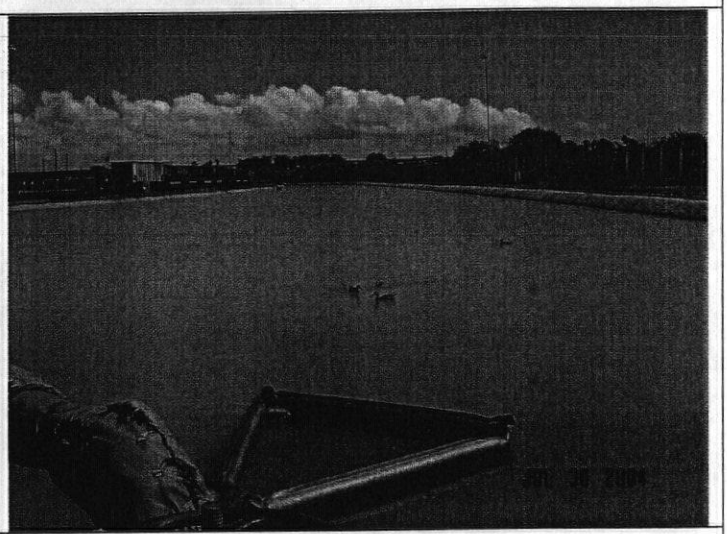


Photo 4. Pond 3.

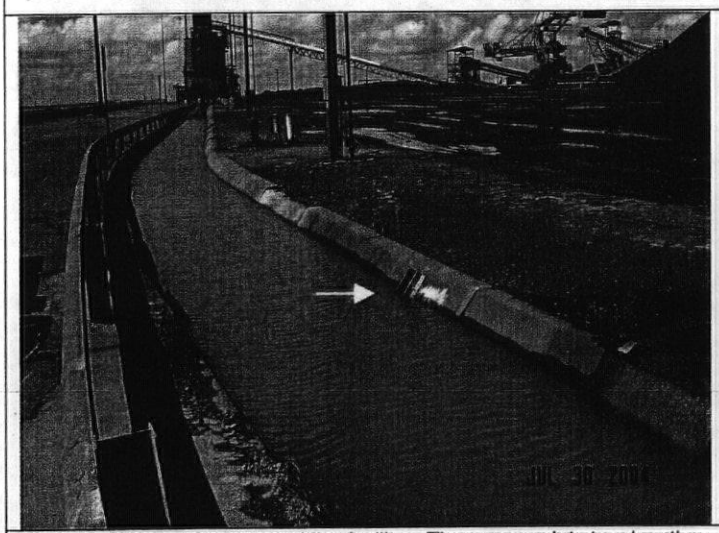


Photo 5. Ditch system around the facility. The arrow points to a location where railroad ties have been added.

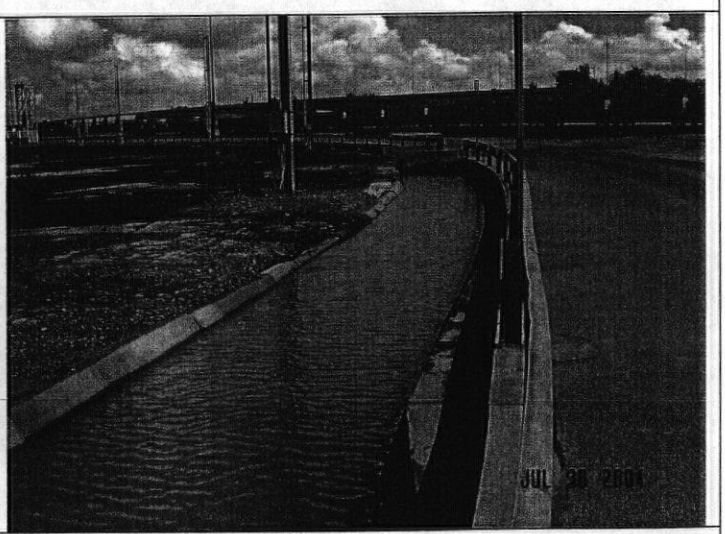


Photo 6. Ditch system around the facility.

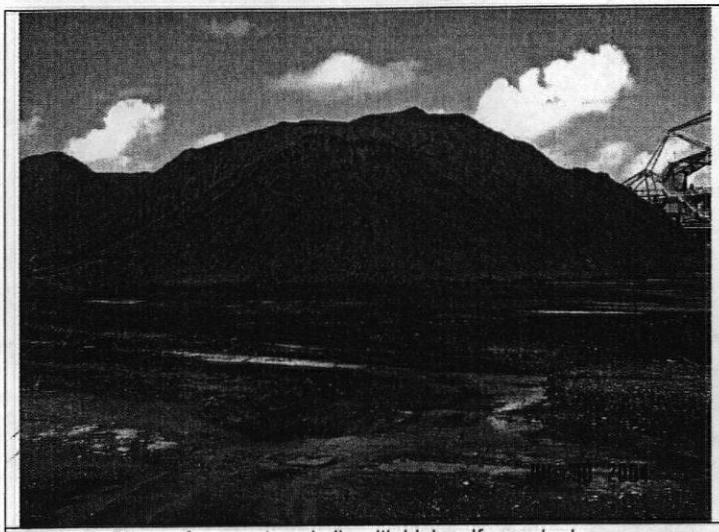
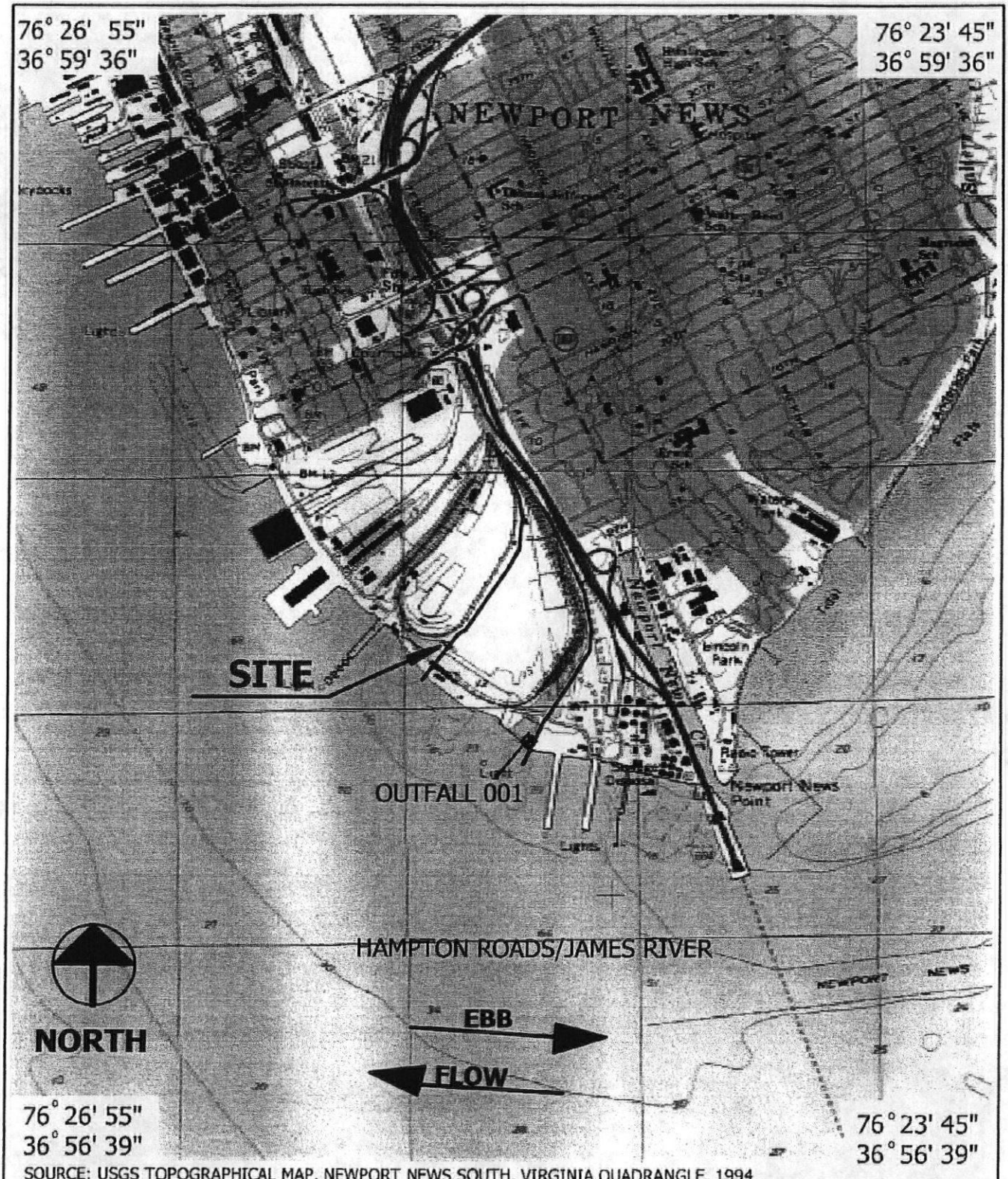


Photo 7. Photo of suspect coal pile with high sulfur content.

