IN RE: PETITIONS FOR SPECIAL HEARING and SPECIAL EXCEPTION – NE/S Shipping Road, 325' & 380' W of the c/l Sheet Mill Road **(Parcels 1 & 2, 5111 North Point Boulevard)** 15th Election District 7th Council District	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
	*	Case No. 06-170-SPHX
I.S.G. Sparrows Point, LLC, Legal Owner; Kroff Chemical Company, Contract Lessee	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owner of the subject property, International Steel Group (I.S.G.) Sparrows Point, LLC (previously Bethlehem Steel Corporation) and the Contract Lessee, Kroff Chemical Company, by and through their attorney, Leslie M. Pittler, Esquire. The Petitioners request a special exception to use the subject property for an "oil refinery" or a "facility for the recovery, processing or recycling of oil, or the storage or transfer of oil to be recycled," pursuant to Section 256.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), if located at least 1,000 feet from any residential zone and at least 500 feet from any B.L., B.M. or M.R. zone. In the alternative, a special hearing is requested, pursuant to Section 500.7 of the B.C.Z.R., seeking a determination and approval that the current use of the property as an "oil refinery" as set forth in Section 256.4 of the B.C.Z.R., is nonconforming. The subject property and requested relief are more particularly described on the two-page site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were James P. Cipollone, Jr., Regional Sales and Operations Manager for Kroff Chemical Company and Brandon J. Bonanno of Jacobs Environmental, retained by I.S.G. Sparrows Point, LLC, property owner. Testimony was also offered in support of the request from Rick Cobert, with Baltimore

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County's Office of Economic Development. The Petitioners were represented by Leslie M. Pittler, Esquire.

Appearing as interested citizens/Protestants were Donna Thomas, who resides in the Beechwood Estates community, which is located approximately ½ mile from the site, and Vincent Glorioso[1], who works in the vicinity. Lauren Taylor, a reporter with the Patuxent Publishing Company appeared as an interested citizen.

Testimony and evidence offered disclosed that the instant Petitions relate to a 4.46-acre parcel leased by Kroff Chemical Company for its oil refinery operation facility, which is located within a 2,442-acre tract owned by I.S.G. Sparrows Point, LLC, formerly the Bethlehem Steel Corporation. The overall tract is surrounded by the Bear Creek shoreline on the western side, the Patapsco River on the south and east sides, and Old Road Bay and Jones Creek to the north. The current zoning of the entire site is M.H.-I.M. Mr. James Cipollone described Kroff Chemical Company's (Kroff) operation, which is located at 5111 North Point Road, Truck Dock 36A within the I.S.G. Sparrows Point complex. He noted that steel manufacturing occurs on the mid- and southern portions of the tract, while the waste oil recovery plant is located a significant distance away on the northern portion of the property. Mr. Cipollone testified that Kroff began its operation of their oil recovery facility on May 3, 2004, taking over from U.S. Filter (formerly Pori Company, Inc.), which had operated at the site since 1950. As shown on the site plan, existing improvements include a 50' x 50' building, a 106' x 102' processing facility/equipment building, a 22' x 63' off-loading dock, and two trailers, one 65' x 24' and the other 8' x 32.' Testimony indicated that Kroff desires to add an additional 2500 sq.ft. of tanks and processing equipment to handle the oily waste. Currently, Kroff receives all its oil and oily wastewater from multiple sources generated from the operations at the I.S.G. Sparrows Point campus. These sources include the repair shops and mobile equipment, which are comparable to automobile dealerships and Jiffy Lube generating motor oils, crank case oils, and gear oils; the locomotive

[1] While Mr. Glorioso is the Regional Business Manager for U.S. Filter and Recovery Services and Ms. Thomas was or is an employee of U.S. Filter, they appeared at this hearing in their individual capacities and as concerned citizens, not as representatives on behalf of U.S. Filter.

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shops comparable to industrial tractor trailer repair shops or locomotive shops, such as CSX or Mass Transit type facilities; and, rolling oils comparable to machine fluids or other steel manufacturing processes not specific to I.S.G. Kroff receives the materials on site, having a 120,000-gallon storage capacity, and essentially drives off or separates the water out, and recovers between 50,000 and 100,000 gallons of oil per month. In turn, this oil is tested and then transported on site back to I.S.G. storage tanks where it is used as fuel for the boilers. This process has been ongoing since the Pori Company first began oil refinery operations on the site in the 1950s.

Despite the million gallon-plus oil recovery operations per year, I.S.G. requires five times this amount. Thus, as indicated above, Kroff is proposing adding additional tanks so they can do more of the same and expand its customer base to include off-site third party generators, thereby recycling their used oil to meet I.S.G.'s fuel oil demands. As shown on the site plan, Kroff proposes constructing a 2,595 sq.ft. foundation to accommodate the additional storage tanks which will be used to process oily waste and has submitted an air quality permit-to-construct application to the Maryland Department of the Environment (MDE) for the proposed expansion. The MDE has received the request, but will not issue its permit until zoning approval has been granted. The enactment by the Baltimore County Council of Bill No. 98-04 in October 2004 now requires a special exception hearing to permit the oil refinery/recycling use, pursuant to Section 256.4 of the B.C.Z.R.

The Petitions and plans were submitted to the County reviewing agencies comprising the Zoning Advisory Committee (ZAC), which have the opportunity to comment on all pending zoning relief applications. In this regard, there were no adverse comments submitted by any County reviewing agency in the instant case. Although the proposal meets all of the distance standards set forth in Bill No. 98-04, the issues generated are driven by the actual use. As noted above, this is a special exception use and thus, is not permitted by right.

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Section 502 of the B.C.Z.R. governs special exception uses. That Section provides that before the requested special exception may be granted, it must appear that the use for which it is requested will not:

a) Be detrimental to the health, safety or general welfare of the locality involved;

b) Tend to create congestion in roads, streets or alleys therein;

c) Create a potential hazard from fire, panic, or other danger;

d) Tend to overcrowd land and cause undue concentration of population;

e) Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;

f) Interfere with adequate light and air;

g) Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;

h) Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations…

Messrs. Cipollone and Bonanno testified to each enumerated standard and opined that Kroff's current and proposed use would not create any adverse impact at this location or upon surrounding communities. The basis for these opinions is summarized as follows. Kroff's facility and oily waste processing is compliant with all Federal and State health, welfare and safety regulations and is located entirely within the confines of I.S.G. property. The nearest residential or business communities are in excess of 4,000 feet away and the recycling facility is a significant distance from I.S.G. operations. Ingress and egress for vehicles is restricted to Gate G and only from either Bethlehem Boulevard or North Point Boulevard from I-695 or Peninsula Expressway ramps, not through any neighborhoods, and only on roads designed and built with heavy industrial trucks in mind. Raw materials in the recovery process are Class 3B Combustibles, meaning that the flash point is at or greater than 236°F reducing the fire hazard

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potential. All industrial wastewater driven off during the process is discharged to the I.S.G. tin mill canal and then to the wastewater treatment plant, pursuant to MDE's wastewater permit, a copy of which was received into evidence as Petitioner's Exhibit 2. Current air emissions meet all MDE air quality regulations and a permit-to-construct approval for the proposed addition will require a public hearing process and subsequent MDE monitoring. The proposed tank installation will be pursuant to COMAR regulations and fully contained on concrete pads with spill prevention measures.

A special exception use is "expressly permissible" once certain statutory criteria have been satisfied. Mossburg v. Montgomery County, 107 Md. App. 1, 7 (1995). "It is part of a comprehensive zoning plan, sharing the presumption that it is in the interest of the general welfare and is, therefore valid." *Id.* The proper issue to be considered in a special exception case is whether the adverse effects in the particular location would be above and beyond those inherently associated with the special exception use irrespective of its location within the zone. *Id.* (Quoting Schultz v. Pritts, 291 Md. 1, 22-23 (1981)).

The primary objection voiced by Ms. Thomas and Mr. Glorioso relates to odor issues. (See Protestants' Exhibit 1). Mr. Glorioso attributed the persistent nuisance to the heating of "rolling oils" over 100°F and an inadequate caustic scrubber system employed by Kroff. They both believe that granting approval of the proposed expansion is tantamount to approving Petitioner's existing operations. They want existing conditions corrected by the installation of "thermal oxidizers" before the granting of any special exception relief.

Mr. Pittler inquired of the witnesses' motivation or bias, given their relationship to Kroff's competitor, U.S. Filter, and the denial of similar zoning relief sought by that company in prior Zoning Case No. 05-075-SPHXA. Mr. Capillone testified in rebuttal that Kroff had not received complaints or notification from the MDE regarding odors and attributed Protestants' complaints to other sources around Sparrows Point. Mr. Capillone made it clear on the record that Kroff will address odor abatement issues if deemed to be a chronic problem in the

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surrounding locale. He intimated that this was in the purview of the MDE and would be addressed at the public hearing on the company's permit-to-construct application.

After due consideration of all of the testimony and evidence offered, both for and against the proposal, I am persuaded to grant the requested special exception and shall dismiss the special hearing relief as moot. I find that the use of the property for an "oil refinery" or a "facility for the recovery, processing or recycling of oil, or the storage or transfer of oil to be recycled," pursuant to Section 256.4 of the B.C.Z.R., is appropriate and should be approved. I further find that the use will not create adverse effects above and beyond those inherently associated with such a use elsewhere within the M.L.-I.M. zone and meets the special exception requirements set forth in Section 502.1 of the B.C.Z.R. During the air quality permit-to-construct process, the Petitioners shall address the odor abatement issues if deemed to be a problem in the locale by the MDE.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the special exception relief shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of November 2005, that the Petition for Special Exception to use the subject property for an "oil refinery" or a "facility for the recovery, processing or recycling of oil, or the storage or transfer of oil to be recycled," pursuant to Section 256.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) Kroff Chemical Company shall address odor abatement issues if deemed to be a chronic problem by the surrounding locale and the MDE.

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3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking a determination and approval that the current use of the property as an "oil refinery" as set forth in Section 256.4 of the B.C.Z.R., is nonconforming, be and is hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that any appeal of this decision must be filed within thirty (30) days from the date of this Order.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

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Date 11/23/05
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

November 23, 2005

WILLIAM J. WISEMAN III
Zoning Commissioner

Leslie M. Pittler, Esquire
25 Wandsworth Bridge Way
Lutherville, Maryland 21093

RE: PETITIONS FOR SPECIAL HEARING & SPECIAL EXCEPTION
NE/S Shipping Road, 325' & 380' W of the c/l Sheet Mill Road
(Parcels 1 & 2, 5111 North Point Boulevard)
15th Election District – 7th Council District
I.S.G. Sparrows Point, LLC, Owners; Kroff Chemical Company, Lessees - Petitioners
Case No. 06-170-SPHX

Dear Mr. Pittler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted and the Petition for Special Hearing dismissed as moot, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. James P. Cipollone, Jr., Kroff Chemical Company
5111 North Point Boulevard, TD36-A, Baltimore, Md. 21219
Mr. Brandon Bonanno, 68 Yorkway, Baltimore, Md. 21222
Mr. Vince Glorioso, 1105 North Point Boulevard, Suite 210, Baltimore, Md. 21224
Ms. Donna Thomas, 4702 Green Cove Circle, Baltimore, Md. 21219
Mr. Lauren Taylor, Patuxent Publishing Co., 409 Washington Avenue, Towson, Md. 21204
Mr. Rick Cobert, Office of Economic Development; People's Counsel; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5111 North Point Boulevard
which is presently zoned MH-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Non-confirming use as an Oil Refinery as set forth under 256.4 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Kroff Chemical Company
Name - Type or Print

James P. Cipollone
Signature

5111 North Point Blvd. TD3CA — 410-388-5037
Address — Telephone No

Baltimore MD — 21219
City — State — Zip Code

Legal Owner(s):

I.S.G. Sparrows Point, LLC
Name - Type or Print

Signature

John D. Cefalu VP-GM
Name - Type or Print

Signature

5111 North Point Blvd. 410-388-7526
Address — Telephone No.

Baltimore MD — 21219
City — State — Zip Code

Attorney For Petitioner:

Leslie M. Pittler
Name - Type or Print

Leslie M. Pittler
Signature

Leslie M. Pittler PA
Company

25 Wandsworth Bridge Way 410-823-4455
Address — Telephone No.

Lutherville Md. 21093
City — State — Zip Code

Representative to be Contacted:

Leslie M. Pittler
Name

25 Wandsworth Bridge Way 410-823-4455
Address — Telephone No.

Lutherville Md. 21093
City — State — Zip Code

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Date 11/23/05
By

Case No. 06-170-SPHX

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 9/21/05

Revised 9/15/98

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 5111 North Point Boulevard

which is presently zoned MH-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

For a special exception from Oil Refinery under 256.4 of the Baltimore County Zoning Regulations Oil Refinery, including any facility for the recovery, processing or recycling of oil, or the storage or transfer of oil to be recycled if located at least 1,000 feet from any residential zone and at least 500 feet from any BL, BM, or MR zone.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Kroff Chemical Company
Name - Type or Print James P. Cipollone

James P. Cipollone Jr.
Signature

5111 North Point Blvd. TD36A 410-388-5039
Address Telephone No.

Baltimore MD 21219
City State Zip Code

Legal Owner(s):

I.S.G. Sparrows Point, LLC.
Name - Type or Print

Signature

Jeff D. Leffler VP-GM
Name - Type or Print

Signature

5111 North Point Blvd 410-388-7526
Address Telephone No.

Baltimore MD 21219
City State Zip Code

Attorney For Petitioner:

Leslie M. Pittler
Name - Type or Print

Leslie M. Pittler
Signature

Leslie M. Pittler PA
Company

25 Wandsworth Bridge Way 410-823-4455
Address Telephone No

Lutherville Md. 21093
City State Zip Code

Representative to be Contacted:

Leslie M. Pittler
Name

25 Wandsworth Bridge Way 410-823-4455
Address Telephone No.

Lutherville Md. 21093
City State Zip Code

ORDER RECEIVED FOR FILING
Date 11/23/05
By 09/15/98

Case No. 06-170-SPHX

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 9/21/05

EXHIBIT B

DESCRIPTION OF PREMISES
(5111 North Point Boulevard)
Parcel No. 1
0.1372 Acre Lease Parcel

Commencing from a point on the northern right of way line of Maryland Route 151, North Point Boulevard, at station 57+72.35 as shown on State Roads Commission Of Maryland Plat No. 44822. Said point being also at the end of the 80th or the South 34 degrees 56 minutes 53 seconds West, 60.23 foot line as described in a deed from the Bethlehem Steel Corporation to ISG Sparrows Point Inc., and being recorded among the Land records of Baltimore County, Maryland in Liber S.M. 18311 folio 64. Thence, over, through, and across the lands of ISG Sparrows Point Inc., referring all courses of this description to the Maryland State Coordinate System (NAD83\91), North 70 degrees 59 minutes 34 seconds West 2336.99 feet, to a PK Nail set. Thence from the Point Of Beginning, so fixed;

1. South 21degrees 00 minutes 04 seconds West, 56.47 feet, to a rebar and cap set at the corner of a concrete pad, thence

2. South 83 degrees 15 minutes 53 seconds West, 85.85 feet, to a rebar and cap set, thence

3. North 18 degrees 40 minutes 18 seconds West, 63.83 feet, to a rebar and cap set, at the edge of a macadam drive, thence;

4. North 88 degrees 56 minutes 44 seconds East, 125.96 feet, to the Point of Beginning.

Containing 5977 square feet or 0.1372 acres of land, more or less.

Parcel No. 2
0.8813 Acre Lease Parcel

Commencing from a point on the northern right of way line of Maryland Route 151, North Point Boulevard, at station 57+72.35 as shown on State Roads Commission Of Maryland Plat No. 44822. Said point being also at the end of the 80th or the South 34 degrees 56 minutes 53 seconds West, 60.23 foot line as described in a deed from the Bethlehem Steel Corporation to ISG Sparrows Point Inc., and being recorded among the Land records of Baltimore County, Maryland in Liber 18311 folio 64. Thence, over, through, and across the lands of ISG Sparrows Point Inc., referring all courses of this description to the Maryland State Coordinate System (NAD83\91), North 70 degrees 49 minutes50 seconds west, 2405.91 Feet, to a PK Nail set. Thence binding on or near the northern edge of a macadam drive, from the Point Of Beginning so fixed;

1. South 83 degrees 33 minutes 35 seconds West, 207.32 feet, to a PK Nail Set, thence continuing along said drive;

2. South 78 degrees 18 minutes 54 seconds West, 45.07 feet, to a rebar and cap set, thence leaving said drive,

06-170-SPHX

3. North 6 degrees 07 minutes 14 seconds West, 156.68 feet, passing through the center of a utility Pole at 114.60 feet from the beginning thereof, to a rebar and cap set, thence;

4. North 83 degrees 52 minutes 46 seconds East 252.18 feet, to a rebar and cap set, thence in a southeasterly direction, 4.34 feet west of a concrete block wall;

5. South 6 degrees 07 minutes 14 seconds East, 151.16 feet, passing through the center of a utility pole at 78.63 feet from the beginning thereof, to the Point Of Beginning.

Containing 38388 square feet or 0.8813 acres of land, more or less.

06-170-SPHX

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 149437

DATE 9/21/05 ACCOUNT R-001-006-6150

AMOUNT $ 705.00

RECEIVED FROM: Leslie M. Rittler

FOR: SPHX - 5911 North Point Boulevard
06-170-SPHX (J.S.G. Sparrow Point, LLC)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BATCH	ACCT	DATE	REV
9/21/2005	9/21/2005	04:51:22	1
REFERENCE	WALKIN	WALK-IN	
REFERENCE 2	149437	9/21/2005	OFLN
TYPE	B	B2B ZONING VERIFICATION	
# IN:	149437		

Right Tot $705.00
$705.00 CK 0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #06-170-SPHX
5111 North Point Boulevard
2 Parcels on the n/east sides of Shipping Road, 325 feet west of 380 west of Sheet Mill Road
15th Election District - 7th Councilmanic District
Legal Owner(s): I.S.G. Sparrows Point, LLC
Contract Purchaser: Kroff Chemical Company

Special Hearing: to permit non-conforming use as an Oil Refinery. **Special Exception:** including any facility for the recovery, processing or recycling of oil, or the storage or transfer of oil be recycled if located at least 1,000 feet from any residential zone and at least 500 feet from any BL, BM or MR zone.

Hearing: Monday, November 14, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/301 Oct. 27 72519

CERTIFICATE OF PUBLICATION

10/27/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/27/, 2005.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date November 2, 2005

RE: Case Number 06-170-SPHX
Petitioner/Developer: LESLIE PITLER/JOHN LEFLER/JAMES CIPPOLONE
Date of (Hearing)/Closing NOVEMBER 14, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 5111 NORTH POINT BOULEVARD AND 1 @ ENTRANCE OF SHIPPING ROAD (ON-SITE)

The sign(s) were posted on October 29, 2005
(Month, Day, Year)

Linda O'Keefe
(Signature of Sign Poster)

SEE ATTACHED PHOTOS

ATTACH PHOTOGRAPH OF SIGN POSTED ON PROPERTY HERE

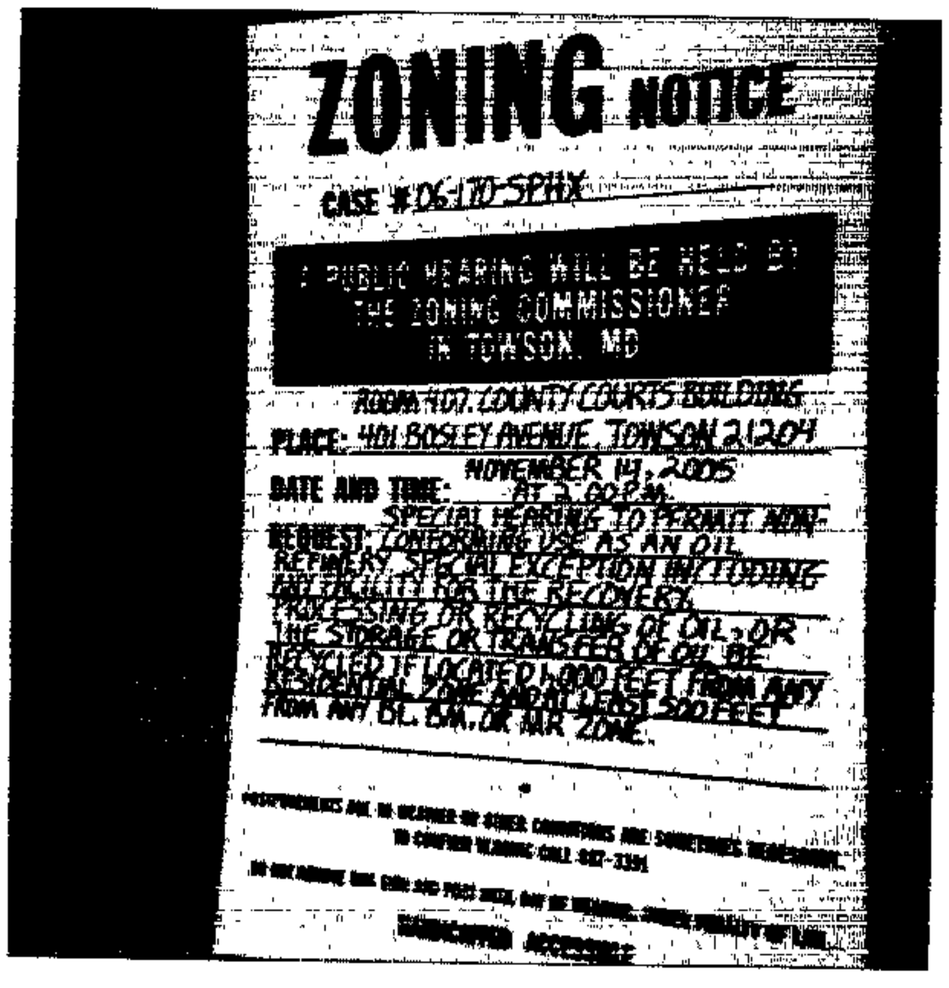
LINDA O'KEEFE
(Printed Name of Sign Poster)

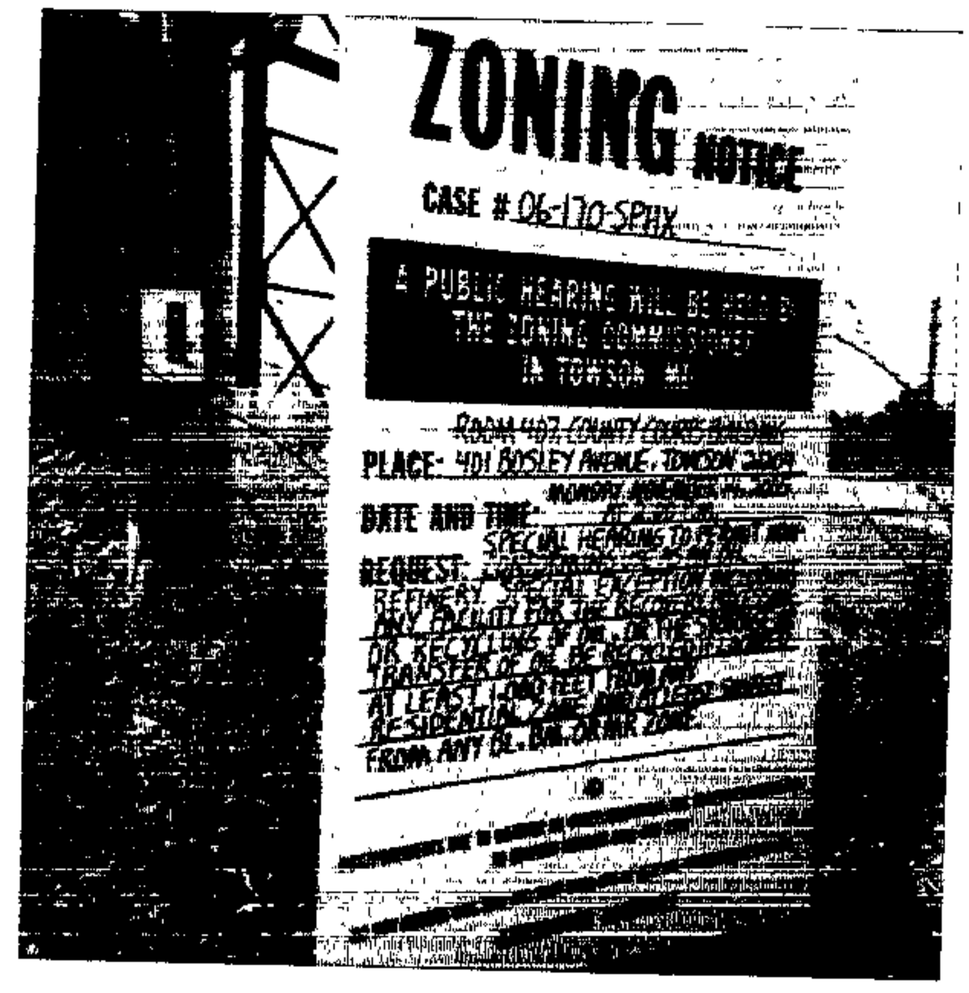
523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

CASE # 06-170-SPHX





15111 NORTH POINT BOULEVARD

ENTRANCE OF SHIPPING ROAD

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 27, 2005 Issue - Jeffersonian

Please forward billing to:
Leslie Pittler
25 Wandsworth Bridge Way
Lutherville, MD 21093

410-823-4455

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-170-SPHX
5111 North Point Boulevard
2 Parcels on the n/east sides of Shipping Road, 325 feet west of 380 west of Sheet Mill Road
15th Election District – 7th Councilmanic District
Legal Owners: I.S.G. Sparrows Point, LLC
Contract Purchaser: Kroff Chemical Company

Special Hearing to permit non-conforming use as an Oil Refinery. Special Exception including any facility for the recovery, processing or recycling of oil, or the storage or transfer of oil be recycled if located at least 1,000 feet from any residential zone and at least 500 feet from any BL, BM or MR zone.

Hearing: Monday, November 14, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax 410-887-5708

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 11, 2005

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-170-SPHX
5111 North Point Boulevard
2 Parcels on the n/east sides of Shipping Road, 325 feet west of 380 west of Sheet Mill Road
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Special Hearing to permit non-conforming use as an Oil Refinery. Special Exception including any facility for the recovery, processing or recycling of oil, or the storage or transfer of oil be recycled if located at least 1,000 feet from any residential zone and at least 500 feet from any BL, BM or MR zone.

Hearing: Monday, November 14, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Leslie Pittler, 25 Wandsworth Bridge Way, Lutherville 21093
John Lefler, I.S.G. Sparrows Pt., 5111 North Point Boulevard, VP-GM Baltimore 21219
James Cippolone, Kroff Chemical Co., 5111 North Point Blvd., TD36A, Baltimore 21219

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 29, 2005.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 06-170-SPHX

Petitioner: I.S.G. Sparrows Point, LLC (Kroff Chemical Company, Lessee)

Address or Location: 5111 North Point Boulevard

PLEASE FORWARD ADVERTISING BILL TO:

Name: Leslie M. Pittler

Address: 25 Wandsworth Bridge Way
Lutherville, Md. 21093

Telephone Number: 410-823-4455

Revised 7/11/05 - SCJ

Department of Permits and Development Management

Development Processing
County Office Building
111 W Chesapeake Avenue
Towson, Maryland 21204

Baltimore County

James T Smith, Jr., County Executive
Timothy M Kotroco, Director

November 14, 2005

Leslie M. Pittler
25 Wandsworth Bridge Way
Lutherville, Maryland 21093

Dear Mr. Pittler:

RE: Case Number: 06-170-SPHX, 5111 North Point Blvd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 21, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
ISG Sparrows Point, LLC. 5111 North Point Blvd Baltimore 21093
Kroff Chemical Company 5111 North Point Blvd Baltimore 21093

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Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

Oct. 6,2005

ATTENTION: Zoning Review planners

Distribution Meeting of: July 18,, 2005

Item No.: 167 ~~thru 174~~ (170) 176 thru 184 Also case # 05-502-A

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Acting Lieutenant David S. Heath
Fire Marshal's Office
(O)410-887-4881
MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: October 19, 2005

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 17, 2005
Item Nos. 169, 170, 171, 172, 173, 176, 178, 180, 181, 182, 183 and 184

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-10192005 doc

BW 11/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 18, 2005

RECEIVED

OCT 21 2005

ZONING COMMISSIONER

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-170- Special Hearing**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By: Curtis Murray

Division Chief: Lee Sullivan

CM/LL

W:\DEVREV\ZAC\6-170.doc

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel
Maryland Department of Transportation

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 10.4.05

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 170 JMP

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

RE:	PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION	*	BEFORE THE
	5111 North Point Blvd; 2 Parcels on NE/side* Shipping Rd, 325' W & 380' W Sheet Mill Rd		ZONING COMMISSIONER
	15th Election & 7th Councilmanic Districts	*	FOR
	Legal Owner(s): Joan D. Lefler, VP-GM, ISG Sparrows Point, LLC	*	BALTIMORE COUNTY
	Contract Purchaser(s): James Cipollone, Kroff Chemical Company	*	06-170-SPHX
	Petitioner(s)		

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of October, 2005, a copy of the foregoing Entry of Appearance was mailed to Leslie Pittler, Esquire, 25 Wandsworth Bridge Way, Lutherville, MD 21093, Attorney for Petitioner(s).

RECEIVED

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Department of Permits and Development Management

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 19, 2005

Mr. Brandon J. Bonanno
Senior Associate
1527 York Road
Lutherville, Maryland 21093

Re: Kroff Chemical Proposed Facility Expansion
Zoning Review (BCZR) Compliance Comments
12 Election District

Dear Mr. Bonanno:

Mr. Timothy Kotroco, Director of Permits and Development Management, has directed that I reply to your request for an expedited zoning review dated 4/15/05, concerning a proposed expansion of the above referenced oil recovery facility.

The zoning staff has undertaken a thorough review of your proposed and existing uses as described in your letter and shown on your provided plan. This information was then considered in light of a variety of zoning issues and regulations including Bill #98-04 which was recently passed by the Baltimore County Council and became effective on 10/8/04. A copy of this Bill is attached as part of this zoning reply for your review.

In brief; the Bill requires that in order to conform with the new regulations, your uses be located 1,000 feet from a residential zone, at least 500 feet from any B.L., B.M. or M.R. zone and have a special exception. Based on a comparison between your site plan and the current zoning maps (numbers 111A2 and 111B2) this distance requirement is met and therefore a special exception hearing could be requested to permit the uses pursuant to section 255.4. (BCZR).

Absent this special exception hearing, it appears that the current use is nonconforming subject to it meeting the standards of section 104 BCZR with particular attention to 104.1, 104.3 and if in critical areas 104.5 and 105.E, all of which are attached.