Photo 8. Runoff from suspect coal pile.

ATTACHMENT 2

DISCHARGE LOCATION/TOPOGRAPHIC MAP

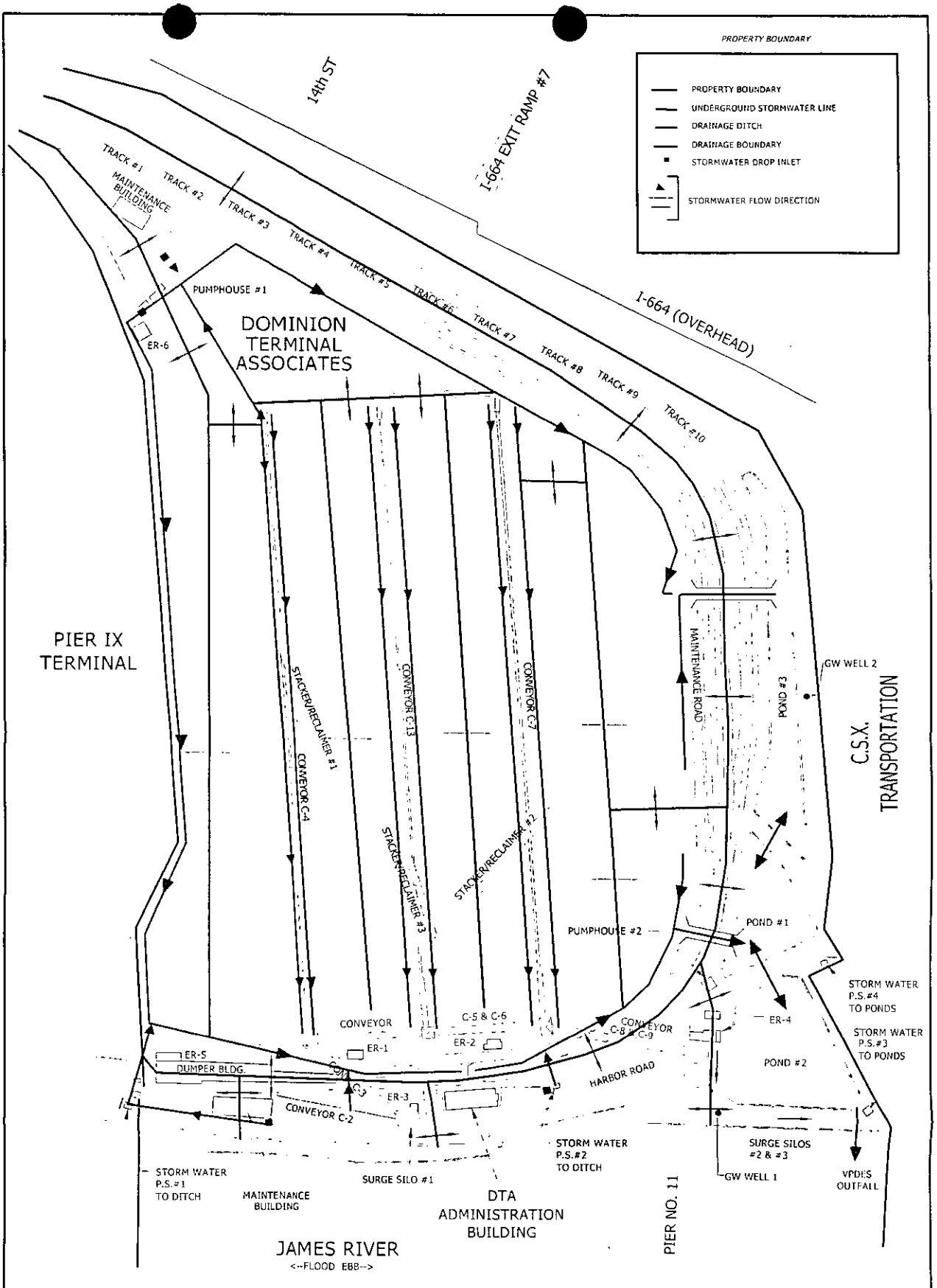


SOURCE: USGS TOPOGRAPHICAL MAP, NEWPORT NEWS SOUTH, VIRGINIA QUADRANGLE, 1994

1 in = 2,000 ft DATE: 3/28/06 BAY # 04-011 DRAWN BY: SSH	FIGURE 1: VICINITY MAP DOMINION TERMINAL ASSOCIATES NEWPORT NEWS, VIRGINIA	BAY ENVIRONMENTAL, INC. Environmental Consulting Services

ATTACHMENT 3

SCHEMATIC/PLANS & SPECS/SITE MAP/ WATER BALANCE



SCALE

NOTE:
DRAINAGE PLAN
DATA DRAWN BY
FISHER ENVIROMENTAL
CONSULTING, P.C.
REVISED BY:
BAY ENVIRONMENTAL, INC.
NOVEMBER 2004

DRAINAGE PLAN

DOMINION TERMINAL ASSOCIATES

NEWPORT NEWS, VIRGINIA

C.E. FLOOR ENGINEERS INC NEWPORT NEWS, VIRGINIA			1" = 200'	
ACP	ADW	CKT	97-005	1 1

ATTACHMENT 4

TABLE I - DISCHARGE/OUTFALL DESCRIPTION

TABLE I

NUMBER AND DESCRIPTION OF OUTFALLS

OUTFALL NO.	DISCHARGE LOCATION	DISCHARGE SOURCE (1)	TREATMENT (2)	FLOW (3)
001	365730N/ 0762515W 2-JMS000.55	Coal pile dust suppression runoff & storm water runoff.	Sedimentation using 2 ponds followed by polishing pond with chemical addition and neutralization.	1.01 MGD

(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

TABLE II - INDUSTRIAL EFFLUENT LIMITATIONS/MONITORING

OUTFALL #001
Outfall Description: Coal Pile Runoff
SIC CODE: 4491

(x) Final Limits ( ) Interim Limits Effective Dates - From: Issuance 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	NL	NA	NL	1/M	EST
pH (S.U.)	3	NA	NA	6.0	9.0	1/M	Grab
TSS (mg/l)	3	NA	NA	NA	50	1/M	Grab
Total Phosphorus (mg/l)	3	NA	2.0	NA	NA	1/6M	Grab
Total Nitrogen (mg/l)	3	NA	NL	NA	NA	1/6M	Grab
Total Petroleum Hydrocarbons (mg/l)	3	NA	NA	NA	NL	1/6M	Grab
Dissolved Copper (µg/l)[] [a]	3	NA	NA	NA	NL	1/6M	Grab
Dissolved Nickel (µg/l)[] [a]	3	NA	NA	NA	NL	1/6M	Grab
Dissolved Zinc (µg/l)[] [a]	3	NA	NA	NA	NL	1/6M	Grab

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

1/6 Months = In accordance with the following schedule: 1st half (January 1 - June 30); 2nd half (July 1 - 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.

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

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall(s): 001 (Coal Pile Runoff).

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

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD)	NL	NA	NA	NL	1/Month	Estimate
pH (S.U.)	NA	NA	6.0	9.0	1/Month	Grab
Total Suspended Solids (mg/l) [a]	NA	NA	NA	50	1/Month	Grab
Total Phosphorus (mg/l)	2.0	NA	NA	NA	1/6Month	Grab
Total Nitrogen (mg/l)	NL	NA	NA	NA	1/6Month	Grab
Dissolve Copper (µg/l) [a]	NA	NA	NA	NL	1/6Month	Grab
Dissolved Nickel (µg/l) [a]	NA	NA	NA	NL	1/6Month	Grab
Dissolved Zinc (µg/l) [a]	NA	NA	NA	NL	1/6Month	Grab
Total Petroleum Hydrocarbons (mg/l)	NA	NA	NA	NL	1/6Month	Grab

NA = Not Applicable.
NL = No limitation, however, reporting is required.
1/6 Months = In accordance with the following schedule: 1st half (January 1 - June 30); 2nd half (July 1 - 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.