Printed on Recycled Paper

06-170-SPHX

The intensification and change of the use as you describe and propose in your information leads the zoning staff to the following conclusion. A substantial amount of oil/oily waste not related to the existing steel production is to be transferred in bulk by rail and truck to the site for processing. This creates a conflict with Section 104.1 which forbids "any change from any such nonconforming use to any other use whatsoever". Due to the strict limitations of this section, it appears to the zoning staff that a special exception, zoning hearing is required pursuant to the previously referenced Bill #98-04. The special exception if granted, would bring the current and proposed uses into conformance with the Baltimore County Zoning Regulations (BCZR).

Should you disagree with this response, you may request a special hearing before the zoning commissioner to further resolve these issues, alternatively, a special hearing may be requested to allow nonconforming expansion/change pursuant to section 104 as previously referenced.

Please be aware that this response is for zoning review only and is not intended to address any other agencies concerns or regulations.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions please do not hesitate to contact me at 410-887-3391.

Sincerely,

John L. Lewis
Planner II
Zoning Review

JLL/rjc
Enc.

06-170-SPHX

GGP & ASSOCIATES, LLC
Infrastructure Solutions
Environmental Engineers • Construction Managers

OfficeMa:

Get that location

April 15, 2005

Mr. Tim Kotroco
Zoning Department
Construction and Land Use
Baltimore County Government
400 Washington Avenue
Towson, Maryland 21204

Subject: Request for Determination of Compliance with Zoning Regulations

Dear Mr. Kotroco:

The Kroff Chemical Company (Kroff) is requesting a determination of compliance with Baltimore County zoning regulations for the proposed expansion of their Oil Recovery Facility. The Kroff Oil Recovery facility is located at 5111 North Point Boulevard, Truck Dock 36A inside the ISG Sparrows Point, LLC facility. The current zoning of the property is MH-IM.

Kroff began operation of their oil recovery facility on May 3, 2004 taking over from the former contractor US Filter. The facility currently recovers oil and oily wastewater generated from the operations of ISG Sparrows Point, LLC. The facility is proposing to expand their customer base to include third party generators (generators besides ISG Sparrows Point).

Enclosed is the review fee of $250.00 for a 2-3 day zoning determination, a description of the oil recovery process, a description of the proposed expansion, and a plot plan that shows the current and proposed layout of the Kroff facility.

Kroff has submitted an air quality permit-to-construct application to the Maryland Department of the Environment (MDE) for the proposed expansion. The permit-to-construct has been reviewed by MDE but will not be issued until zoning approval has been granted by Baltimore County.

If you have any questions or require any additional information please call me at 410-388-5056.

1527 York Road • Lutherville, Maryland 21093 • Phone: (410) 847-9868 • Fax: (410) 847-9867

D6-170-SPHX

April 15, 2005

Sincerely,

GGP & Associates

Brandon J. Bonanno
Senior Associate

cc: J. Cipollone/Kroff Chemical
G. Perdikakis/GGP & Associates

06-170-SPHX

Bill Wiseman - Kroff Chemical Zoning Hearing

From: "Brandon Bonanno" <brandon.bonanno@mittalsteel.com>
To: "William Wiseman III" <wwiseman@co.ba.md.us>
Date: 11/17/2005 1:43:00 PM
Subject: Kroff Chemical Zoning Hearing
CC: "Lester Pittler" <Les_law@comcast.net>, "Jim Cipollone"

Mr. Wiseman - I have placed a copy of the ISG Sparrows Point NPDES Permit (Permit No. MD0001201) issued by the Maryland Department of the Environment (MDE) and a revision of the permit in March 2004 in the mail to you today as you requested during the hearing.

I thought that mailing the document would be better due to the size of the file (3MB).

Please call me if you have any questions.

Brandon J. Bonanno
Jacobs Environmental
Project Manager
Brandon.Bonanno@mittalsteel.com
Phone: 410-388-5056
Cell: 410-292-6356
Fax: 410-388-6529

Case No.: 06-170 SPHX

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan	Mr. Glorioso Remarks
No. 2	Waste Water Permit	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

JACOBS ENVIRONMENTAL

November 17, 2005

Mr. William J. Wiseman, III
Zoning Commissioner
Baltimore County
Zoning Commissioner's Office
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Subject: Kroff Chemical Zoning Hearing

Dear Mr. Wiseman:

Enclosed please find the NPDES Permit (Permit No. MD0001201) for ISG Sparrows Point as requested during the hearing.

If you have any questions or require any additional information, please call me at 410-847-9868.

Sincerely,

Jacobs Environmental

Brandon J. Bonanno
Project Manager

cc: Les Pittler/Attorney
Jim Cipollone/Kroff Chemical

1527 YORK ROAD • LUTHERVILLE, MARYLAND
PHONE: 410-847-9868 • FAX 410-847-986

PETITIONER'S
EXHIBIT NO. 2

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Kendl P. Philbrick
Secretary

MAR 30 2004

CERTIFIED MAIL

Robert J. Abate, Manager
Safety, Health, and Environment
ISG Sparrows Point, Inc.
5111 North Point Boulevard
Sparrows Point, MD 21219

Re: State Discharge Permit 90-DP-0064BC (NPDES Permit MD0001201)

Dear Mr. Abate:

Enclosed is Modification BC of the referenced discharge permit. The effective date is indicated on the new cover page. Please replace the appropriate pages in your copy of the original discharge permit with the enclosed modified pages.

You are urged to carefully read this modification and become thoroughly familiar with the changes. All other terms and conditions of the permit not affected by this modification remain as specified in the permit.

If you have any questions, please do not hesitate to call Edwal Stone, Industrial Discharge Permits Division, at (410) 537-3323.

Sincerely,

Virginia T. Kearney for

Robert M. Summers, Director
Water Management Administration

cc: Robert Koroncai, EPA Region III

RMS:es

Enclosures

MDE

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
Governor

Kendl P. Philbrick
Secretary

Michael S. Steele
Lt. Governor

STATE DISCHARGE PERMIT NUMBERS	90-DP-0064A	97-DP-0064 (Outfall 114 Only)
NPDES PERMIT NUMBERS	MD0001201	MD0068462 (Outfall 114 Only)

EFFECTIVE DATE	March 1, 2001
MODIFICATION A EFFECTIVE DATE	February 1, 2003
MODIFICATION BC EFFECTIVE DATE	March 23, 2004
EXPIRATION DATE	February 28, 2006

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq. and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Department of the Environment, hereinafter referred to as the "Department," hereby authorizes

ISG Sparrows Point, Inc.
5111 North Point Boulevard
Baltimore, MD 21219

TO DISCHARGE FROM

an integrated steel plant including subsidiary railroad

LOCATED AT

Sparrows Point, Baltimore County, Maryland 21219

VIA OUTFALLS

001, 012, 014, 016, 017, 021, 032 and stormwater-only outfalls 013, 015, 018, 019, 033, 034, 054, 055, 056, 059, 065, 068, 069, 070 and 071 as identified and described herein

TO

Patapsco River, Bear Creek, Old Road Bay, and Jones Creek which are protected for water contact recreation, fishing, aquatic life, and wildlife in accordance with the following special and general conditions and map(s) made a part hereof.

Baltimore County

Modifications B and C of State Discharge Permit 90-DP-0064A, NPDES Permit MD0001201:

The Department previously issued a renewal permit effective March 1, 2001 to ISG Sparrows Point Inc. (formerly Bethlehem Steel Corporation) 5111 North Point Boulevard, Baltimore Maryland 21219 to discharge less than 500 million gallons per day of cooling water and process wastewater and an intermittent flow of storm water runoff from an integrated steel plant located at Sparrows Point, to the Patapsco River, Bear Creek, Old Road Bay, and Jones Creek. The permit included a limitation for available cyanide at Outfall 014 (to Bear Creek) using a new EPA test method (EPA Method No. OIA-1677). The permittee experienced testing interferences potentially due to the industrial sourcewater from the Back River POTW and has applied for a permit modification to establish an alternative minimum level for reporting purposes for available cyanide consistent with available EPA protocols.

The Department is proposing to incorporate an interim minimum level for available cyanide of 12 ug/l at Outfall 014 as permit modification "B". The proposed interim minimum level is based on the effluent from the existing treatment system. This interim minimum level will expire within 12 months. The permittee may choose to apply for a new minimum level based on studies of the effluent from the new Outfall 014 treatment system, which is scheduled to be fully operational by July 1, 2004.

The permittee has also submitted a separate permit modification request ("C") to revise the total copper limitation at Outfall 001 (to Old Road Bay) based on a biological translator. The permittee had previously requested use of a chemical translator for copper. However, the Department noted concerns over the requested use of a chemical translator during the previous permit renewal and recommended that a biological translator would be more appropriate. The permittee has responded with an application for the use of a biological translator, an approach whose science is technically more justifiable than a chemical translator. The Department is proposing to apply a biological translator to the total copper limitation at Outfall 001, resulting in a new total recoverable copper limit of 14 ug/l. The Department is also proposing to regulate a new parameter at Outfall 001 by including a limit of 10.7 ug/l for dissolved copper based on a biological translator for dissolved copper.

All other terms and conditions of the permit, including the final copper limitation at Outfall 014 to Bear Creek, remain unchanged from the current permit.

I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Zinc, Total EPA Method 200.8	Report	Report	lbs/day		.086	.095	mg/l	1/Month	Composite	(1) (6) (7)
Cyanide	Report	Report	lbs/day		.001	.001	mg/l	1/Month	Grab	(1) (6) (10)
Copper, Total EPA Method 200.8	Report	Report	lbs/day		.014	.014	mg/l	1/Month	Composite	(1) (8) (7)
Copper, Dissolved EPA Method 200.8	Report	Report	lbs/day		.0107	.0107	mg/l	1/Quarter	Composite	(1) (8) (7)
pH				6.5		8.5		1/day	Grab	(1) (9)

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

(1) Monitoring required for limited parameters and for parameters where "Report" is specified. (Intake temperature and thermal discharge monitoring not required until 6 months after the effective date of the permit.)

(2) Total Nitrogen is defined as the sum of total ammonia nitrogen, organic nitrogen, nitrite, and nitrate. The permittee shall also report the individual concentrations and mass loadings of each of these constituents on the discharge monitoring reports.

(3) For each of these parameters, the permittee shall sample the intake river water at the same frequency as for the effluent and summarize and report on the monthly discharge monitoring reports the concentrations in the intake water from Old Road Bay, the gross effluent concentrations and loadings measured at Outfall 001, and the net effluent loadings. Intake monitoring may be performed at a location immediately upstream of the barrier net. Intake monitoring shall not be performed at any location within the intake canal.

(continued next page)

I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(4) After six months of monitoring, the Department may reduce the monitoring frequency upon request by the permittee. Total residual chlorine may not be discharged from any single generating unit for more than two hours per day unless the permittee demonstrates to the Department that discharge for more than two hours is required for macroinvertebrate control. Simultaneous multi-unit chlorination is permitted. Monitoring shall be performed during periods of chlorination but at least 60 minutes after the beginning of chlorination and shall be performed using the amperometric titration method. Monitoring is not required on days when chlorination does not take place.

(5) To be calculated as follows: MBtu/day = Million Btu/day = the sum of the hourly heat calculations. The hourly heat calculations shall be based on the instantaneous temperature and flow readings according to the following equation: hourly heat rejected = 0.348 X (temperature difference) X (flow in mgd). Temperature difference is defined as the instantaneous temperature difference between the intake and the outfall at the beginning of each hour. Flow shall be the instantaneous flow at the beginning of each hour. (Flow estimates may be determined using hourly readings of noncontact cooling water from Pennwood Power Station derived from pump operations and pump curves, metered flows from MP 101, and estimates of other miscellaneous flow to Outfall 001, in accordance with the definition of "estimated" in Special Condition B.14 of the permit.)

(6) Limitations are effective 36 months after the effective date of the permit. The limitations are based on existing state water quality standards using a wasteload allocation method that assumes no assimilative capacity in the receiving stream and also assumes that 100% of the analyte is biologically available in a toxic form. Revision of these limits through a permit major modification will not violate anti-backsliding rules if based on changes in the water quality standard or a change in the assumptions used as the technical basis of the wasteload allocation. During the interim compliance period, the permittee shall submit progress reports every six months to report on the status of meeting the final limits.

(7) As an alternative to a 24-hour composite sample, the permittee may submit a methodology to the Department for approval to report the results from a combination of individual grab samples representative of a 24-hour period. If grab samples are collected in lieu of composites, the permittee shall consider use of appropriate methodologies in EPA Method 1669. Upon notification to the Department, the permittee may use other NPDES approved test methods if equivalent detection levels can be demonstrated or when lower detection levels are required to evaluate compliance with water quality standards. Matrix-specific minimum levels may be requested by the permittee, but authorization for the use of a minimum level for reporting purposes shall be implemented only through a permit major modification.

(8) Dissolved copper results shall be reported from the same effluent sample used for the total copper reporting requirement. Permit limit excursions for total copper and dissolved copper from the same sample shall be reported as only one permit exceedance.

(9) Frequency of 5 days per 7-day week. One week per month shall include monitoring on Saturday and one week per month on Sunday.

I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(10) The permittee shall report the result from a combination of individual grab samples representative of a 24-hour period consistent with the EPA test methodology requirements and holding times. Cyanide shall be measured as available cyanide (or alternatively cyanide amenable to chlorination) using EPA Method OIA-1677. The minimum level (ML) for cyanide is 2.0 µg/l. Analytical results for cyanide below the minimum level shall be reported as zero. Other NPDES approved test methods may be used if equivalent minimum levels can be demonstrated. A matrix-specific minimum level (ML) may be requested by the permittee but authorization for the use of an alternative minimum level for reporting purposes shall be implemented only through a permit major modification.

I. SPECIAL CONDITIONS

A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
1,1,1-trichloroethane		1.8	lbs/day			Report	mg/l	1/Month	Grab	(1) (5) (3)
Naphthalene		1.2	lbs/day			Report	mg/l	1/Quarter	Composite	(1) (3)
Phenols (4AAP)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1) (16)
Tetrachloro-ethylene		1.8	lbs/day			Report	mg/l	1/Month	Grab	(1) (5) (3)
Cadmium, Total	Report	Report	lbs/day		.0093	.043	mg/l	1/Month	Composite	(1) (4) (7) (11)
pH				6.0		9.0		Continuous	Recorded	(1) (6)

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) Total Nitrogen is defined as the sum of total ammonia nitrogen, organic nitrogen, nitrite, and nitrate. The permittee shall also report the individual concentrations and mass loadings of each of these constituents on the discharge monitoring reports.

(3) The reported value shall be the arithmetic mean of three grab samples taken at least two hours apart and analyzed individually.

(4) Total copper, lead, nickel, and cadmium shall be measured using EPA Method 200.8 (ICP-MS). Cyanide shall be measured as available cyanide (or alternatively cyanide amenable to chlorination) using EPA Method OIA-1677, (2.0 ug/l minimum level). Beginning on the effective date of Modification B and lasting for a period of 12 months, the matrix-specific interim minimum level for cyanide is 12.0 µg/l. Analytical results for cyanide below either the minimum level or the interim minimum level shall be reported as zero. Hexavalent chromium shall be measured using Method SM3500 Cr-D. Upon notification to the Department, the permittee may use other NPDES approved test methods if equivalent detection levels can be demonstrated or when lower detection levels are required to evaluate compliance with water quality standards. Matrix-specific minimum levels may be requested by the permittee, but authorization for the use of a minimum level for reporting purposes shall be implemented only through a permit major modification.