2. There shall be no discharge of floating solids or visible foam in other than trace amounts.

ATTACHMENT 6

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

Effluent Limitations Rationale
Outfall #001

Stormwater and coal pile dust suppression water are collected in concrete drainage ditches with weirs throughout the facility. Coal pile dust suppression water can consist of a combination of groundwater, city water and recycled water from the stormwater collection system. Collection ditches drain to three stormwater management ponds (Pond 1, Pond 2 and Pond 3). Sedimentation occurs in Pond 1 and Pond 3. Pond 1 and Pond 3 drain to Pond 2. Neutralization occurs in Pond 2 then the stormwater can be recycled for dust suppression or discharged as stormwater. The discharge from the facility occurs from Pond 2 via a manual valve to Hampton Roads which leads to the James River.

Discharges from outfall 001 occur on an as needed basis. The facility uses a Marsh Mcburney flow system, where the meter is calibrated annually. Grab samples are collected from Pond 2 prior to any discharges. Outfall 001 is in good operational condition. Below is the rationale for the parameters that are monitored for Outfall #001.

Flow: No limit, monthly average and daily maximum monitoring required 1/M. The flow volume is estimated. This is standard monitoring for industrial facilities based on best professional judgment. Flow monitoring should be monitored at the same frequency as the most-frequent monitored parameter which is 1/M (i.e. pH, and TSS).

pH: 6.0 s.u. minimum, 9.0 s.u. maximum limits, 1/M monitoring. pH monitoring was increased from 1/3 M to 1/M based on inspection reports, laboratory data and best professional judgment for water quality.

Total Suspended Solids: Limit of 50 mg/l daily maximum, 1/M monitoring; basis for this limit is best professional judgment. The previous permit contained a special condition for effluent monitoring frequencies for TSS and Total Phosphorus. The special condition stated that should the facility be issued a Warning Letter, a Notice of Violation, an unsatisfactory laboratory determination, or be the subject of an active enforcement action, the frequency for monitoring both TSS and Total Phosphorus would increase from 1/3 M to 1/M. During the previous permit cycle the 1/M special condition became effective for TSS and will be the final monitoring frequency for this permit because of historical laboratory data and inspections.

Total Phosphorus: Limit of 2.0 mg/l monthly average, 1/6 months monitoring; basis for this limit are the Regulation for Nutrient Enriched Waters, 9 VAC 25-40-10 et seq., best professional judgment and consistency with previous permit. The previous permit contained a special condition for effluent monitoring frequencies for TSS and Total Phosphorus. The special condition stated that should the facility be issued a Warning Letter, a Notice of Violation, an unsatisfactory laboratory determination, or be the subject of an active enforcement action, the frequency for monitoring both TSS and Total Phosphorus would increase from 1/3 M to 1/M. The historical laboratory results from the previous permit cycle for Total Phosphorus were continuously acceptable and therefore the frequency of monitoring will return to 1/6 months for this permit cycle. This limit is sufficient for monitoring water quality because there has been no change in operations and the discharge is homogeneous.

Total Nitrogen: No limit, monthly average, 1/6 months monitoring; basis for this monitoring are the Regulation for Nutrient Enriched Waters, 9 VAC 25-40-10 et seq., and best professional judgment.

Total Petroleum Hydrocarbons: No limit, daily maximum monitoring required 1/6 months; basis for this monitoring is best professional judgment. This monitoring is consistent with other coal storage facilities.

Dissolved Copper, Nickel and Zinc: No limit, daily maximum monitoring required 1/6 months; basis for this monitoring is best professional judgment. This is a decrease in monitoring frequency from the last permit of 1/3 months. This

monitoring frequency is based on consistent historical laboratory data, continuous operations and homogeneous discharge.

Guidance Memo 96-001 recommends that chemical water quality-based limits not be placed on storm water outfalls at this time because the methodology for developing limits and the proper method of sampling is still a concern and under review by EPA. Therefore, in the interim, screening criteria have been established at 2 times the acute criteria. These criteria are applied solely to identify those pollutants that should be given special emphasis during development of the Storm Water Pollution Prevention Plan (SWPPP). Any storm water outfall data (pollutant specific) submitted by the permittee which were above the established screening criteria levels requires monitoring in Part I.A. of the permit for that specific outfall and pollutant. Based on the above, screening criteria and monitoring were established for copper, nickel, and zinc (see table below). In addition, toxicity screening is required for the same outfall.

The SWPPP required by Part I.D.4. of this permit is designed to reduce pollutants in storm water runoff. Quarterly monitoring for the above noted pollutants and annual toxicity screening is recommended. Pollutant specific monitoring results above the screening criteria or toxicity screening which results in an LC50 of less than 100% effluent, do not indicate unacceptable values; however, they do justify the need to reexamine the effectiveness of the SWPPP and any best management practices (BMPs) being utilized. The goal of the SWPPP is to reduce pollutants, especially those identified by the application of the screening criteria, including toxicity, to the maximum extent practicable. An annual report is to be submitted to the Regional office and shall include the data collected the previous year with an indication if the SWPPP or any BMPs were modified based on the monitoring results.

OUTFALL 001

PARAMETER	MONITORING DATA										2 X ACUTE CRITERION
Dissolved Copper (ug/l)	**907**	17	<7	<7	<7	11	<7	<7	13	<7	**19**
Dissolved Nickel (ug/l)	82	25	30	<13	60	57	31	103	21	**660**	**148**
Dissolved Zinc (ug/l)	**210**	<52	<52	<52	107	66	<52	**204**	<52	**284**	**180**

SALT WATER

COPPER
Salt Water Acute Criterion = 9.3 ug/l
SC = 9.3 X 2 = 19 ug/l

NICKEL
Salt Water Acute Criterion = 74 ug/l
SC = 74 X 2 = 148 ug/l

ZINC
Salt Water Acute Criterion = 90 ug/l
SC = 90 X 2 = 180 ug/l

ATTACHMENT 7

SPECIAL CONDITIONS RATIONALE

VPDES PERMIT PROGRAM
LIST OF SPECIAL CONDITIONS RATIONALE

B. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1.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.

1.b. Nutrient Enriched Waters Reopener

Rationale: The Policy for Nutrient Enriched Waters, 9 VAC 25-40 -10 allows reopening of permits for discharges into waters designated as nutrient enriched if total phosphorus and total nitrogen in a discharge potentially exceed specified concentrations. The policy also anticipates that future total phosphorus and total nitrogen limits may be needed.

1.c. 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.

5. Compliance Reporting Under Part I.A.

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

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.

C. STORM WATER MANAGEMENT CONDITIONS

1. Sampling Methodology for Specific Outfall 001

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

2. Storm Water Management Evaluation

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.

Finally, the EPA produced a document dated August 1, 1996, entitled "Interim Permitting Approach for Water Quality- Effluent Limitations in Storm Water Permits". This document indicated that an interim approach to limiting storm water could be through the use of best management practices rather than numerical limits. EPA pointed out that section 502 of the Clean Water Act (CWA) defined "effluent limitation" to mean "any restriction on quantities, rates, and concentrations of constituents discharged from point sources. The CWA does not say that effluent limitations need be numeric." The use of BMPs falls in line with the Clean Water Act which notes the need to control these discharges to the maximum extent necessary to mitigate impacts on water quality.

3. General Storm Water Conditions

a. 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.

b. 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.

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.

ATTACHMENT 8

TOXICS MONITORING/TOXICS REDUCTION/ WET LIMIT RATIONALE

MEMORANDUM

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard Virginia Beach, VA 23462

SUBJECT: Toxics Management Program (TMP) testing for DTA (VA0057576)

TO: Melinda Woodruff

FROM: Deanna Austin

DATE: 7/6/06

COPIES: TRO File (PPP #194)

Dominion Terminal Associates is a coal transportation facility. Coal is shipped by sea vessel for both domestic and export use. The facility can also handle petroleum coke and limestone but mostly handles coal.

There is one permitted outfall, 001, that discharges coal pile dust suppression, wash down water, and stormwater runoff. There are a series of settling ponds prior to the outfall. All water flows into a ditching system and into the ponds prior to discharge.

During the most recent permit term, the facility monitored *Mysidopsis bahia* (M.b.) (now known as *Americamysis bahia*)for acute toxicity on an annual basis from outfall 001. The data received from this testing is shown below. There have been no issues with toxicity during the most recent permit term. Based upon the nature of the operation and the potential for toxicity issues, it is proposed that no changes be made to the current toxicity testing program for the facility.

NPID	OUTFALL	DESCRIPT	SPECIES	SAMPLEDT	LC50	SURVIVAL	TU	LAB
VA0057576	001	Annual Storm Water Acute	M.b.	1/20/2005	100	100	1	CBI
VA0057576	001	Annual Storm Water Acute	M.b.	2/24/2004	100	100	1	CBI
VA0057576	001	Annual Storm Water Acute	M.b.	3/20/2003	100	100	1	CBI
VA0057576	001	Annual Storm Water Acute	M.b.	1/21/2002	100	100	1	CBI

C.v. - *Cyprinodon variegatus*
M.b. - *Mysidopsis bahia*, which is now known as *Americamysis bahia*

Please note the name change for M.b. to Americamysis bahia (A.b.). All future references for this species will be seen as A.b.

The following TMP language is recommended for the reissuance of the DTA permit (VA0057576).

C. STORM WATER MANAGEMENT CONDITIONS

1. Sampling Methodology for Specific Outfall 001

The following shall be required when obtaining samples required by Part I.A. of this permit:

a. At the time of sampling, the permittee shall ensure that the effects of tidal influences are kept to an absolute minimum. This can be achieved by:

(1) Sampling at low tide and/or

(2) Sampling at a representative point which has been demonstrated to be free of tidal influences

b. In the event that sampling of an outfall is not possible due to the absence of effluent flow during a particular testing period, the permittee shall provide written notification to DEQ Tidewater Regional Office with the DMR for the month following the period in which samples were to be collected.

2. Storm Water Management Evaluation

The Storm Water Pollution Prevention Plan (SWP3), which is to be developed and maintained in accordance with Part I.C.4 of this permit, shall have a goal of reducing pollutants discharged at all the regulated storm water outfalls.

a. Pollutant Specific Screening

The goal shall place emphasis on reducing, to the maximum extent practicable, the following screening criteria parameters in the outfalls noted below.

OUTFALL NO.	POLLUTANTS
001	Copper, Nickel, Zinc

b. Toxicity Screening

The permittee shall conduct **annual acute toxicity tests** on the outfalls noted in 2.a above using grab samples of final effluent. These acute screening tests shall be 48-hour static tests using Americamysis bahia, conducted in such a manner and at sufficient dilutions for calculation of a valid LC50. The tests shall be conducted on a calendar year basis with one copy of all **results and all supporting information submitted with the annual report due by February 10th of each year.**

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

If any of the biological screening tests are invalidated, an additional test shall be conducted within thirty (30) days of notification. If there is no discharge during this 30-day period, a sample must be taken during the first qualifying discharge.

c. Sampling methodology for the noted outfalls shall be in accordance with Part I.A. and Part I.C. of this permit. The permittee shall submit the following information **with the results of the toxicity tests**.

(1) The actual or estimated effluent flow at the time of the sampling.

(2) An estimate of the total volume of storm water discharged through each outfall during the discharge event.

(3) The time at which the discharge event began, the time at which the effluent was sampled, and the duration of the discharge event.

d. The effectiveness of the SWP3 will be evaluated via the required monitoring for all parameters listed in Part I.A. of this permit for the regulated storm water outfalls, including the screening criteria parameters and toxicity screening. Monitoring results which are either above the screening criteria values or, in the case of toxicity, result in an LC_{50} of less than 100% effluent, will not indicate unacceptable values. However, those results will justify the need to reexamine the effectiveness of the SWP3 and any best management practices (BMPs) being utilized for the affected outfalls. In addition, the permittee shall amend the SWP3 whenever there is a change in the facility or its operation which materially increases the potential for activities to result in a discharge of significant amounts of pollutants.

By February 10th of each year, the permittee shall submit to the DEQ Tidewater Regional Office an annual report which includes the pollutant-specific and biological monitoring data from the outfalls included in this condition along with a summary of any steps taken to modify either the Plan or any BMPs based on the monitoring data.

First Annual Toxicity Screening and Annual Report Due: No later than February 10, 2008.

ATTACHMENT 9

MATERIAL STORED

Chemicals Purchased by D

This list represents products purchased, but not all items are currently stored at the facility

:emnum	category	description	unit	binnum	OH Qty
3	Non-Stock	**Items not stocked are ordered as needed, or in the case of bulk lubricants, vendor checks tank levels and tops off tanks as needed.**			
)900000001	NS	Acetone	GAL		NA
)900000003	NS	FLUID,TRANSMISSION	DRM		NA
)900000006	NS	Grease - EP0, 400#	DRM		NA
)900000007	NS	Grease,EP0-120#	PL		NA
)900000008	NS	Grease,EP2-35#	PL		NA
)900000010	NS	Lubricant, GEAR TEXACO 85/140 DRUM	DRM		NA
)900000011	NS	OIL, HYDRAULIC 46 AW	DRM		NA
)900000012	NS	OIL, RPM 10 -- DRUM	DRM		NA
)900000013	NS	OIL, RPM 15W40 -- DRUMS	DRM		NA
)900000014	NS	OIL, RPM 30W -- DRUM	DRM		NA
)900000015	NS	Oil,15W40 - Quarts	EA		NA
)900000017	NS	Oil, Spin #10 -- Drum	DRM		NA
)900000018	NS	PERFORMANCE AW32 - BULK	GAL	ST-5, 10	NA
)900000019	NS	Oil,Locomotive Engine,Zinc Free	DRM		NA
)900000020	NS	OIL,FOR:SUPER SUCKER AW68 -- DRUM	DRM		NA
)900000021	NS	OIL,FOR:SUPER SUCKER TRANSFER CASE REGAL R&O150	DRM		NA
)900000024	NS	LUBRICANT, SWITCH (ACCT #5413)	GAL		NA
)900000026	NS	LUBRICANT, WIRE ROPE	EA		NA
)900000027	NS	OIL, TRANSFORMER	DRM		NA
)900000036	NS	OMNITASK WHITMORE, EP-0, 120#	PL		NA
)900000037	NS	Omnitask, Whitmore EP-0, 400# Drum	DRM		NA
)900000038	NS	LUBE	GAL		NA
)900000039	NS	Grease 400# Texaco	DRM		NA
)900000040	NS	GREASE	PL		NA
)900000041	NS	Grease,Open Gear	EA		NA
)900000042	NS	Grease, Omnitask 400#	EA		NA
)900000044	NS	GREASE, WHITMORE EP2 120#	PL		NA
)900000045	NS	TEXACO DIESEL ENGINE OIL ZINC FREE	GAL	ST-7(13)	NA
)900000046	NS	Texaco Motor Oil 10 W - Bulk	GAL	ST-4	NA
)900000047	NS	Texaco Heavy Duty Motor Oil - 15W40 - Bulk	GAL		NA
)900000048	NS	Exxtrans 30W	GAL	ST-3	NA
)900000049	NS	Texaco Rando HD46 W/Red Dye-Bulk	GAL	ST-5	NA
)900000050	NS	Texaco Gear Lubricant 85/140 - Bulk	GAL	ST-1	NA
)900000051	NS	CUTTING FLUID, MACHINING & GRINDING (5 GALLON)	EA		NA
)900000052	NS	GREASE, OMNITASK EP0 35#	EA		NA
)900000056	NS	Rando HD46 Bulk Hydraulic oil w/ red dye	GAL	ST-10	NA
)900000057	NS	10W Spin Oil - Bulk	GAL		NA
)900000058	NS	Hydraulic Oil Bulk Performance Plus	GAL		NA
)900000059	NS	EP1 Grease 120#	EA		NA
)900000060	NS	EP2 Grease -14 Oz	EA		NA
)900000064	NS	50% Sodium Hydroxide - Bulk	GAL	ST-25	NA
)900000066	NS	25% Sodium Hydroxide in Drums	DRM		NA
)900000067	NS	25% Sodium Hydroxide in Tote Tanks	GAL		NA
)901000001	NS	UNLEADED GAS	GAL	ST-19	NA
)901000002	NS	Diesel Fuel -- Off road	GAL	ST-18	NA
)901000003	NS	Kerosene	GAL	ST-15	NA
)901000009	NS	CSDFCQC, Diesel Fuel Conditioner	CS		NA
)901000010	NS	Diesel Fuel -- On road Low sulfur	GAL	ST-24	NA
)902000002	NS	Multi Purpose Cleaner	DRM		NA
)902000003	NS	Cleaner	GAL		NA
)902000005	NS	Cleaner Aerosol All Purpose			NA
)902000006	NS	WAX, FLOOR FINISH	GAL		NA
)902000008	NS	Cleaner,Glass	EA		NA
)902000013	NS	CLEANER, SELIG	GAL		NA
)902000015	NS	CLEANER, STAINLESS	EA		NA
)902000016	NS	CLEANER, TRUCK	EA		NA