MDE

MARYLAND DEPARTMENT OF THE ENVIRONMENT

2500 Broening Highway • Baltimore, Maryland 21224
(410) 631-3000 • 1-800-633-6101 • http:// www. mde. state. md. us

Parris N. Glendening
Governor

Jane T. Nishida
Secretary

1/22/01

STATE DISCHARGE PERMIT NUMBERS	90-DP-0064	97-DP-0064 (Outfall 114 Only)

NPDES PERMIT NUMBERS	MD0001201	MD0068462 (Outfall 114 Only)

EFFECTIVE DATE	

EXPIRATION DATE	

Pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq. and implementing regulations 40 CFR Parts 122, 123, 124, and 125, the Department of the Environment, hereinafter referred to as the "Department," hereby authorizes

Bethlehem Steel Corporation
Bethlehem, Pennsylvania 18016

TO DISCHARGE FROM

an integrated steel plant including subsidiary railroad

LOCATED AT

Sparrows Point, Baltimore County, Maryland 21219

VIA OUTFALLS

001, 012, 014, 016, 017, 021, 032 and stormwater-only outfalls 013, 015, 018, 019, 033, 034, 054, 055, 056, 059, 065, 068, 069, 070 and 071 as identified and described herein

TO

Patapsco River, Bear Creek, Old Road Bay, and Jones Creek which are protected for water contact recreation, fishing, aquatic life, and wildlife in accordance with the following special and general conditions and map(s) made a part hereof.

I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge noncontact cooling water, demineralization plant effluent, gas main condensate and loop seal water, boiler blowdown, effluent from Monitoring Point 101 (process wastewater from sinter plant and blast furnaces), and storm water runoff via Outfall 001.

As specified below, such discharge shall be limited and monitored by the permittee at the outfall monitoring building.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MG/Day					1/Week	Estimated	(1)
Ammonia, Total (as N)	Report	Report	lbs/day		Report	Report	mg/l	1/Week	Composite	(1)
Nitrogen, Total (as N)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)(2)(3)
Orthophosphate (as P)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)(3)
Phosphorus, Total		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)(3)
Residual Chlorine, Total						0.2	mg/l	1/Day	Grab	(1)(4)(9)
Temperature, Intake						Report	°F	Continuous	Recorded	(1)
Temperature, Discharge						Report	°F	Continuous	Recorded	(1)
Thermal Discharge		Report	BTU/day					1/Month	Calculated	(1)(5)

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I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Zinc, Total EPA Method 200.8	Report	Report	lbs/day		.086	.095	mg/l	1/Month	Composite	(1)(6)(7)
Cyanide	Report	Report	lbs/day		.001	.001	mg/l	1/Month	Grab	(1)(6)(10)
Copper, Total EPA Method 200.8	Report	Report	lbs/day		.0061	.0061	mg/l	1/Month	Composite	(1)(6)(7)
pH				6.5		8.5		1/day	Grab	(1)(9)

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

(1) Monitoring required for limited parameters and for parameters where "Report" is specified. (Intake temperature and thermal discharge monitoring not required until 6 months after the effective date of the permit.)

(2) Total Nitrogen is defined as the sum of total ammonia nitrogen, organic nitrogen, nitrite, and nitrate. The permittee shall also report the individual concentrations and mass loadings of each of these constituents on the discharge monitoring reports.

(3) For each of these parameters, the permittee shall sample the intake river water at the same frequency as for the effluent and summarize and report on the monthly discharge monitoring reports the concentrations in the intake water from Old Road Bay, the gross effluent concentrations and loadings measured at Outfall 001, and the net effluent loadings. Intake monitoring may be performed at a location immediately upstream of the barrier net. Intake monitoring shall not be performed at any location within the intake canal.

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I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(4) After six months of monitoring, the Department may reduce the monitoring frequency upon request by the permittee. Total residual chlorine may not be discharged from any single generating unit for more than two hours per day unless the permittee demonstrates to the Department that discharge for more than two hours is required for macroinvertebrate control. Simultaneous multi-unit chlorination is permitted. Monitoring shall be performed during periods of chlorination but at least 60 minutes after the beginning of chlorination and shall be performed using the amperometric titration method. Monitoring is not required on days when chlorination does not take place.

(5) To be calculated as follows: BTU/day = the sum of the hourly heat calculations. The hourly heat calculations shall be based on the instantaneous temperature and flow readings according to the following equation: hourly heat rejected = 3.48×10^6 X (temperature difference) X (flow in mgd). Temperature difference is defined as the instantaneous temperature difference between the intake and the outfall at the beginning of each hour. Flow shall be the instantaneous flow at the beginning of each hour.

(6) Limitations are effective 36 months after the effective date of the permit. The limitations are based on existing state water quality standards using a wasteload allocation method that assumes no assimilative capacity in the receiving stream and also assumes that 100% of the analyte is biologically available in a toxic form. Revision of these limits through a permit major modification will not violate anti-backsliding rules if based on changes in the water quality standard or a change in the assumptions used as the technical basis of the wasteload allocation. During the interim compliance period, the permittee shall submit progress reports every six months to report on the status of meeting the final limits.

(7) As an alternative to a 24-hour composite sample, the permittee may submit a methodology to the Department for approval to report the results from a combination of individual grab samples representative of a 24-hour period. If grab samples are collected in lieu of composites, the permittee shall consider use of appropriate methodologies in EPA Method 1669. Upon notification to the Department, the permittee may use other NPDES approved test methods if equivalent detection levels can be demonstrated or when lower detection levels are required to evaluate compliance with water quality standards. Matrix-specific minimum levels may be requested by the permittee, but authorization for the use of a minimum level for reporting purposes shall be implemented only through a permit major modification.

(8) (reserved)

(9) Frequency of 5 days per 7-day week. One week per month shall include monitoring on Saturday and one week per month on Sunday.

I. SPECIAL CONDITIONS

A.1. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(10) The permittee shall report the result from a combination of individual grab samples representative of a 24-hour period consistent with the EPA test methodology requirements and holding times. Cyanide shall be measured as available cyanide (or alternatively cyanide amenable to chlorination) using EPA Method OIA-1677. The minimum level (ML) for cyanide is 2.0 $\mu g/l$. Analytical results for cyanide below the minimum level shall be reported as zero. Other NPDES approved test methods may be used if equivalent minimum levels can be demonstrated. A matrix-specific minimum level (ML) may be requested by the permittee but authorization for the use of an alternative minimum level for reporting purposes shall be implemented only through a permit major modification.

I. SPECIAL CONDITIONS

A.2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge process wastewater from blast furnace and sinter plant operations via Monitoring Point 101, an internal monitoring point to Outfall 001.

As specified below, such discharge shall be limited and monitored by the permittee at Monitoring Point 101, the exit from the Blast Furnace Sinter Plant HDS Treatment Facility near the weir.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MG/Day					Continuous	Measured/ Recorded	(1)
Ammonia, Total (N)	161	482	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)(2)
Oil & Grease	104	311	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)(3)
Suspended Solids, Total	1027	3087	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)
Lead, Total	4.8	14.5	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)
Zinc, Total	7.2	21.7	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)
Cyanide, Total	48.2	96.4	lbs/day		Report	Report	mg/l	2/Week	Grab	(1)(3) (6)
Cyanide	1.46	1.46	lbs/day		Report	Report	mg/l	2/Week	Grab	(1)(3) (5)(6)
GC/MS Acid Fraction Organics					Report	Report	mg/l	1/Quarter	Composite	(1)(4)
Phenols (4AAP)	1.6	3.2	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)(2)
pH				6.0		9.0		Continuous	Recorded	(1)(7)

I. SPECIAL CONDITIONS

A.2. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Total Residual Chlorine	Report	8.0	lbs/day		Report	Report	mg/l	2/Week	Grab	(1)(6) (8)

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) The permittee has requested a 301(g) variance for these pollutants. If EPA approves the variance request, the permit will be reopened to implement the alternative limits resulting from EPA's decision.

(3) The reported value shall be the arithmetic mean of three grab samples taken at least two hours apart and analyzed individually using EPA Method 1664.

(4) After two years of monitoring results, the Department may reduce or eliminate this monitoring requirement upon request by the permittee.

(5) Limits become effective no later than 2 years after the effective date of the permit. During the interim compliance period, the permittee shall submit progress reports every six months to report on the status of meeting the final limits. Cyanide shall be measured as available cyanide or cyanide amenable to chlorination.

(6) The permittee shall report the result from a combination of individual grab samples representative of a 24-hour period consistent with EPA test methodology requirements and holding times.

(7) Requirements effective within 90 days of the effective date of the permit. Continuous monitoring is required at Outfall 001 in the interim period. Excursions to this range are allowed as follows: 1) the total of all excursions in any calendar month shall not exceed 7 hours and 26 minutes; and 2) no excursion shall last for more than 60 minutes.

(8) Monitoring requirement and limitation for chlorine is applicable only when the permittee chlorinates ironmaking wastewater.

I. SPECIAL CONDITIONS

A.3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge noncontact cooling water and storm water runoff via Outfall 012.

As specified below, such discharge shall be limited and monitored by the permittee at or immediately prior to the flow measurement weir.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MG/Day					Continuous	Measured/ Recorded	(1)
Dissolved Oxygen						Report	mg/l	1/Month	Grab	(1)
Nitrogen, Total (as N)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)(2)
Oil & Grease	Report	Report	lbs/day		Report	15	mg/l	1/Week	Grab	(1)(8)
Orthophosphate (as P)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)
Phosphorus, Total		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)
Residual Chlorine, Total						<0.1	mg/l	1/Month	Grab	(1)
Suspended Solids, Total	Report	Report	lbs/day		30	60	mg/l	1/Month	Composite	(1)
Temperature					Report	Report	°F	Continuous	Recorded	(1)

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I. SPECIAL CONDITIONS

A.3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Zinc, Total	Report	Report	lbs/day		Report	Report	mg/l	1/Month	Composite	(1)(4)(5)
Zinc, Dissolved	Report	Report	lbs/day		Report	Report	mg/l	1/Month	Composite	(1)(4)(5)
pH				6.0		9.0		5 days /Week	Grab	(1)(6)

Excursions to this range are allowed as follows: 1) the total duration of all excursions in any calendar month shall not exceed 7 hours and 26 minutes; and 2) no excursion shall last for more than 60 minutes.

There shall be no discharge of floating solids or persistent foam in other than trace amounts. Persistent foam is foam that does not dissipate within one half-hour of point of discharge.

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

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SPECIAL CONDITIONS

A.3. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(2) Total Nitrogen is defined as the sum of total ammonia nitrogen, organic nitrogen, nitrite, and nitrate. The permittee shall also report the individual concentrations and mass loadings of each of these constituents on the discharge monitoring reports

(3) (reserved)

(4) Measured using EPA Method 200.8 (ICP-MS). Upon notification to the Department, the permittee may use other NPDES approved test methods if equivalent detection levels can be demonstrated or when lower detection levels are required to evaluate compliance with water quality standards.

(5) As an alternative to a 24-hour composite sample, the permittee may submit a methodology to the Department for approval to report the results from a combination of individual grab samples representative of a 24-hour period. If grab samples are collected in lieu of composites, the permittee shall consider use of appropriate methodologies in EPA Method 1669.

(6) After twelve consecutive months of compliance with these limits, the Department may reduce the monitoring frequency upon request by the permittee.

(7) (reserved)

(8) EPA Method 1664. Daily monitoring during periods when an oil spill is occurring or has occurred and could be present in drainage leading to Outfall 012.

I. SPECIAL CONDITIONS

A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge effluent from Humphreys Creek Wastewater Treatment Plant (HCWWTP), a central treatment plant treating process water from steel making, continuous casting, hot forming, acid pickling, cold forming, alkaline cleaning, hot coating, and electroplating operations, effluent from Monitoring Point 114, effluent from Monitoring Point 214, and storm water runoff via Outfall 014.

As specified below, such discharge shall be limited and monitored by the permittee at the effluent sump.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MG/Day					Continuous	Measured/ Recorded	(1)
Chlorine, Total Residual						<0.1	mg/l	2/Week	Grab	(1)(7)
Dissolved Oxygen				5.0			mg/l	Continuous	Recorded	(1)
Nitrogen, Total (as N)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)(2) (8)
Oil & Grease	1711	4060	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)(3) (14)
Orthophosphate as P	Report	Report	lbs/day		Report	Report	mg/l	1/Month	Composite	(1)(8)
Phosphorus, Total	Report	Report	lbs/day		Report	Report	mg/l	1/Week	Composite	(1)(8)
Suspended Solids, Total	5741	15052	lbs/day		Report	Report	mg/l	5 Days /Week	Composite	(1)(10) (13) (14)

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I. SPECIAL CONDITIONS

A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Copper, Total	Report	Report			.0061	.0061	mg/l	1/Week	Composite	(4)(11)(15)
Chromium, Total	Report	Report	lbs/day		Report	Report	mg/l	1/Week	Composite	(1)(7)
Chromium, Hexavalent	Report	Report	lbs/day		.050	1.1	mg/l	1/Week	Composite	(1)(4)(7)(11)
Lead, Total	12.8	36.4	lbs/day		Report	Report	mg/l	5 Days /Week	Composite	(1)(4)(7)(11)(13)
Lead, Dissolved	Report	Report	lbs/day		Report	Report	mg/l	1/Month	Composite	(1)
Nickel, Total	Report	Report	lbs/day		.020	.075	mg/l	1/Week	Composite	(1)(4)(7)(11)
Zinc, Total	28.0	73.3	lbs/day		.086	.095	mg/l	5 Days /Week	Composite	(1)(4)(7)(11)(13)
Cyanide, Amenable	Report	Report			.001	.001	mg/l	1/Week	Grab	(1)(4)(7)(9)(11)(12)
Cyanide, Total		Report	lbs/day			Report	mg/l	1/Quarter	Grab	(1)(12)

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I. SPECIAL CONDITIONS

A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
1,1,1-trichloroethane		1.8	lbs/day			Report	mg/l	1/Month	Grab	(1)(5)
Naphthalene		1.2	lbs/day			Report	mg/l	1/Quarter	Composite	(1)
Phenols (4AAP)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)(16)
Tetrachloro-ethylene		1.8	lbs/day			Report	mg/l	1/Month	Grab	(1)(5)
Cadmium, Total	Report	Report	lbs/day		.0093	.043	mg/l	1/Month	Composite	(1)(4)(7)(11)
pH				6.0		9.0		Continuous	Recorded	(1)(6)

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) Total Nitrogen is defined as the sum of total ammonia nitrogen, organic nitrogen, nitrite, and nitrate. The permittee shall also report the individual concentrations and mass loadings of each of these constituents on the discharge monitoring reports.

(3) EPA Method No. 1664. The reported value shall be the arithmetic mean of three grab samples taken at least two hours apart and analyzed individually.

(4) Total copper, lead, nickel, and cadmium shall be measured using EPA Method 200.8 (ICP-MS). Cyanide shall be measured as available cyanide (or alternatively cyanide amenable to chlorination) using EPA Method OIA-1677. The minimum level for cyanide is 2.0 µg/l. Analytical results for cyanide below the minimum level shall be reported as zero. Hexavalent chromium shall be measured using Method SM3500 Cr-D. Upon notification to the Department, the permittee may use other NPDES approved test methods if equivalent detection levels can be demonstrated or when lower detection levels are required to evaluate compliance with water quality standards. Matrix-specific minimum levels may be requested by the permittee, but authorization for the use of a minimum level for reporting purposes shall be implemented only through a permit major modification.

I. SPECIAL CONDITIONS

A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(5) After three months of monitoring results, the frequency shall be reduced to once per quarter. After one year of monitoring, the Department may reduce the measurement frequency upon request by the permittee.

(6) The pH shall not be less than 6.0 nor greater than 9.0 and shall be monitored and recorded continuously. Excursions to this range are allowed as follows: 1) the total duration of all excursions in any calendar month shall not exceed 7 hours and 26 minutes; and 2) no excursion shall last for more than 60 minutes.