emnum	category	description	unit	binnum	OH Qty
1902000018	NS	DRESS UP, FURNITURE PROTECTANT & CONDITIONER	EA		NA
1902000019	NS	DUSTDOWN	DRM		NA
1902000020	NS	GALLON CAN BELZONA CLEANER DEGREASER	GAL		NA
1902000024	NS	REMOVER, SPOT DRI-WHITE	EA		NA
1902000025	NS	REMOVER, WAX SELIG	EA		NA
1902000026	NS	SOAP, SOOTHO SELIG	DZ		NA
1902000028	NS	STRIPPER, BULLY	EA		NA
1902000029	NS	WAX, SOLID GOLD	GAL		NA
1902000030	NS	WAX, 5-STAR, 5 GALLONS	EA		NA
1902000039	NS	Microduster	EA		NA
1902000040	NS	FOAM, GERMICIDAL, SELIG	EA		NA
1902000042	NS	GREENKLEEN CLEANER	DRM		NA
1903000001	NS	CHOCKFAST GRAY COMPOUND (LARGE SIZE)	EA		NA
1903000002	NS	Anchor Bolt Epoxy Grout in 2 gal kit			NA
1904000001	NS	Adhesive Capsule			NA
1904000017	NS	TROWEL GRADE EPOXY FOR CERAMIC CAPS			NA
1905000001	NS	DEVCON MAGIC BOND EPOXY PUTTY	EA		NA
1905000002	NS	DEVCON TITANIM PUTTY	EA		NA
1905000003	NS	RTV, BLACK	EA		NA
1905000010	NS	Latex Pile Binding Agent (Soil Sement)	GAL	ST-16	NA
1905000012	NS	EXCELATOR	EA		NA
1906000001	NS	FREON	EA		NA
1906000002	NS	OIL, AIR CONDITION	EA		NA
1907000001	NS	GAS, PROPANE (FOR: PORTABLE HEATERS)			NA
1908000001	NS	PAINT, ALUMINUM	GAL		NA
1908000002	NS	PAINT, BLUE ENAMEL	GAL		NA
1908000003	NS	PAINT, BLUE, OIL BASE ENAMEL	GAL		NA
1908000004	NS	PAINT, DOVER GREY	GAL		NA
1908000005	NS	PAINT, FLOOR, BATTLESHIP GREY	GAL		NA
1908000006	NS	PAINT, RED	GAL		NA
1908000008	NS	PAINT, YELLOW ENAMEL	GAL		NA
1908000009	NS	PRIMER, PLASTI DIP	GAL		NA
1908000010	NS	PRIMER, DUPONT			NA
1908000011	NS	THINNER, DUPONT	GAL		NA
1908000021	NS	TAR, COAL EPOXY PAINT BLACK, 5 GALLON	EA		NA
1908000022	NS	PAINT, INTERIOR SG, SWANSDOWN	GAL		NA
1908000023	NS	PAINT, LATEX SUPER WHITE	GAL		NA
1908000024	NS	PAINT, ENAMEL QUICK DRY BLACK (ACCT: 6710)	EA		NA
1908000025	NS	PAINT, ENAMEL QUICK DRY SAILOR BLUE (ACCT: 6810)	GAL		NA
1908000026	NS	PAINT LATEX SEMI GLOSS COLOR: MATCH BLUE/UPSTAIRS	GAL		NA
1908000027	NS	PAINT, CAT YELLOW AEROSOL 12 OZ	EA		NA
1909000001	NS	TONER, XEROX COPIER 5028 (2/CARTON)			NA
1910000006	NS	THINNER	GAL		NA
1910000008	NS	SAFETY KLEEN PREMIUM SOLVENT 105	GAL		NA
1911000005	NS	Antifreeze-55 Gal drum ETHYLENE GLYCOL	DRM		NA
1911000007	NS	DIETHYLENE GLYCOL FREEZE PROOFING	DRM		NA
1912000001	NS	Caustic Soda 680#/Drum - 50% Solution	DRM		NA
1912000002	NS	Caustic Soda (700#/DRUM) - 25% Solution	DRM		NA
1912000003	NS	Muriatic Acid 20 -- 31.5%	DRM		NA
1912000004	NS	CAUSTIC SODA, SOLID, BEADS (500#/DRUM)	DRM		NA
1912000005	NS	Beads Caustic 50# BAGS	EA		NA
1912000006	NS	Briquettes, Caustic 100# BAGS	EA		NA
1912000007	NS	POLYMER (PERCOL 267) (450# DRUM @ $.86/POUND)	DRM		NA
1912000008	NS	WATER TREATMENT			NA
1912000009	NS	SCP7100 (520#/DRUM @ $1.38/#)	DRM		NA
1912000010	NS	WATER TREATMENT (601#/DRUM @ $.78/#)	DRM		NA
1912000011	NS	POLYMER (520#/DRUM)	DRM		NA

:emnum	category	description	unit	binnum	OH Qty
ΓK	Stock	**Stock items are controlled by warehouse personnel in an effort to maintain levels of stock.**			
)900000002	STK	Oil,Aircraft Hydraulic Oil 5606G	GAL	SC0001	1.00
)900000004	STK	Grease, EP-0 -- 35# Pail	PL	TFLOOR	8.00
)900000005	STK	Fluid,Transmission w/Mercon	EA	F20002	8.00
)900000025	STK	Lubricant, Chain Selig	EA	SC0002	1.00
)900000029	STK	Grease Pinion Spray Type	DRM	SC0003	5.00
)900000030	STK	Oil, Thread Cutting	EA	F10020	4.00
)900000031	STK	Oil Cutting Tap Magic	EA	F10019	6.00
)900000032	STK	Additive Gear Guard, 1 Qt.	EA	F20004	4.00
)900000033	STK	Oil 2 Cycle	EA	F20001	3.00
)900000034	STK	Lube Moly Liebherr	EA	F40024	6.00
)900000035	STK	Lubricant, Wire Pulling (1 Gallon)	EA	F50025	11.00
)900000043	STK	Zoom Spout Oiler	EA	SC0001	3.00
)900000061	STK	Electrical Coating, Scotchkote 3M, 15 oz.	EA	SC0001	1.00
)900000063	STK	Almagard, (50/Case)	EA	SC0002	1.00
)900010008	STK	Desiccant, Dry-o-Lite Air Dryer Chemical 50# Bag	EA	A10201	2.00
)900040020	STK	Loctite 510	EA	SC0003	8.00
)901000004	STK	Gas Additive	EA	SC0003	1.00
)901000005	STK	Additive Fuel Injection STP	EA	SC0003	4.00
)901000007	STK	Antifreeze, Gas Line Berkible	EA	SC0002	14.00
)902000031	STK	Battery, Protective Spray N0-C0	EA	SC0001	3.00
)902000032	STK	Cleaner, Battery N0-C0	EA	SC0002	1.00
)902000033	STK	Contact, Cleaner, CRC only (Replacement ok per GG)	EA	SC0003	45.00
)902000034	STK	Cleaner, PVC	EA	SC0001	3.00
)902000035	STK	Cleanser, Ajax	EA	A10115	5.00
)902000038	STK	Cable, Cleaner	EA	SC0002	26.00
)904000002	STK	Mega Slip	EA	SC0003	0.00
)904000003	STK	Cement, PVC	EA	SC0001	4.00
)904000004	STK	Loctite	EA	SC0003	2.00
)904000005	STK	Loctite, Threadlocker 10 ml	EA	SC0003	2.00
)904000006	STK	Loctite, 10 ml	EA	SC0003	4.00
)904000007	STK	Loctite Sealant, 50ML	EA	SC0003	1.00
)904000008	STK	Loctite (50 ml Bottle)	EA	SC0003	2.00
)904000009	STK	Loctite Quick Set Adhesive	EA	SC0003	3.00
)904000010	STK	Adhesive Form-a-gasket	EA	F10014	9.00
)904000011	STK	Adhesive, Super Weatherstrip	EA	F10013	1.00
)904000012	STK	Epoxy Devcon	EA	F10015	2.00
)904000013	STK	Bluing Prussian, Permatex	EA	SC0003	6.00
)904000014	STK	Caulk, Silicone, Clear, Caulking Gun Size	EA	F20001	8.00
)904000015	STK	Gasket Permatex Hi-Temp	EA	F10016	4.00
)904000018	STK	Locktite, Quick Metal	EA	SC0003	8.00
)904000019	STK	Loctite Removable Threadlocker	EA	SC0003	7.00
)905000004	STK	Anti-Seize, Brush On (51003 Spray)	EA	SC0001	7.00
)905000005	STK	Compound Pipe	EA	SC0001	6.00
)905000007	STK	Compound Thread w/Teflon, Loctite	EA	SC0003	2.00
)905000008	STK	Sealant Permatex	EA	SC0001	2.00
)905000009	STK	Sealant, Pneumatic & Hydraulic, Loctite	EA	SC0003	7.00
)905000011	STK	Wear Flex Brushable	EA	N50007	2.00
)905000013	STK	Wearflex, Trowelable, Mega Metal 1# Kits	EA	N40021	5.00
)908000013	STK	Fluid Bl. Layout	EA	SC0003	3.00
)908000014	STK	Paint, Spray Black	EA	SC0002	2.00
)908000015	STK	Paint,Blue Spray	EA	SC0002	6.00
)908000016	STK	Paint ,Red	EA	SC0002	1.00
)908000017	STK	Primer,Grey	EA	SC0002	0.00
)908000018	STK	Paint,Yellow Spray	EA	SC0002	6.00
)908000019	STK	Paint, Spray Flourescent Orange	EA	SC0002	11.00
)908000020	STK	Paint, White Spray	EA	SC0002	9.00
)910000001	STK	Gum Cutter	EA	SC0003	156.00
)910000002	STK	Lubricant	EA	SC0003	3.00
)910000003	STK	Lubricant	EA	SC0003	4.00
)910000004	STK	Degreaser, Electrical Blast Off	EA	SC0003	30.00