(7) After one year of monitoring results, the Department may reduce the measurement frequency upon request by the permittee.

(8) For each of these parameters, the permittee shall report on the monthly discharge monitoring reports the gross effluent concentrations and loadings measured at Outfall 014 and the estimated net effluent loadings which take into account the concentrations present from the intake water from Back River WWTP.

(9) Limitations for cyanide become effective within 3 years after the effective date of the permit, or 12 months after the implementation of cyanide control requirements to be addressed in the renewal of the Back River POTW NPDES discharge permit, whichever occurs first.

(10) A credit for off-site stormwater of 2200 lbs/day may be applied to the daily maximum upon demonstration that a daily limit exceedance was associated with a discharge of stormwater, and an equivalent credit of 74 lbs/day may be applied to the monthly average for that reporting period. If the storm event is greater than a 1-year, 24-hour storm event, the daily maximum credit shall be 6600 lbs/day and the monthly average credit for that reporting period shall be a total of 220 lbs/day.

(11) Copper, nickel, zinc, cadmium, hexavalent chromium, and cyanide concentration limits are effective 36 months after the effective date of the permit. The limitations are based on existing state water quality standards using a wasteload allocation method that assumes no assimilative capacity in the receiving stream (except for the average nickel limitation) and also assumes 100% of the analyte is biologically available in a toxic form. Revision of these limits through a permit major modification will not violate anti-backsliding rules if based on changes in the water quality standard or a change in the assumptions used as the technical basis of the wasteload allocation. Interim concentration limitations apply effective immediately for total copper, 0.25 average and daily maximum; total nickel, 0.041 monthly average and 0.082 daily maximum; and for total zinc, 0.22 average and daily maximum. During the interim compliance period, the permittee shall submit progress reports every six months to report on the status of meeting the final limits.

(12) The permittee shall report the result from a combination of individual grab samples representative of a 24-hour period consistent with EPA test methodology requirements and holding times.

(13) Frequency of 5 days per 7-day week. One week per month shall include monitoring on Saturday and one week per month on Sunday.

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I. SPECIAL CONDITIONS

A.4. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(14) The permit shall be reopened to revise the technology-based limitations for oil and grease and for suspended solids upon a determination that new source performance standards apply to the continuous castor.

(15) This permit also establishes an annual loading goal for copper of less than 1233 lbs which was established based on data from the three previous years of Toxics Release Inventory (TRI) reporting. Failure to achieve the goal will not be a permit violation, but the permittee may then be required to initiate further pollution prevention efforts (see also Special Condition W).

(16) After four quarters of monitoring, the Department may reduce or eliminate this monitoring requirement upon request by the permittee.

I. SPECIAL CONDITIONS

A.5. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee shall discharge process wastewater from electroplating operations to the Humphreys Creek Wastewater Treatment Facility via Outfall 114, an internal outfall leading to Outfall 014.

As specified below, such discharge shall be limited and monitored by the permittee at Monitoring Point 114, the monitoring port of the treated effluent from the Chromium HDS Treatment Facility.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MG/Day					2/Week	Measured	(1)
Chromium, Hexavalent (Method SM3500 Cr-D)	Report	Report	lbs/day		Report	Report	mg/l	2/Week	Composite	(1)(2)(3)
Chromium, Total	Report	Report	lbs/day		1.71	2.77	mg/l	2/Week	Composite	(1)(3)

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) Upon notification to the Department, the permittee may use other NPDES approved test methods if equivalent detection levels can be demonstrated.

(3) After six months of monitoring results, the Department may reduce the measurement frequency upon request by the permittee.

I. SPECIAL CONDITIONS

A.6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee shall discharge process wastewater from the cadmium recovery groundwater treatment system to the Humphreys Creek Wastewater Treatment Facility via Monitoring Point 214, an internal monitoring point leading to Outfall 014.

As specified below, such discharge shall be limited and monitored by the permittee at Monitoring Point 214, the monitoring port of the treated effluent from the cadmium recovery system treatment facility.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	Gallons per day					1/Month	Measured	(1)(2)
Cadmium, Total	Report	Report			.26	.69	mg/l	1/Month	Composite	(1) (3)
Zinc, Total	Report	Report			1.48	2.61	mg/l	1/Month	Composite	(1)(3)
pH				10.5				Continuous	Recorded	(1)(4)

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) Effluent authorization based on monthly average design flow of 15 gpm (21,600 gallons per day). The permittee shall notify the Department's Industrial Discharge Permits Division if an increase in the design flow is necessary to support remedial measures being implemented as the result of other Department requirements.

(3) After six months of monitoring results, the Department may reduce the measurement frequency upon request by the permittee.

(4) This limitation and monitoring is in lieu of cadmium and zinc monitoring requirements depending on the outcome of the final treatment system design, and approval by the Department is required prior to implementation.

I. SPECIAL CONDITIONS

A.7. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge noncontact cooling water from various hot or cold forming operations, contact water from Baltimore County fire station and police station, treated contact water from plant garages, and storm water runoff via Outfall 017.

As specified below, such discharge shall be limited and monitored by the permittee at the weir.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MG/Day					1/Month	Estimated	(1)
Dissolved Oxygen						Report	mg/l	1/Month	Grab	(1)
Nitrogen, Total (as N)		Report	lbs/day			Report	mg/l	1/Year	Composite	(1)(2)
Oil & Grease	Report	Report	lbs/day			15	mg/l	1/Month	Grab	(1)(6)
Orthophosphate (as P)		Report	lbs/day			Report	mg/l	1/Year	Composite	(1)(2)
Phosphorus, Total		Report	lbs/day			Report	mg/l	1/Year	Composite	(1)(2)
Residual Chlorine, Total						<0.1	mg/l	1/Month	Grab	(1)
Suspended Solids, Total	Report	Report	lbs/day		30	60	mg/l	1/Month	Grab	(1)

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I. SPECIAL CONDITIONS

A.7. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Temperature						Report	°F	1/Month	i-s	(1)
Zinc, Total	Report	Report	lbs/day		Report	Report	mg/l	1/Month	Composite	(1)(3)(5)
Zinc, Dissolved	Report	Report	lbs/day		Report	Report	mg/l	1/Month	Composite	(1)(5)
pH				6.0		9.0		1/Month	Grab	

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) Total Nitrogen is defined as the sum of total ammonia nitrogen, organic nitrogen, nitrite, and nitrate. The permittee shall also report the individual concentrations and mass loadings of each of these constituents on the monthly discharge monitoring reports.

(3) Measured using EPA Method 200.8 (ICP-MS). Upon notification to the Department, the permittee may use other NPDES approved test methods if equivalent detection levels can be demonstrated or when lower detection levels are required to evaluate compliance with water quality standards.

(4) (reserved)

(5) As an alternative to a 24-hour composite sample, the permittee may submit a methodology to the Department for approval to report the results from a combination of individual grab samples representative of a 24-hour period. If grab samples are collected in lieu of composites, the permittee shall consider use of appropriate methodologies in EPA Method 1669. After six months of monitoring results, the Department may reduce the measurement frequency upon request by the permittee.

(6) EPA Method 1664. Daily during periods when an oil spill is occurring or has occurred and could be present in drainage leading to Outfall 017.

I. SPECIAL CONDITIONS

A.8. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge noncontact cooling water, effluent from Monitoring Point 121, and storm water runoff via Outfall 021.

As specified below, such discharge shall be limited and monitored by the permittee at the exit from the retention basin.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	MG/day	7,000			gpm	Continuous	Recorded	(1)
Nitrogen, Total (as N)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)(2)
Oil & Grease	Report	Report	lbs/day		5	10	mg/l	1/Month	Composite	(1)(3)(4)
Orthophosphate (as P)		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)
Phosphorus, Total		Report	lbs/day			Report	mg/l	1/Quarter	Composite	(1)
Benzene		Report	lbs/day			.050	mg/l	1/Month	Composite	(1)(3)(4)(5)
Naphthalene		Report	lbs/day			.050	mg/l	1/Month	Composite	(1)(3)(4)
Phenols (4AAP)		Report	lbs/day			Report	mg/l	1/Month	Composite	(1)
pH				6.0		9.0		1/Month	Grab	(1)

Continued on next page

SPECIAL CONDITIONS

A.8. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - continued

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) Total Nitrogen is defined as the sum of total ammonia nitrogen, organic nitrogen, nitrite, and nitrate. The permittee shall also report the individual concentrations and mass loadings of each of these constituents on the discharge monitoring reports.

(3) Daily during periods when an oil spill is occurring or has occurred and could be present in drainage leading to Outfall 021.

(4) The reported value shall be the arithmetic mean of three grab samples taken at least two hours apart and analyzed individually using EPA Method 1664.

(5) EPA Method 602: the permittee shall also report on the monthly discharge monitoring reports the concentrations and mass loadings of any parameters which can be detected using EPA Method 602.

I. SPECIAL CONDITIONS

A.9. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee shall discharge wastewater generated from the dismantling of coke oven batteries and the associated coal chemical plants via Monitoring Point 121, an internal monitoring point leading to Outfall 021.

As specified below, such discharge shall be limited and monitored by the permittee at Monitoring Point 121, the exit from the coke oven wastewater treatment plant.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	NOTES
	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS	MINIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	UNITS			
Flow	Report	Report	mgd			300	gpm	1/Discharge	Measured/ Recorded	(1)
Ammonia, Total (as N)			lbs/day		Report	130	mg/l	1/Discharge	Composite	(1)
Oil & Grease			lbs/day		Report	50	mg/l	1/Discharge	Composite	(1)(2)
Suspended Solids, Total			lbs/day		Report	190	mg/l	1/Discharge	Composite	(1)
Cyanide, Total			lbs/day		Report	5.0	mg/l	1/Discharge	Grab	(1)
Benzene		0.69	lbs/day			Report	mg/l	1/Discharge	Grab	(1)
Benzo(a)pyrene		0.69	lbs/day			Report	mg/l	1/Discharge	Composite	(1)
Naphthalene		0.69	lbs/day			Report	mg/l	1/Discharge	Composite	(1)
Phenols (4AAP)			lbs/day		Report	0.2	mg/l	1/Discharge	Composite	(1)

(1) Monitoring required for limited parameters and for parameters where "Report" is specified.

(2) The reported value shall be the arithmetic mean of three grab samples taken at least two hours apart and analyzed individually using EPA Method 1664.

I. SPECIAL CONDITIONS

B. DEFINITIONS

1. The "monthly, quarterly, semi-annual, or annual average" effluent concentration means the value calculated by computing the arithmetic mean of all the daily determinations of concentration made during any calendar-month, 3-month, 6-month, or 12-month period respectively.

2. The "daily maximum" effluent concentration means the highest reading of any daily determination of concentration.

3. "Daily determination of concentration" means one analysis performed on any given sample representing flow during a calendar day, with one number in mg/l or other appropriate units as an outcome.

4. The "monthly, quarterly, semi-annual, or annual average" effluent limitation by mass loading means the highest allowable value calculated by computing the arithmetic mean of all the daily determinations of discharge of a constituent by mass loading made during any calendar month, 3-month, 6-month, or 12-month period, respectively.

5. The "daily maximum" effluent limitation by mass loading means the highest allowable daily determination of discharge of a constituent by mass loading during a 24-hour period.

6. "Daily determination of discharge of constituents by mass loading" means a value which is calculated by multiplying the daily determination of concentration times flow in millions of gallons per day times 8.34. This results in a mass loading expressed in pounds per day.

7. "Grab sample" means an individual sample collected in less than 15 minutes. Grab samples collected for pH and total residual chlorine shall be analyzed within 15 minutes of time of sample collection.

8. "Composite sample" means a combination of individual samples obtained at least at hourly intervals over a 24-hour time period unless otherwise specified. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is proportional to the flow rates over the time period used to produce the composite.

9. "i-s" = immersion stabilization - means a calibrated device immersed in the effluent stream until the reading is stabilized.

10. The "daily maximum" temperature means the highest temperature observed during a 24-hour period or, if flows are of shorter duration during the operating day.

11. The "minimum" value means the lowest value measured during a 24-hour period.

12. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.

13. "Upset" means the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the

permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

14. "Estimated" flow means a calculated volume or discharge rate which is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters, and batch discharge volumes.

15. "Measured" flow means any method of liquid volume measurement the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

16. "Recorded" flow, pH, temperature, etc., means any method of providing a permanent, continuous record including, but not limited to, circular and strip charts.

17. "Process Wastewater" means wastewater generated during manufacturing or processing which comes into direct contact with or results from the production of or use of any raw material, intermediate product, finished product, byproduct, or waste material, includes, but not limited to, all wastestreams subject to Iron and Steel Effluent Limitation Guidelines.

C. TOXIC POLLUTANT REPORTING

The permittee shall notify the Department as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at levels specified in 40 CFR Part 122.42(a).

D. REMOVED SUBSTANCES

1. Within 30 days after notification by the Department, the permittee shall provide information on the disposal of any removed substances, as defined by General Condition B.7, including the following information:

   a. Locate, on a suitable map, all areas used for the disposal of any removed substances as defined by General Condition B.7;

   b. The physical, chemical, and biological characteristics, (as appropriate), and quantities of any removed substances handled, and the method of disposal;

   c. If disposal is handled by other than the permittee, identify the contractor or subcontractor, their mailing address, and the information specified in a and b above.

2. Prior to the use of new or additional disposal areas, contractors, or subcontractors, the permittee shall notify the Department in writing.

E. WASTEWATER OPERATOR CERTIFICATION

As of the effective date of this permit, the permittee's facility shall be operated by an industrial wastewater operator duly certified by the Maryland Board of Waterworks and Waste Systems Operators. Certification shall be for operation of a Class 6 industrial wastewater works, unless the Board determines that a different classification is appropriate. The treatment

facilities shall not be operated without a certified operator for more than a cumulative total of two months over the life of the permit.

F. ANALYTICAL LABORATORY

Within 30 days after the effective date of this permit, the permittee shall submit to the Department the name and address of the analytical laboratory (including the permittee's own laboratory) which is used to perform the monitoring required by this permit.

If the laboratory changes during the effective period of this permit, the permittee shall notify the Department of the new laboratory within 30 days after the change.

G. REPORTING LEVELS AND ANALYTICAL METHODS

For any parameters with a minimum level specified in this permit, if a new analytical method is adopted as part of 40 CFR 136 that has a lower minimum level, that new minimum level shall supercede the minimum level specified in the permit, unless the minimum level in the permit is the result of a wastewater matrix-specific interlaboratory study. In that case the permittee must submit a permit application to revise the minimum level study based on the new testing methodology.

H. WASTEWATER COLLECTION SYSTEM

Discharges from the sanitary sewer collection system are not authorized. Should a discharge occur, the permittee shall report it in accordance with the Notification Requirements set forth in the General Conditions B.2. However, the written reports on the overflows shall be submitted monthly unless the Department specifically requests the report to be submitted within five days after the permittee becomes aware of the overflow.

I. WATER QUALITY IMPACT ASSESSMENT FOR OUTFALL 001 THERMAL DISCHARGES

Within 24 months after the effective date of this permit, the permittee shall submit to the Department, as a permit modification application, the results of a re-evaluation of the thermal effects of this discharge on the receiving stream to determine if the effluent temperature will comply with COMAR 26.08.03.03D. This re-evaluation must consist of the development and calibration of a thermal discharge and receiving water model of the permittee's discharge. This model must evaluate the effects of the permittee's discharge at full capacity and critical conditions of the receiving waters. This permit shall be reopened upon completion of the study in order to implement new temperature limitations or to revise the temperature monitoring requirements.

J. OLD ROAD BAY COOLING WATER INTAKE STRUCTURES

1. The permittee shall use and maintain the barrier net installed at the intake cooling water canal at all times. Changes to the use and/or construction of the barrier net shall not be made except where prior authorization has been provided by the Department.

2. Within 24 hours of any impingement on any Old Road Bay water intake apparatus (traveling screens, bar screens, barrier net, etc.) substantial enough to cause modification to plant operations, the permittee shall submit written notification to the Department. Within

30 days of each occurrence, the permittee shall submit a written report to the Department. Reports shall identify the cause of the problem, plant reaction, and precautions to be taken to avoid similar impingements in the future. Modification to plant operations due to impingement of leaves or ice need not be reported.

K. REAPPLICATION FOR A PERMIT

Unless the Department grants permission for a later date, the permittee shall submit a renewal application by no later than 18 months prior to expiration. In the event that a timely and sufficient reapplication has been submitted and the Department is unable, through no fault of the permittee, to issue a new permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

L. RETENTION BASINS AT OUTFALLS 012, 013, 014, 017, AND 021

The monitoring locations for outfalls 012, 013, 014, 017, and 021, referenced in this permit are located at the ends of retention basins in which waste treatment takes place through oil skimming and other processes. Daily maximum effluent limitations for oil & grease and other parameters, discharge restrictions, pollution prevention requirements, and monitoring requirements in connection therewith, are imposed and are fully enforceable at these monitoring points. The locations of these monitoring points have been selected such that they are not locations of waters of the United States as defined under the Clean Water Act.

M. FLOW BASIS FOR ANNUAL DISCHARGE PERMIT FEE

The Department will calculate permit fees annually and will invoice the permittee based upon average discharge flow. Permit fees are payable in advance to the Department by July 1 of each fiscal year (July 1 through June 30).

The permittee shall provide to the Department's Industrial Discharge Permits Division by May 1 of each year an updated average discharge flow value for the next billing period if the flow volume used to calculate the most recent annual permit fee (or, if the permit was renewed within the past year, the flow volume used to calculate the application fee) differs significantly from either of the following flow determinations:

a. average flow data from the current fiscal year as reported on the permittee's discharge monitoring reports, or

b. the estimated flow volume for the next billing period based upon recent changes at the facility.

The permittee shall include with their flow revision notification a summary of flow data reported on discharge monitoring reports for the previous year and any other supporting documentation to be used as the basis for the flow determination.

N. COLD ROLLING MILL PRODUCTION

After 12 months of production operation of the new Cold Rolling Mill, the permittee shall submit to the Department a final measure of reasonable measure

of production with appropriate documentation. If this measure is significantly lower than the estimate used to derive the permit limits, the permit limits shall be adjusted downward without requiring a major modification of the permit upon concurrence of the permittee. Otherwise, the permit will be re-opened as a major permit modification.

O. ORGANICS MONITORING AT OUTFALL 014

The permittee shall collect grab samples from Outfall 014 once per quarter for one year. Samples shall be analyzed using EPA Methods 601 and 602. The results shall be submitted in a report within one year of the effective date of the permit to the Industrial Discharge Permits Division.

P. OTHER REQUIREMENTS

1. There shall be no discharge of polychlorinated biphenyl compounds (PCBs). The permittee shall not discharge wastewater containing PCBs from any transformer sump to waters of the State.

2. The permittee is prohibited from discharging oil tank bottom wastes to waters of the State without prior approval from the Department.

3. Within 90 days after the permit effective date, the permittee shall submit to the Department for approval a pollution prevention plan and schedule to reduce or eliminate the discharge via Outfall 001 of loop seal water from seal numbers 24 and 26A. The permittee is prohibited from discharging gas main condensate and loop seal contact water from all outfalls except Outfall 001.

4. The permittee is prohibited from discharging process wastewater from any outfall except as authorized under Special Conditions A.1 through A.9. For the purpose of this special condition, storm water associated with industrial activity is not considered process wastewater.

5. The permittee is prohibited from discharging water treated with copper sulfate from High Head Reservoir.

6. The permittee is prohibited from discharging chromate solutions and/or rinse water from any processing step subsequent to the chromate step associated with the hot coating lines.

7. The permittee is prohibited from discharging chromium-bearing process solutions or rinse waters to Tin Mill Canal except via Outfall 114. Leaks and spills of such wastes at locations that drain to any other outfall shall be reported and addressed under the bypass conditions of this permit.

8. The permittee is prohibited from discharging solvents and other emulsifying agents, detergents and other cleaners at plant garages #1 and #3 (due to their potential to interfere with gravity oil-water separation used at these facilities for wastewater treatment) except where an approved plan has been submitted to the Department for the use of short-term emulsifying agents.

9. The permittee is prohibited from discharging leachate from any outfall.

10. The permittee is prohibited from discharging any wastestream from any outfall which is not explicitly identified in this permit or, for storm

water sources only, any storm water outfall not identified under the requirements for a storm water pollution prevention plan in Special Condition Y.

11. The permittee is prohibited from discharging any of the following wastestreams except where specifically authorized under Special Conditions A.1 through A.9: water originating from vehicle and equipment washing, steam cleaning wastewater, wastewater from wet scrubbers, boiler blow down, contact cooling water, and discharges originating from the cleaning out of oil/water separators or sumps.

12. The permittee shall include in the storm water pollution prevention plan (required under Special Condition Y) provisions to prevent the discharge of the following wastestreams except via Outfalls 101, 114, and 014: waste discharges to floor drains or sinks connected to the storm sewer or storm drainage system; washwater from cleaning plant floor areas or material receiving areas, and <u>discharges from bermed areas with a visible oil sheen or other visible signs of contamination.</u>

13. The permittee is authorized to discharge steam condensate, air conditioner condensate, drinking fountain water, limited quantities of noncontact cooling water (less than 10 gallons per minute) and freeze protection water via Outfall 016 and Outfall 032. The permittee shall ensure that discharges of freeze protection water and noncontact cooling water from chlorinated water supply systems are in compliance with COMAR 26.08.03.06 (chlorine regulation).

14. In addition to the storm water discharges authorized in Special Conditions A.1 - A.9, the permittee is authorized to discharge storm water via outfalls 013, 015, 016, 018, 019, 032, 033, 034, 054, 055, 056, 059, 065, 068, 069, 070 and 071 until the implementation date of the pollution prevention plan required under Special Condition Y, at which time storm water discharges are authorized according to the specifications of the pollution prevention plan, including any additional stormwater outfalls not specifically designated at the time of issuance of this permit.

15. The permittee may be authorized to discharge wastewater from the hydrostatic testing of petroleum storage tanks and piping upon prior approval from the Department.

16. The permittee shall submit to the Department a schedule for the remaining intermittent discharge from outfall 121. This schedule shall be submitted within 90 days of the effective date of the permit.

17. The permittee shall submit to the Department within 12 months after the permit effective date the results of a study to determine the feasibility and schedule for upgrading to titanium the remaining heat exchange surface and oil coolers which are part of the Outfall 001 cooling water system.

Q. <u>AMMONIA</u>

Within 12 months after final promulgation of Maryland water quality standards for ammonia, the permittee shall submit to the Department the results of a study to demonstrate whether the discharge at Outfall 001 achieves compliance with those standards. The study results shall be submitted in the form of a

permit modification application, which will open the public participation process.

R. BIOMONITORING PROGRAM

1. Within three months of the effective date of the permit, the permittee shall submit to the Department for approval a study plan to evaluate wastewater toxicity at outfalls 001, 012, 014 and 017 using biomonitoring. The study plan should include a discussion of:

   a. wastewater and production variability
   b. sampling methods
   c. source of test organisms
   d. source of dilution water
   e. testing procedures
   f. data analysis
   g. quality control
   h. testing schedule

2. The testing program for Outfall 001 and Outfall 014 shall consist of definitive quarterly chronic testing. Following the end of the compliance schedule for the water quality based permit limitations, the Department may reduce the monitoring frequency upon request by the permittee when four consecutive quarterly tests have been successfully completed.

   a. Each quarterly testing shall include the *Ceriodaphnia* survival and reproduction test and the fathead minnow larval survival and growth test.

   b. If the receiving water is estuarine, the permittee shall substitute estuarine species for those species specified above. Approved estuarine species for chronic testing are sheepshead minnow, inland silversides, and mysid shrimp. In all cases, testing must include one vertebrate species and one invertebrate species.

3. The testing program for Outfalls 012 and 017 shall consist of two definitive acute testing events, three months apart. This testing shall be initiated no later than three months following the Department's acceptance of the study plan or according to an approved schedule in the study plan.

   a. Each of the two testing events shall include a 48-hour static renewal test using fathead minnow and a 48-hour static renewal test using a daphnid species.

   b. If the receiving water is estuarine, the permittee may substitute estuarine species for those species specified above. Approved estuarine species for acute testing are sheepshead minnows, silversides, grass shrimp, and mysid shrimp. In all cases, testing must include one vertebrate species and one invertebrate species.

4. The samples used for biomonitoring shall be collected at the same time and location as the samples analyzed for the effluent limitations and monitoring requirements for this outfall. For chlorinated effluents, samples shall be collected after dechlorination.

5. The following EPA documents discuss the appropriate methods:

   a. Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, May, 1988, EPA/600/4-87/028.

   b. Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, March 1989, EPA/600/4-89/001.

   Acute testing shall be conducted in accordance with the procedures described in Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, August 1993, EPA/600/4-90/027F.

6. Acute test results shall be submitted to the Department within one month of completion of each set of tests. Chronic test results shall be submitted to the Department within one month of completion of each set of tests.

7. Test results shall be reported in accordance with MDE/WMA "Reporting Requirements for Effluent Biomonitoring Data".

8. As a minimum, the reported chronic results shall be expressed as NOEC, LOEC, ChV, and IC_{25}.

9. If significant mortality occurs during chronic tests, 48-hour LC50s shall be calculated and reported along with the chronic results.

10. If testing is not performed in accordance with MDE-approved study plan, additional testing may be required by the Department.

11. If the test results indicate that the effluent is toxic, additional biomonitoring or a toxicity reduction evaluation will be required by the Department.

12. If plant processes or operations change so that there is a significant change in the nature of the wastewater, the Department may require the permittee to conduct a new set of tests.

13. Submit all biomonitoring related materials to:

    Maryland Department of the Environment
    Water Management Administration
    Inspection and Compliance Program
    2500 Broening Highway
    Baltimore, Maryland 21224

S. TOXICITY REDUCTION EVALUATION

The permittee shall conduct a Toxicity Reduction Evaluation (TRE) when a review of toxicity test data by the Department indicates unacceptable acute or chronic effluent toxicity. A TRE is an investigation conducted to identify the causative agents of effluent toxicity, isolate the source(s), determine the effectiveness of control options, implement the necessary control measures and then confirm the reduction in toxicity.

1. Within 90 days following notification by the Department that a TRE is required, the permittee shall submit a plan of study and schedule for conducting a TRE. The permittee shall conduct the TRE study consistent with the submitted plan and schedule.

2. This plan should follow the framework presented in Generalized Methods for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070).

3. Beginning 60 days following the date of the Department's acceptance of the TRE study plan and every 60 days thereafter, the permittee shall submit progress reports including all relevant test data to the Department. This shall continue until completion of the toxicity reduction confirmation.

4. Within 60 days following completion of the toxicity identification, or the source identification phase of the TRE, the permittee shall submit to the Department a plan and schedule for implementing those measures necessary to eliminate acute toxicity and/or reduce chronic toxicity to acceptable levels. The implementation of these measures shall begin immediately upon submission of this plan.

5. Within 60 days after completing implementation of the control measures to eliminate or reduce toxicity, the permittee shall submit to the Department for approval a study plan to confirm the elimination or reduction of toxicity by using biomonitoring.

6. If, for any reason, the implemented measures do not result in compliance with the Department's toxicity limitations, the permittee shall continue the TRE.

T. (Reserved)

U. <u>METALS AND CYANIDE STUDY</u>

1. Within six months after the effective date of the permit, the permittee shall submit to the Department for comment (and a copy to EPA Region III) a study plan and schedule for evaluating compliance with state water quality standards for dissolved nickel at outfall 001; dissolved copper, dissolved lead, and cyanide at Outfall 012; dissolved copper at Outfall 013; and dissolved copper, dissolved lead, and dissolved nickel at Outfall 017. The plan shall include but not be limited to consideration of background levels in the receiving stream, appropriate sampling methodology including clean sampling methods, monitoring frequency, and length of study period.

2. The study plan submission shall also include the results of metals scans using EPA Method 200.8 (ICP-MS) and for cyanide using EPA Method OIA-1677 (or comparable test methods) for two sampling events at outfalls 001, 012, 014, and 017.

3. Department comments on the required study plan will be provided to the permittee within 60 days after the permittee's submission of the plan, and the permittee shall finalize the plan within 60 days of receiving comments. The study results shall be submitted in the form of a permit modification application within 30 months after the effective date of the permit.

4. The nickel monthly average limitations at Outfall 014 have been adjusted based on a mixing zone. Within 30 months after the effective date of this permit, the permittee shall submit to the Department, in the form of a major permit modification application, dilution calculations and appropriate demonstration, using dye studies or models, that the resulting mixing zone is consistent with the chronic mixing zone requirements under COMAR 26.08.02.05D.

5. Upon sufficient demonstration that the source of cyanide discharging via Outfall 014 is from the intake water from the BRWWTP, and that no reasonable potential for violation of the water quality standard for cyanide exists from Bethlehem Steel's industrial operations leading to these outfalls, monitoring without limits will then apply to cyanide (amenable) at Outfall 014 in lieu of cyanide (amenable) requirements at Special Condition A.4. The Department's determination of "sufficient demonstration" will not be complete until the public participation process for Back River's NPDES permit no. MD0021555 has been re-opened to address cyanide.

V. NUTRIENT POLLUTION PREVENTION PROGRAM

1. Within six months of the effective date of the permit, the permittee shall submit a plan to the Department (and a copy to the U.S.E.P.A. Chesapeake Bay Program Office) to evaluate methods to reduce nutrient discharges. Such a plan shall include, but not be limited to,

   a. Substitution, reuse, recycle of industrial water which contains zinc phosphate;

   b. Substitution of zinc phosphate with an alternative corrosion control program for industrial water; and

   c. Substitution, reuse, recycle of sodium nitrite solutions.

2. The permittee shall submit an annual report by each anniversary date of the permit that provides information about its usage of phosphorus and nitrogen process chemicals and efforts to reduce through pollution prevention minimization.

3. Within six months of the effective date of the permit, the permittee shall submit a plan for reducing total nitrogen loads from Monitoring Point 101.

W. POLLUTION PREVENTION and WASTE MINIMIZATION ACTIVITIES

1. The "Chesapeake 2000 Bay Agreement" includes the following goal:

   "Through continual improvement of pollution prevention measures and other voluntary means, strive for zero release of chemical contaminants from point sources, ... Particular emphasis shall be placed on achieving, by 2010, elimination of mixing zones for persistent or bioaccumulative toxics."

2. Consistent with this goal, no later than 30 months after the effective date of this permit, the permittee shall submit a plan to implement pollution prevention measures to reach the goal for elimination of the nickel mixing zone at Outfall 014 by 2010.

3. The permittee shall also annually submit to the Department a summary of the progress in waste minimization efforts required of Bethlehem Steel Corporation under the 1997 U.S.E.P.A and MDE Consent Decree that will result in reduction of metals releases, a summary of the annual average (lbs/day) loading releases of metals including copper for each of the preceding three years, and any plans for additional pollution prevention activities that may provide a reduction in the release of chemical contaminants. The permittee shall include with the submission a summary of the progress toward the Consent Decree goal of a 50% reduction in toxics releases.