emnum	category	description	unit	binnum	OH Qty
910000005	STK	Cleaner Degreaser	EA	N30012	1.00
911000001	STK	Fluid Power Steering Radiator Specialty	EA	SC0003	6.00
911000002	STK	Fluid Starting	EA	SC0003	9.00
911000003	STK	Oil Penetrating	EA	SC0003	60.00
911000004	STK	Anti-Splatter Spray	EA	F40003	2.00

ATTACHMENT 10

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

MEMORANDUM

Department of Environmental Quality
Tidewater Regional Office

5636 Southern Boulevard — Virginia Beach, VA 23462

SUBJECT: VPDES Application Requests

TO: Jennifer Howell, TRO

FROM: Melinda Woodruff MW, TRO

DATE: June 2, 2006

COPIES: TRO File - facility # 194, PPP

An application has been received for the following facility:

Dominion Terminal Associates

Topo Map Name: Newport News South 035B VPDES #: VA0057576

Receiving Stream: multiple outfalls/see below

We request the following information from you:

1. __X__ River Mile Determination for the smallest named water body into which this discharge flows.

2. __X__ Latitude/Longitude Confirmation.

Attached are the following:

1. __X__ Topographic Map showing outfall location(s).

2. _____ Description of effluent flow path, if not apparent on topo map.

3. __X__ Site Diagram for facilities with multiple outfalls.

Facility Lat./Long.: N36° 58' 7.22"/W-76° 25' 29.37"

River Basin Section: 2- James River

Outfall(s):

001 River Mile: 2-JMS Water Body ID: VAT-G11E

Lat./Long.: N36° 57' 51.31"/W-76° 25' 14.86"

____ River Mile: _____ Water Body ID: _____

M E M O R A N D U M

Department of Environmental Quality
Tidewater Regional Office

5636 Southern Boulevard — Virginia Beach, VA 23462

SUBJECT: VPDES Application Requests

From ~~TO:~~ Stephen Cioccia, TRO

To ~~FROM:~~ Melinda Woodruff, ~~TRO~~ MW

DATE: June 2, 2006

COPIES: TRO File - facility # 194, PPP

An application has been received for the following facility:

Dominion Terminal Associates

Topo Map Name: **Newport News South, VA** VPDES #: **VA0057576**

Receiving Stream: **Hampton Roads**

Attached is a Topographic Map showing facility boundaries and outfall location(s).

Attached is a STORET Request Form if STORET data is requested.

We request the following information from you:

1. __X__ Tier Determination. Tier: 1 (Receiving Stream exhibits Benthic Impairment) **Please include a basis for the tier determination.**
2. Not requested STORET Data and STORET Station Location(s). Attachment 1
3. __X__ Is this facility mentioned in a Management Plan?

   _____ No _____ Yes ✓ No, but will be included when the Plan is updated.

4. __X__ Are limits contained in a Management Plan?

   ✓ No _____ Yes **(If Yes, Please include the basis for the limits.)**

5. __X__ Does this discharge go to a 303(d) stream segment? Yes Attachment 1

Return Due Date: 06/19/06 Date Returned: 6/16/06

STORET Station: _____

STORET Station: _____

List of Impaired (Category 5) Waters in 2004

JAMES Basin

TMDLID	Waterbody Name	City/County	Assessment Category	Size	Impairment	Source	Initial List Date	TMDL Dev. Date
VAP-J15E-01	Appomattox River	Chesterfield, Colonial Heights, Hopewell, Petersburg, Prince George	5A	2.68 - Sq. Mi.	Fecal Coliform, PCBs in fish tissue	NPS - Unknown	1998	2010
VAP-J15R-01	Appomattox River	Chesterfield, Colonial Heights, Dinwiddie, Petersburg	5A	7.44 - Miles	Fecal Coliform	Unknown, NPS - Agriculture	2002	2014
VAP-J15R-02	Oldtown Creek	Chesterfield, Colonial Heights	5A	3.57 - Miles	Dissolved Oxygen	Unknown	2004	2016
VAP-J15R-03	Harrison Creek	Petersburg, Prince George	5A	2.39 - Miles	Fecal Coliform	Unknown	2004	2016
VAP-J15R-04	Poor Creek	Chesterfield, Petersburg	5A	3.13 - Miles	Fecal Coliform	Unknown	2004	2016
VAP-J16R-01	Swift Creek	Chesterfield	5A, 5C	1.61 - Miles	pH, Fecal Coliform	Natural Conditions, Unknown	1998	2010
VAP-J16R-02	Blackman Creek	Chesterfield	5A	4.45 - Miles	Dissolved Oxygen, pH	Unknown	2004	2016
VAP-J17R-01	Swift Creek	Chesterfield	5A	7.09 - Miles	Dissolved Oxygen	Impoundment	2002	2014
VAP-J17R-02	Swift Creek	Chesterfield, Colonial Heights	5A	4 - Miles	Fecal Coliform	Unknown	2002	2014
VAT-G10E-01	Powhatan Creek	James City	5A	0.26 - Sq. Mi.	Fecal Coliform & Enterococci (2004)	Unknown	1998	2010
VAT-G10E-03	Mill Creek	James City	5A	0.08 - Sq. Mi.	Fecal Coliform & Enterococci (2004)	Unknown	2002	2010
VAT-G10E-04	James River (mainstem)	Charles City, Hampton, Isle of Wight, James City, Newport News, Norfolk, Portsmouth, Prince George, Suffolk, Surry	5A	128.33 - Sq. Mi.	EPA Overlisting (General Standards)	Unknown	1998	2010
VAT-G10E-05	James River (Jamestown area)	Charles City, Isle of Wight, James City, Newport News, Prince George, Surry	5A	20.68 - Sq. Mi.	General Standard (Benthic)	Unknown	2004	2016
VAT-G10E-10	Upper James River	Charles City, Chesterfield, Henrico, Hopewell, James City, Prince George, Surry	5B	2.82 - Sq. Mi.	VDH Shellfish Restriction	Unknown	1998	2010
VAT-G10R-01	College Run	Surry	5A	2.35 - Miles	Fecal Coliform	Unknown	2002	2010
VAT-G10R-02	Powhatan Creek	James City	5A	3.1 - Miles	General Standard (Benthic), Fecal Coliform	Unknown, Unknown	2002	2014
VAT-G11E-01	James River (Mulberry Island area)	Isle of Wight, Newport News, Suffolk, Surry	5A	95.28 - Sq. Mi.	General Standard (Benthic)	Unknown	2004	2016
VAT-G11E-02	Skiffes Creek tributary to James River	James City, Newport News	5A	0.41 - Sq. Mi.	Fish Tissue - PCBs	Unknown	2004	2016
VAT-G11E-03	Deep Creek	Newport News	5A	0.11 - Sq. Mi.	Fecal Coliform	Unknown	2002	2010
VAT-G11E-04	Pagan River (Middle)	Isle of Wight	5A	0.3 - Sq. Mi.	Fecal Coliform	Unknown	1996	2010
VAT-G11E-05	Pagan River (Upper)	Isle of Wight	5A	0.75 - Sq. Mi.	Fecal Coliform, Dissolved Oxygen, Fish Tissue - PCBs	Unknown, Unknown, Unknown	2002	2010
VAT-G11E-06	Jones Creek tributary to Pagan River	Isle of Wight	5A	0.32 - Sq. Mi.	Fish Tissue - PCBs	Unknown	2004	2016
VAT-G11E-07	Chuckatuck Creek tributary to James River	Isle of Wight, Suffolk	5A	1.94 - Sq. Mi.	Fish Tissue - PCBs	Unknown	2004	2016