X. PERMIT REOPENER FOR WATER QUALITY-BASED EFFLUENT LIMITS

This permit may be modified, or alternatively, revoked and reissued, to implement revised or additional water quality based limitations for reasons including, but not limited to, the following:

a. monitoring data;
b. revised mixing zone analysis;
c. revised minimum levels;
d. revised Maryland water quality standards; or
d. implementation of a total maximum daily load (TMDL).

Y. POLLUTION PREVENTION PLAN FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

1. Definitions

Best Management Practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharges. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Section 313 water priority chemical means a chemical or chemical categories that are: 1) are listed at 40 CFR 372.65 pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986); 2) are present at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and 3) that meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR Part 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to Section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria.

Significant materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

Significant spills includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).

Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

2. Storm Water Pollution Prevention Plans - General

The permittee shall develop a storm water pollution prevention plan for each area of the facility with point source discharges of storm water associated with industrial activity except for areas occupied by tenants. The storm water pollution prevention plan shall be prepared in accordance with sound engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.

a. In developing this plan, the permittee shall use as a reference "Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices" or, when it is available, an EPA-published summary document on the same subject. These documents can be obtained from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161 (phone: 703-487-4600).

b. The plan shall be signed in accordance with General Condition C.18 and be retained on site in accordance with General Condition C.1 of this permit. The permittee shall comply with the terms of the plan within 18 months after the effective date of the permit. Schedules for corrective action necessary to achieve conformance with the plan may be authorized for periods beyond the plan implementation date. The permittee shall make plans available upon request to the Department, and in the case of a storm water discharge associated with industrial activity which discharges to a municipal separate storm sewer system, to the municipal operator of the system.

c. The plan, and any subsequent amendments to the plan, shall be submitted to the Department for review. The Department may notify the permittee, at any time, that the plan does not meet one or more of the minimum requirements of this Part. After such notification from the Department, the permittee shall make changes to the plan to meet the objections of the Department and shall submit to the Department a written certification that the requested changes have

been made. Unless otherwise provided by the Department, the permittee shall have 90 days after such notification to make the necessary changes.

d. The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance which has a significant effect on the potential for the discharge of pollutants to the waters of the State or whenever an inspection, comprehensive site evaluation, monitoring data, or other information indicates that the storm water pollution prevention plan is ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Amendments to the plan may be reviewed by the Department in the same manner as 2.c above.

3. Storm Water Pollution Prevention Plan - Contents

The plan shall include, at a minimum, the following items:

a. Description of Potential Pollutant Sources

The plan shall provide a description of potential sources which may be reasonably expected to add significant amounts of pollutants to storm water discharges. The plan shall identify all activities and significant materials which may potentially be significant pollutant sources. The plan shall include:

i. A site map indicating an outline of the drainage area of each storm water outfall; each existing structural control measure to reduce pollutants in storm water runoff; and surface water bodies, including drainage ditches and wetlands. The location of the following activities where such activities are exposed to precipitation shall also be included: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes such as spent solvents or baths, sand, slag or dross, liquid storage tanks or drums, processing areas including pollution control equipment such as baghouses, and storage areas of raw materials such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. This list shall also include a description of areas of the facility where settling or deposition of particulate matter from processing operations such as furnace or oven emissions is likely.

ii. A topographic map (or other map, if a topographic map is unavailable), extending one-quarter of a mile beyond the property boundaries of the facility. The requirements of this condition may be included in the site map required under 3.a.i. above, if appropriate.

iii. A narrative description of significant materials that have been treated, stored, or disposed in a manner which allowed exposure to storm water, including but not limited to leaks or spills, at anytime from three years prior to the effective date of this permit and until the time the present method of on-site storage or disposal was initiated; materials management practices employed to minimize contact of these

materials with storm water runoff; materials loading and access areas; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

iv. For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an estimate of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity; and

v. A summary of all existing sampling data describing pollutants in storm water discharges.

vi. Identification of all tenants and the areas of the facility for which tenants have responsibility for storm water.

b. Storm Water Management Controls

The permittee shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

i. Preventive Maintenance. A preventive maintenance program that involves timely inspection and maintenance of storm water management devices (cleaning oil/water separators, catch basins) as well as inspecting and testing plant equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

ii. Good Housekeeping. Good housekeeping requires the maintenance of areas that may contribute pollutants to storm water discharges in a clean, orderly manner. The pollution prevention plan should consider implementation of the following measures where applicable.

(a) Establish a cleaning or maintenance program for all impervious areas of the facility where particulate matter, dust, or debris may accumulate, particularly areas of material loading/unloading, material storage and handling, and processing.

(b) Pave areas of vehicle traffic or material storage where vegetative or other stabilization methods are not practical. Institute sweeping programs in these areas as well.

(c) For unstabilized areas of the facility where sweeping is not practical, storm water management devices such as sediment traps, vegetative buffer strips, filter

fabric fence, sediment filtering boom, gravel outlet protection, or other equivalent measures, that effectively trap or remove sediment should be considered.

iii. Source Controls. The permittee shall consider preventive measures to minimize the potential exposure of all significant materials to precipitation and storm water runoff. The permittee should consider in a narrative description the implementation of the following measures to reduce the exposure of all materials to storm water:

(a) Relocating all materials, including raw materials, intermediate products, material handling equipment, obsolete equipment, and wastes currently stored outside to inside locations.

(b) Establishment of a schedule for removal of wastes and obsolete equipment to minimize the volume of these materials stored onsite that may be exposed to storm water.

(c) Substitution of less hazardous materials, or materials less likely to contaminate storm water, or substitution of recyclable materials for nonrecyclables wherever possible.

(d) Constructing permanent or semipermanent covers, or other similar forms of protection over stockpiled materials, material handling and processing equipment. Options include roofs, tarps, and covers. This may also include the use of containment bins or covered dumpsters for raw materials, waste materials and nonrecyclable waste materials.

(e) Dikes, berms, curbs, trenches, or other equivalent measures to divert run-on from material storage, processing, or waste disposal areas.

iv. Spill Prevention and Response Procedures. Areas where potential spills that can contribute pollutants to storm water discharges may occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

v. Sediment and Erosion Control. The plan shall identify areas that, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion. The plan shall also contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those

that control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.

vi. Management of Runoff. Facilities shall consider implementation of the following storm water management practices to address pollutants of concern:

(a) Vegetative buffer strips, filter fabric fence, sediment filtering boom, or other equivalent measures, that effectively trap or remove sediment prior to discharge through an inlet or catch basin.

(b) Media filtration such as catch basin filters and sand filters.

(c) Oil/water separators or the equivalent.

(d) Structural BMPs such as settling basins, sediment traps, retention or detention ponds, recycling ponds or other equivalent measures.

vii. Visual Inspections. Qualified plant personnel shall be identified to inspect designated equipment and plant areas. A tracking or follow-up procedure shall be used to ensure that appropriate response has been taken in response to the inspection. Records of inspections shall be maintained at the facility, for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department. Inspections shall address, at a minimum, the following areas where applicable:

(a) Air pollution control equipment such as baghouses, electrostatic precipitators, scrubbers, and cyclones, should be inspected on a routine basis for any signs of disrepair such as leaks, corrosion, or improper operation that could limit their efficiency and lead to excessive emissions. The permittee should consider monitoring air flow at inlets and outlets, or equivalent measures, to check for leaks or blockage in ducts. Visual inspections shall be made for corrosion, leaks, or signs of particulate deposition or visible emissions that could indicate leaks.

(b) All process or material handling equipment such as conveyors, cranes, and vehicles should be inspected for leaks, drips, etc. or for the potential losses of materials.

(c) Material storage areas such as piles, bins or hoppers for storing coke, coal, scrap, or slag, as well as chemicals stored in tanks or drums, should be examined for signs of material losses due to wind or storm water runoff.

(d) The permittee shall conduct inspections at specific intervals identified in the plan for leaks or conditions that could lead to discharges of Section 313 water priority chemicals or direct contact of storm water with raw materials, intermediate materials, waste materials or products. In particular, facility piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage areas shall be examined for any conditions or failures that could cause a discharge. Inspection shall include examination for leaks, wind blowing, corrosion, support or foundation failure, or other forms of deterioration or noncontainment. Inspection intervals shall be specified in the plan and shall be based on design and operational experience. Different areas may require different inspection intervals. Where a leak or other condition is discovered that may result in significant releases of Section 313 water priority chemicals to waters of the United States, action to stop the leak or otherwise prevent the significant release of Section 313 water priority chemicals to waters of the United States shall be immediately taken or the unit or process shut down until such action can be taken. When a leak or noncontainment of a Section 313 water priority chemical has occurred, contaminated soil, debris, or other material must be promptly removed and disposed in accordance with Federal, State, and local requirements and as described in the plan.

viii. Recordkeeping and Internal Reporting Procedures. Incidents, such as spills or other discharges, along with other information describing the quality and quantity of storm water discharges shall be included in the records. Inspections and maintenance activities shall be documented and recorded.

c. Comprehensive Site Compliance Evaluation

A site inspection shall be conducted annually by appropriate responsible personnel to verify that the description of potential pollutant sources required under 3.a. is accurate, the drainage map has been updated to reflect current conditions, and the controls to reduce pollutants identified in the storm water pollution prevention plan are being implemented and are adequate. Where significant settling or deposition from process emissions are observed during proper operation of existing equipment, the permittee shall consider ways to reduce these emissions including

but not limited to: upgrading or replacing existing equipment; collecting runoff from areas of deposition for treatment or recycling; or changes in materials or processes to reduce the generation of particulate matter. A report summarizing the results of the inspection shall be submitted to the Department for approval no later than 4 weeks after the inspection. The report shall include a timeframe for implementing corrections to any deficiencies relating to the implementation of the storm water pollution prevention plan identified as a result of the inspection.

d. Consistency with Other Plans

Storm water management programs may include requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the Clean Water Act or Best Management Practices (BMPs) programs otherwise required this permit and may incorporate any part of such plans into the storm water pollution prevention plan by reference.

e. Special Requirements for Storm Water Discharges Associated with Industrial Activity to Municipal Separate Storm Sewer Systems Serving a Population of 100,000 or More

Areas of the facility with storm water associated with industrial activity discharging to a municipal separate storm sewer system shall comply with applicable NPDES requirements in municipal storm water management programs provided the permittee has been notified of such conditions by the operator of the municipal separate storm sewer system that receives the permittee's discharge. The permittee shall make the storm water pollution prevention plan available to the municipal operator of the system upon request.

f. Salt Storage

Storage piles of salt used for de-icing or other commercial or industrial purposes shall be enclosed or covered to prevent exposure to precipitation.

g. Pollution Prevention Committee

The description of the storm water Pollution Prevention Committee shall identify specific individuals within the plant organization who are responsible for developing the storm water pollution prevention plan and assisting the plant manager in its implementation, maintenance, and revision. The activities and responsibilities of the committee should address all aspects of the permittee's storm water pollution prevention plan.

h. Employee Training

Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics, such as spill response, good housekeeping and material management practices. A pollution prevention plan shall identify periodic dates for such training.

4. Additional Requirements for SARA Title III, Section 313 Water Priority Chemicals

Storm water pollution prevention plans for facilities subject to reporting requirements under SARA Title III, Section 313 (42 U.S.C.§11023) are required to include, in addition to the information listed in condition 3., a discussion of the permittee's conformance with the following appropriate guidelines:

a. In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided. At a minimum, one of the following preventive systems or its equivalent shall be used:

i. Curbing, culverting, gutters, sewers or other forms of drainage control to prevent or minimize the potential for storm water runoff to come into contact with significant sources of pollutants; or

ii. Roofs, covers, or other forms of appropriate protection to prevent storage piles from exposure to storm water and wind.

b. The storm water pollution prevention plan shall include a complete discussion of measures taken to conform with the following applicable guidelines, other effective storm water pollution prevention procedures, and applicable State rules, regulations, and guidelines.

i. Liquid storage areas where storm water comes into contact with any equipment, tank, container, or other vessel used for Section 313 water priority chemicals. No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage, such as pressure and temperature, etc. Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include secondary containment provided for at least the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.

ii. Material storage areas for Section 313 water priority chemicals other than liquids. Material storage areas for Section 313 water priority chemicals other than liquids which are subject to runoff, leaching, or wind blowing shall incorporate drainage or other control features which will minimize the discharge of Section 313 water priority chemicals. Drainage control shall minimize storm water contact with Section 313 water priority chemicals.

iii. Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals. Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to minimize discharges

of Section 313 water priority chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.

iv. In plant areas where Section 313 water priority chemicals are transferred, processed or otherwise handled. Piping, processing equipment and materials handling equipment shall be designed and operated so as to prevent discharges of Section 313 chemicals. Materials used in piping and equipment shall be compatible with the substances handled. Additional protection, such as covers or guards to prevent wind blowing, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system shall be provided, as appropriate, to control the releases.

v. Discharges from secondary containment areas.

(a) Drainage from secondary containment shall be restrained by valves or other positive means to prevent a spill or other excessive leakage of Section 313 water priority chemicals into the drainage system. After a visual inspection of the storm water and determination that no product is present, containment areas may be emptied by pumps or ejectors; however, these shall be manually activated.

(b) Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas shall, as far as is practical, be of manual, open-and-close design.

(c) Records of the frequency and estimated volume (in gallons) of discharges from containment areas shall be kept, at the facility, for a minimum of three years.

(d) If the facility's drainage is not engineered as above, the final discharge of all in-facility storm sewers shall be equipped to be equivalent with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.

(e) Facility site runoff other than from areas covered by (i), (ii), (iii) or (iv). Other areas of the facility [those not addressed in paragraphs (i), (ii), (iii) or (iv)], from which runoff which may contain Section 313 water priority chemicals or spills of Section 313 water priority chemicals could cause a discharge shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in runoff or leachate.

c. Facility Security

The facility shall have the necessary security systems to prevent accidental or intentional entry which could cause a discharge. Security systems shall be described in the plan and address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.

d. Risk Identification and Assessment/Material Inventory

The storm water pollution prevention plan shall assess the potential of various sources at the plant to contribute pollutants to storm water discharges associated with industrial activity. The plan shall include an inventory of the types of materials handled. The permittee shall include in the plan a description of releases to land or water of SARA Title III water priority chemicals that have occurred at any time beginning three years prior to the effective date of this permit. Each of the following shall be evaluated for the reasonable potential for contributing pollutants to runoff: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced, or discharged: the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants.

II. GENERAL CONDITIONS

A. MONITORING AND REPORTING

1. REPRESENTATIVE SAMPLING

Samples and measurements taken as required herein shall be taken at such times as to be representative of the quantity and quality of the discharges during the specified monitoring periods.

2. REPORTING-MONITORING RESULTS SUBMITTED MONTHLY

Monitoring results obtained during each calendar month shall be summarized on a Discharge Monitoring Report Form (EPA No. 3320-1) and submitted to the Department postmarked no later than the 28th day of the following month. Reporting periods shall end on the last day of each month. Duplicate signed copies of the Discharge Monitoring Reports shall be submitted to:

Maryland Department of the Environment
Water Management Administration
Inspection and Compliance Program
2500 Broening Highway
Baltimore, Maryland 21224

and to

U.S. Environmental Protection Agency Region III
Office of Compliance and Enforcement
NDPES Branch (3WP31)
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

3. SAMPLING AND ANALYSIS METHODS

The analytical and sampling methods used shall conform to procedures for the analysis of pollutants as identified in Title 40 CFR Part 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants" unless otherwise specified.