Attachment I - 1

VIRGINIA

305(b)/303(d)

WATER QUALITY INTEGRATED REPORT

to

CONGRESS and the EPA ADMINISTRATOR

for the

PERIOD

January 1, 1998 to December 31, 2002

DEQ
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

DCR
Department of Conservation & Recreation
CONSERVING VIRGINIA'S NATURAL AND RECREATIONAL RESOURCES

Richmond, Virginia

August 2004

Attachment I-2

ATTACHMENT 11

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

TABLE III(a)

VPDES PERMIT PROGRAM
Permit Processing Change Sheet

1. Effluent Limits and Monitoring Schedule: (List any changes FROM PREVIOUS PERMIT and 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	Flow	1/3 M to 1/M		Based on BPJ.	08/16/06
001	pH	1/3 M to 1/M		Based on BPJ and previous inspections and laboratory data.	08/16/06
001	TSS	1/3 M to 1/M		Based on previous permit special conditions, I.B.7.	08/09/06
001	P		2 to 2.0	Based on significant figure guidance.	08/09/06
001	Cu	1/3 M to 1/6 M		Based on previous laboratory data, Protective of water quality and BPJ.	08/09/06
001	Ni	1/3 M to 1/6 M		Based on previous laboratory data, protective of water quality and BPJ.	08/09/06
001	Zn	1/3 M to 1/6 M		Based on previous laboratory data, protective of water quality and BPJ.	08/09/06

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL
Part 1.B.7 Other special conditions for Effluent Monitoring Frequencies. TSS and Total Phosphorus from 1/3 to 1/M if the facility was issued a Warning Letter, a Notice of Violation, an unsatisfactory laboratory action.	Removed the special condition because 1/M will remain the final monitoring frequency for TSS and Total Phosphorus.	08/09/06
Part 1.C.2.b Toxicity Screening. Facility was instructed to use Mysidopsis bahia (M.b.) for toxicity screening.	Currently Mysidopsis bahia (M.b.) is known as Americamysis bahia (A.b.). There has been no change in species, only a naming convention change.	08/10/09

ATTACHMENT 12

NPDES INDUSTRIAL PERMIT RATING WORKSHEET
AND
EPA PERMIT CHECKLIST

NPDES PERMIT RATING WORK SHEET

[ ] Regular Addition
[x] Ratings Confirmation
[ ] Score change, but no status Change
[ ] Deletion

VPDES NO. : VA0057576

Facility Name: Dominion Terminal Associates
City / County: Newport News
Receiving Water: Hampton Roads Creek to Lower 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 rater

[ ] Yes; score is 600 (stop here) [x] NO; (continue)

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

[ ] YES; score is 700 (stop here)
[x] NO; (continue)

FACTOR 1: Toxic Pollutant Potential

PCS SIC Code: _____ Primary Sic Code: 4491 Other Sic Codes: _____ _____ _____

Industrial Subcategory Code: 000 (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
[x] 1.	1	5	[ ] 4.	4	20	[ ] 8.	8	40
[ ] 2.	2	10	[ ] 5.	5	25	[ ] 9.	9	45
			[ ] 6.	6	30	[ ] 10.	10	50

Code Number Checked: 1

Total Points Factor 1: 5

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	[x]	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: 22

Total Points Factor 2: 20

FACTOR 3: Conventional Pollutants

(only when limited by the permit)

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

Permit Limits: (check one)

		Code	Points
NA			
☐	< 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 Number Checked: _____

Points Scored: 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 Number Checked: 2

Points Scored: 5

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

Permit Limits: (check one)

	Nitrogen Equivalent	Code	Points
NA			
☐	< 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 Number Checked: _____

Points Scored: 0

Total Points Factor 3: 5

FACTOR 4: Public Health Impact

Is there a public drinking water supply located within 50 miles downstream of the effluent discharge (this include 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 reference supply.

☐ YES; (If yes, check toxicity potential number below)

☒ NO; (If no, go to Factor 5)

Determine the *Human Health* potential from Appendix A. Use the same SIC doe 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

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-base federal effluent guidelines, or technology-base state effluent guidelines), or has a wasteload allocation been to the discharge*

		Code	Points
[ ]	YES	1	10
[x]	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
[x]	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
[x]	NO	2	0

Code Number Checked: A 2 B 1 C 2

Points Factor 5: A 0 + B 0 + C 0 = **0**

FACTOR 6: Proximity to Near Coastal Waters

A. Base Score: Enter flow code here (from factor 2) 22

Check appropriate facility HPRI code (from PCS):

	HPRI#	Code	HPRI Score
[ ]	1	1	20
[ ]	2	2	0
[x]	3	3	30
[ ]	4	4	0
[ ]	5	5	20

Enter the multiplication factor that corresponds to the flow code: 0.30

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) 0.10 = 3

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	
[x]	1	10	
[ ]	2	0	N/A

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 area's of concern (see instructions)?

	Code	Points	
[ ]	1	10	
[x]	2	0	N/A

Code Number Checked: A 3 B 1 C 2

Points Factor 6: A 3 + B 10 + C 0 **13**

SCORE SUMMARY

Factor	Description	Total Points
1	Toxic Pollutant Potential	5
2	Flows / Streamflow Volume	20
3	Conventional Pollutants	5
4	Public Health Impacts	0
5	Water Quality Factors	0
6	Proximity to Near Coastal Waters	13
	TOTAL (Factors 1 through 6)	43

S1. Is the total score equal to or grater than 80 ☐ YES; (Facility is a Major) ☒ NO

S2. If the answer to the above questions 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 : 43

OLD SCORE : 33

Permit Reviewer's Name : Melinda Woodruff

Phone Number: 757-518-2174

Date: 06/09/06

State "Transmittal Checklist" to Assist in Targeting Municipal and Industrial Individual NPDES Draft Permits for Review

Part I. State Draft Permit Submission Checklist

In accordance with the MOA established between the Commonwealth of Virginia and the United States Environmental Protection Agency, Region III, the Commonwealth submits the following draft National Pollutant Discharge Elimination System (NPDES) permit for Agency review and concurrence.

Facility Name: Dominion Terminal Associates

NPDES Permit Number: VA0057576

Permit Writer Name: Melinda Woodruff

Date: 07/31/2006

Major [ ] **Minor** [X] **Industrial** [X] **Municipal** [ ]

I.A. Draft Permit Package Submittal Includes:	**Yes**	**No**	**N/A**
1. Permit Application?	X		
2. Complete Draft Permit (for renewal or first time permit – entire permit, including boilerplate information)?	X		
3. Copy of Public Notice?		X	
4. Complete Fact Sheet?	X		
5. A Priority Pollutant Screening to determine parameters of concern?	X		
6. A Reasonable Potential analysis showing calculated WQBELs?		X	
7. Dissolved Oxygen calculations?			X
8. Whole Effluent Toxicity Test summary and analysis?	X		
9. Permit Rating Sheet for new or modified industrial facilities?	X		

I.B. Permit/Facility Characteristics	**Yes**	**No**	**N/A**
1. Is this a new, or currently unpermitted facility?		X	
2. Are all permissible outfalls (including combined sewer overflow points, non-process water and storm water) from the facility properly identified and authorized in the permit?	X		
3. Does the fact sheet **or** permit contain a description of the wastewater treatment process?	X		

I.B. Permit/Facility Characteristics - cont.	Yes	No	N/A
4. Does the review of PCS/DMR data for at least the last 3 years indicate significant non-compliance with the existing permit?		X	
5. Has there been any change in streamflow characteristics since the last permit was developed?		X	
6. Does the permit allow the discharge of new or increased loadings of any pollutants?		X	
7. Does the fact sheet **or** permit provide a description of the receiving water body(s) to which the facility discharges, including information on low/critical flow conditions and designated/existing uses?	X		
8. Does the facility discharge to a 303(d) listed water?	X		
a. Has a TMDL been developed and approved by EPA for the impaired water?		X	
b. Does the record indicate that the TMDL development is on the State priority list and will most likely be developed within the life of the permit?		X	
c. Does the facility discharge a pollutant of concern identified in the TMDL or 303(d) listed water?		X	
9. Have any limits been removed, or are any limits less stringent, than those in the current permit?		X	
10. Does the permit authorize discharges of storm water?	X		
11. Has the facility substantially enlarged or altered its operation or substantially increased its flow or production?		X	
12. Are there any production-based, technology-based effluent limits in the permit?		X	
13. Do any water quality-based effluent limit calculations differ from the State's standard policies or procedures?		X	
14. Are any WQBELs based on an interpretation of narrative criteria?			X
15. Does the permit incorporate any variances or other exceptions to the State's standards or regulations?		X	
16. Does the permit contain a compliance schedule for any limit or condition?		X	
17. Is there a potential impact to endangered/threatened species or their habitat by the facility's discharge(s)?		X	
18. Have impacts from the discharge(s) at downstream potable water supplies been evaluated?			X
19. Is there any indication that there is significant public interest in the permit action proposed for this facility?		X	
20. Have previous permit, application, and fact sheet been examined?	X		

Part II. NPDES Draft Permit Checklist

Region III NPDES Permit Quality Review Checklist – For Non-Municipals

(To be completed and included in the record for all non-POTWs)

II.A. Permit Cover Page/Administration	Yes	No	N/A
1. Does the fact sheet **or** permit describe the physical location of the facility, including latitude and longitude (not necessarily on permit cover page)?	X		
2. Does the permit contain specific authorization-to-discharge information (from where to where, by whom)?	X		

II.B. Effluent Limits - General Elements	Yes	No	N/A
1. Does the fact sheet describe the basis of final limits in the permit (e.g., that a comparison of technology and water quality-based limits was performed, and the most stringent limit selected)?	X		
2. Does the fact sheet discuss whether "antibacksliding" provisions were met for any limits that are less stringent than those in the previous NPDES permit?			X

II.C. Technology-Based Effluent Limits (Effluent Guidelines & BPJ)	Yes	No	N/A
1. Is the facility subject to a national effluent limitations guideline (ELG)?		X	
a. If yes, does the record adequately document the categorization process, including an evaluation of whether the facility is a new source or an existing source?			X
b. If no, does the record indicate that a technology-based analysis based on Best Professional Judgement (BPJ) was used for all pollutants of concern discharged at treatable concentrations?	X		
2. For all limits developed based on BPJ, does the record indicate that the limits are consistent with the criteria established at 40 CFR 125.3(d)?	X		
3. Does the fact sheet adequately document the calculations used to develop both ELG and /or BPJ technology-based effluent limits?	X		
4. For all limits that are based on production or flow, does the record indicate that the calculations are based on a "reasonable measure of ACTUAL production" for the facility (not design)?			X
5. Does the permit contain "tiered" limits that reflect projected increases in production or flow?		X	
a. If yes, does the permit require the facility to notify the permitting authority when alternate levels of production or flow are attained?			X
6. Are technology-based permit limits expressed in appropriate units of measure (e.g., concentration, mass, SU)?	X		

II.C. Technology-Based Effluent Limits (Effluent Guidelines & BPJ) – cont.	Yes	No	N/A
7. Are all technology-based limits expressed in terms of both maximum daily, weekly average, and/or monthly average limits?		X	
8. Are any final limits less stringent than required by applicable effluent limitations guidelines or BPJ?		X	

II.D. Water Quality-Based Effluent Limits	Yes	No	N/A
1. Does the permit include appropriate limitations consistent with 40 CFR 122.44(d) covering State narrative and numeric criteria for water quality?	X		
2. Does the record indicate that any WQBELs were derived from a completed and EPA approved TMDL?			X
3. Does the fact sheet provide effluent characteristics for each outfall?	X		
4. Does the fact sheet document that a "reasonable potential" evaluation was performed?		X	
a. If yes, does the fact sheet indicate that the "reasonable potential" evaluation was performed in accordance with the State's approved procedures?			X
b. Does the fact sheet describe the basis for allowing or disallowing in-stream dilution or a mixing zone?			X
c. Does the fact sheet present WLA calculation procedures for all pollutants that were found to have "reasonable potential"?			X
d. Does the fact sheet indicate that the "reasonable potential" and WLA calculations accounted for contributions from upstream sources (i.e., do calculations include ambient/background concentrations where data are available)?			X
e. Does the permit contain numeric effluent limits for all pollutants for which "reasonable potential" was determined?			X
5. Are all final WQBELs in the permit consistent with the justification and/or documentation provided in the fact sheet?	X		
6. For all final WQBELs, are BOTH long-term (e.g., average monthly) AND short-term (e.g., maximum daily, weekly average, instantaneous) effluent limits established?		X	
7. Are WQBELs expressed in the permit using appropriate units of measure (e.g., mass, concentration)?	X		
8. Does the fact sheet indicate that an "antidegradation" review was performed in accordance with the State's approved antidegradation policy?	X		

II.E. Monitoring and Reporting Requirements	Yes	No	N/A
1. Does the permit require at least annual monitoring for all limited parameters?	X		
a. If no, does the fact sheet indicate that the facility applied for and was granted a monitoring waiver, AND, does the permit specifically incorporate this waiver?			
2. Does the permit identify the physical location where monitoring is to be performed for each outfall?	X		
3. Does the permit require testing for Whole Effluent Toxicity in accordance with the State's standard practices?	X		

II.F. Special Conditions	Yes	No	N/A
1. Does the permit require development and implementation of a Best Management Practices (BMP) plan or site-specific BMPs?		X	
a. If yes, does the permit adequately incorporate and require compliance with the BMPs?			X
2. If the permit contains compliance schedule(s), are they consistent with statutory and regulatory deadlines and requirements?			X
3. Are other special conditions (e.g., ambient sampling, mixing studies, TIE/TRE, BMPs, special studies) consistent with CWA and NPDES regulations?	X		

II.G. Standard Conditions	Yes	No	N/A
1. Does the **permit** contain all 40 CFR 122.41 standard conditions or the State equivalent (or more stringent) conditions?	X		

List of Standard Conditions – 40 CFR 122.41

Duty to comply
Duty to reapply
Need to halt or reduce activity not a defense
Duty to mitigate
Proper O & M
Permit actions
Property rights
Duty to provide information
Inspections and entry
Monitoring and records
Signatory requirement
Bypass
Upset
Reporting Requirements
Planned change
Anticipated noncompliance
Transfers
Monitoring reports
Compliance schedules
24-Hour reporting
Other non-compliance

2. Does the permit contain the additional standard condition (or the State equivalent or more stringent conditions) for existing non-municipal dischargers regarding pollutant notification levels [40 CFR 122.42(a)]?	X		

Part III. Signature Page

Based on a review of the data and other information submitted by the permit applicant, and the draft permit and other administrative records generated by the Department/Division and/or made available to the Department/Division, the information provided on this checklist is accurate and complete, to the best of my knowledge.

Name	Melinda Woodruff
Title	Water Permit Engineer
Signature	Melinda Woodruff
Date	8/4/06

ATTACHMENT 13

CHRONOLOGY SHEET

Chronology of Events 10/19/06

NPID:VA0057576	Facility Name:Dominion Terminal Associates	Activity:Reissuance

Code	Event	Date	Comment
MISC	Affidavit recived from DTA	10/11/2006	
FLED	Permit expires	12/04/2011	
DTDMRDUE	First DMR due		
DTEFF	Permit effective		
DTSIGN	Date Permit signed		
PNOT	Date of Public Notice	09/16/2006	Second time 9/23/06
LGNPERM	Local gov't notification	09/14/2006	
PN2CO	PN sent to CO for mailing list web site distrib		
DTNEWS	Public notice letter sent to newspaper	09/14/2006	
DTPNAUT	Public notice authorization received from owner	09/14/2006	
DTOWNC4	Owner concurrence of draft permit	09/16/2006	
DTOWN1	FS/SOB draft permit sent to owner	08/29/2006	
DTPLAN	Planning concurrence on draft permit	08/31/2006	
DT1PLAN	FS/SOB draft permit sent to planning	08/29/2006	
DTREV	Draft reviewed	08/28/2006	
DTDDP	Draft permit developed	08/04/2006	
DTSITERP	Site inspection report	07/13/2006	
DTSITE	Site visit	06/29/2006	
APCP	Application administratively complete	07/17/2006	
DTC1VDH	Comments rec'vd from State Agencies on App	06/29/2006	DSS and VDH on 06/08/2006
DT1VDH	App sent to State Agencies (list in comment field)	06/02/2006	VDH and DSS
APCOMLET	App complete letter sent to permittee	07/17/2006	
ROAPCP	Application Administratively complete	07/17/2006	
APRD2	Application/Additional Info received at RO 2nd tim	05/31/2006	received 5 copies, material and storage information, President's signature
APRET1	App returned/Additional info requested 1st time	05/31/2006	no copies, wrong signature
DEPFEE	Application fee deposited		NA
APRD	Application received at RO 1st time	05/25/2006	
APDU	Reissuance application due	06/05/2006	
APRPHOCAL2	Second Application Reminder Phone Call	04/07/2006	
APRPHOCAL1	First Application Reminder Phone Call	02/01/2006	
DTLP	Reissuance letter mailed	12/04/2005	
PREVFLED	Old expiration date	12/04/2006	