4. DATA RECORDING REQUIREMENTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. the exact place, date, and time of sampling or measurement;
b. the person(s) who performed the sampling or measurement;
c. the dates and times the analyses were performed;
d. the person(s) who performed the analyses;
e. the analytical techniques or methods used; and
f. the results of all required analyses.

5. MONITORING EQUIPMENT MAINTENANCE

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation to insure accuracy of measurements.

6. ADDITIONAL MONITORING BY PERMITTEE

If the permittee monitors any pollutant, using approved analytical methods as specified above, at the locations designated herein more frequently than required by this permit, the results of such monitoring, including the increased frequency, shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA No. 3320-1).

7. RECORDS RETENTION

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation, and original recordings from continuous monitoring instrumentation shall be retained for a minimum of three years. This period shall be automatically extended during the course of litigation, or when requested by the Department.

B. MANAGEMENT REQUIREMENTS

1. CHANGE IN DISCHARGE

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a level in excess of that authorized shall constitute a violation of the terms and conditions of this permit. Anticipated

facility expansions, production increases or decreases, or process modifications, which will result in new, different, or an increased discharge of pollutants, shall be reported by the permittee by submission of a new application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Department. Following such notice, the permit may be modified by the Department to specify and limit any pollutants not previously limited. If the anticipated change is from a new source or a new discharge, the permittee shall submit a permit application for a major permit modification, which may also be used to update any pending renewal application, or provide application for a new permit.

2. NONCOMPLIANCE WITH EFFLUENT LIMITATIONS

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum or daily minimum effluent limitation specified in this permit, the permittee shall notify the Inspection and Compliance Program by telephone at (410) 631-3510 within 24 hours of becoming aware of the noncompliance. Within five calendar days, the permittee shall provide the Department with the following information in writing:

a. a description of the noncomplying discharge including its impact upon the receiving waters;

b. cause of noncompliance;

c. anticipated time the condition of noncompliance is expected to continue or if such condition has been corrected, the duration of the period of noncompliance;

d. steps taken by the permittee to reduce and eliminate the noncomplying discharge:

e. steps to be taken by the permittee to prevent recurrence of the condition of noncompliance; and

f. a description of the accelerated or additional monitoring by the permittee to determine the nature and impact of the noncomplying discharge.

3. FACILITIES OPERATION

All treatment, control and monitoring facilities, or systems installed or used by the permittee, are to be maintained in good working order and operated efficiently.

4. ADVERSE IMPACT

The permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State or to human health resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. BYPASSING

Any bypass of treatment facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited unless:

a. the bypass is unavoidable to prevent a loss of life, personal injury or substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources;

b. there are no feasible alternatives;

c. notification is received by the Department within 24 hours (if orally notified, then followed by a written submission within five calendar days of the permittee's becoming aware of the bypass). Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Department for approval at least ten calendar days before the date of bypass or at the earliest possible date if the period of advance knowledge is less than ten calendar days; and

d. the bypass is allowed under conditions determined by the Department to be necessary to minimize adverse effects.

6. CONDITIONS NECESSARY FOR DEMONSTRATION OF AN UPSET

An upset shall constitute an affirmative defense to an action brought for noncompliance with technology-based effluent limitations only if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

a. an upset occurred and that the permittee can identify the specific cause(s) of the upset;

b. the permitted facility was at the time being operated in a prudent and workman-like manner and in compliance with proper operation and maintenance procedures;

c. the permittee submitted a 24-hour notification of upset in accordance with the reporting requirements of General Condition II.B.2 above;

d. the permittee submitted, within five calendar days of becoming aware of the upset, documentation to support and justify the upset; and

e. the permittee complied with any remedial measures required to minimize adverse impact.

7. REMOVED SUBSTANCES

Wastes such as solids, sludges, or other pollutants removed from or resulting from treatment or control of wastewaters, or facility operations, shall be disposed of in a manner to prevent any removed substances or runoff from such substances from entering or from being placed in a location where they may enter the waters of the State.

8. POWER FAILURE

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. provide an alternative power source sufficient to operate the wastewater collection and treatment facilities or,

b. halt, reduce or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater collection and treatment facilities.

C. RESPONSIBILITIES

1. RIGHT OF ENTRY

The permittee shall permit the Secretary of the Department, the Regional Administrator for the Environmental Protection Agency, or their authorized representatives, upon the presentation of credentials to:

a. enter upon the permittee's premises where an effluent source is located or where any records are required to be kept under the terms and conditions of this permit;

b. access and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;

c. inspect, at reasonable times, any monitoring equipment or monitoring method required in this permit;

d. inspect, at reasonable times, any collection, treatment, pollution management, or discharge facilities required under this permit; and

e. sample, at reasonable times, any discharge of pollutants.

2. TRANSFER OF OWNERSHIP OR CONTROL OF FACILITIES

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred to another person if:

a. the permittee notifies the Department in writing, of the proposed transfer;

b. a written agreement, indicating the specific date of proposed transfer of permit coverage and acknowledging responsibilities of current and new permittees for compliance with the liability for the terms and conditions of this permit, is submitted to the Department; and

c. neither the current permittee nor the new permittee receive notification from the Department, within 30 calendar days, of intent to modify, revoke, reissue or terminate the existing permit.

3. REAPPLICATION FOR A PERMIT [see Special Condition K]

4. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Section 308 of the Clean Water Act, 33 U.S.C. § 1318, all submitted data shall be available for public inspection at the offices of the Department and the Regional Administrator of the Environmental Protection Agency.

5. PERMIT MODIFICATION

A permit may be modified by the Department upon written request of the permittee and after notice and opportunity for a public hearing in accordance with and for the reasons set forth in 40 CFR § 122.62 and 122.63.

6. PERMIT MODIFICATION, SUSPENSION, OR REVOCATION

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked and reissued in whole or in part during its term for causes including, but not limited to, the following:

a. violation of any terms or conditions of this permit;

b. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;

c. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or

d. a determination that the permitted discharge poses a threat to human health or welfare or to the environment and can only be regulated to acceptable levels by permit modification or termination.

7. TOXIC POLLUTANTS

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such toxic effluent standard or prohibition) is established by the U.S. Environmental Protection Agency, or pursuant to Section 9-314 of the Environment Article, Annotated Code of Maryland, for a toxic pollutant which is present in the discharges authorized herein and such standard is more stringent than any limitation upon such pollutant in this permit, this permit shall be revoked and reissued or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified. Any effluent standard established in this case for a pollutant which is injurious to human health is effective and enforceable by the time set forth in the promulgated standard, even absent permit modification.

8. OIL AND HAZARDOUS SUBSTANCES PROHIBITED

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liability, or penalties to which the permittee may be subject under Section 311 of the Clean Water Act (33. U.S.C. § 1321), or under the Annotated Code of Maryland.

9. CIVIL AND CRIMINAL LIABILITY

Except as provided in permit conditions on "bypassing," "upset," and "power failure," nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for noncompliance with Title 9 of the Environment Article, Annotated Code of Maryland or any federal, local, or other State law or regulation.

10. PROPERTY RIGHTS/COMPLIANCE WITH OTHER REQUIREMENTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State or local laws or regulations.

11. SEVERABILITY

The provisions of this permit are severable. If any provisions of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this permit to any circumstances is held invalid, its application to other circumstances shall not be affected.

12. WATER CONSTRUCTION AND OBSTRUCTION

This permit does not authorize the construction or placing of physical structures, facilities, or debris, or the undertaking of related activities in any waters of the State.

13. COMPLIANCE WITH WATER POLLUTION ABATEMENT STATUTES

The permittee shall comply at all times with the provisions of the Environment Article, Title 7, Subtitle 2 and Title 9, Subtitle 3 of the Annotated Code of Maryland and the Clean Water Act, 33 U.S.C. § 1251 et seq.

14. ACTION ON VIOLATIONS

The issue or reissue of this permit does not constitute a decision by the State not to proceed in administrative, civil, or criminal action for any violations of State law or regulations occurring before the issue or reissue of this permit, nor a waiver of the State's right to do so.

15. CIVIL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to civil penalties for violations of State water pollution control laws set forth in Section 9-342 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that any person who violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act or in a permit issued under Section 404 of the Act, is subject to a civil penalty not to exceed $27,500 per day for each violation.

16. CRIMINAL PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

In addition to criminal penalties for violations of State water pollution control laws set forth in Section 9-343 of the Environment Article, Annotated Code of Maryland, the Clean Water Act provides that:

a. any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one (1) year, or by both.

b. any person who knowingly violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than three (3) years, or by both.

c. any person who knowingly violates Section 301, 302, 306, 307, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or in a permit issued under Section 404 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, is subject to a fine of not more $25,000 or imprisonment of not more than 15 years, or both.

d. any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method required to be maintained under the Act, is subject to a fine of not more than $10,000 or by imprisonment for not more than two (2) years, or by both.

17. DUTY TO PROVIDE INFORMATION

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

18. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Director shall be signed and certified as required by 40 CFR 122.22.

19. REOPENER CLAUSE FOR PERMITS

This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or

approved under Sections 301, 304, and 307 of the Clean Water Act [33 USCS §§ 1311, 1314, 1317] if the effluent standard or limitation so issued or approved:

a. contains different conditions or is otherwise more stringent than any effluent limitation in this permit or

b. controls any pollutant not limited in this permit. This permit, as modified or reissued under this paragraph, shall also contain any other requirements of the Act then applicable.

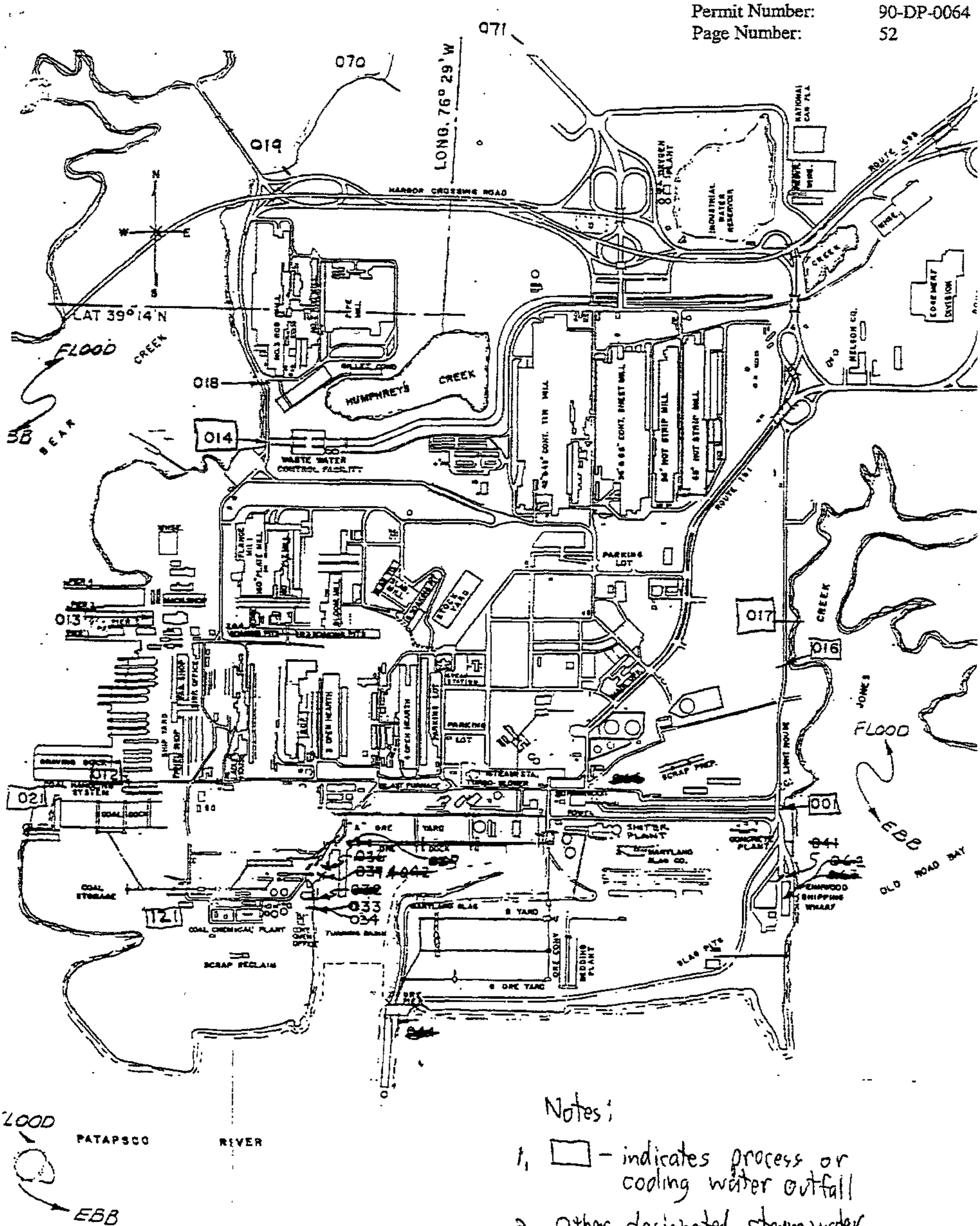
D. AUTHORITY TO ISSUE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

On September 5, 1974, the Administrator of the U.S. Environmental Protection Agency approved the proposal submitted by the State of Maryland for the operation of a permit program for discharges into navigable waters pursuant to Section 402 of the Clean Water Act, 33 U.S.C. Section 1342.

Pursuant to the aforementioned approval, this discharge permit is both a State of Maryland discharge permit and a NPDES permit.

This permit and the authorization to discharge shall expire at midnight on the expiration date. The permittee shall not discharge after that date unless a new application has been submitted to the Department in accordance with the provisions of General Condition II.C.3 of this permit.

J. L. Hearn, Director
Water Management Administration


071
070
019
LONG. 76° 29' W
HARBOR CROSSING ROAD
LAT 39° 14' N
FLOOD
CREEK
018
HUMPHREY'S
CREEK
014
WASTE WATER
CONTROL FACILITY
PARKING LOT
STOCK YARD
017
016
013
012
021
001
121
FLOOD
EBB
PATAPSCO
RIVER
FLOOD
EBB
Notes:
1. ☐ - indicates process or cooling water outfall
2. Other designated storm water outfall locations to be identified under stormwater pollution prevention plan

Sparrows Point NPDES

Sampling Parameters Details

Sampling Parameters for New NPDES Permit
Bethlehem Steel Corporation

Updated July 26, 2001

Outfall 001	Frequency	Sample Type	Method	Detection Limits
(4) Flow	1/Week	Estimated		
(1) Residual, Chlorine Total	5/Week	Grab	Amperometeric Titration EPA 300.1	
(1) (4) pH	5/Week	Grab		
Ammonia, Total as "N"	1/Week	24-Hr. Composite	4500 NH3E	0.1 ppm
Zinc, Total	1/Month	24-Hr. Composite	EPA 200.8	0.02 ppm
Cyanide, Available	1/Month	(6) Avg. 3 Daily Grabs	OIA-1677	0.002 ppm
Copper, Total	1/Month	24-Hr. Composite	EPA 200.8	0.005 ppm
(2) Nitrogen , Total as "N"	1/Quarter	24-Hr. Composite		1.0 ppm
Total Ammonia Nitrogen	1/Quarter	24-Hr. Composite		
Organic Nitrogen	1/Quarter	24-Hr. Composite		
(2) Nitrate	1/Quarter	24-Hr. Composite		
(2) Nitrite	1/Quarter	24-Hr. Composite	EPA 353.2	0.005 ppm
Orthophosphate as "P"	1/Quarter	24-Hr. Composite	EPA 365.2	0.01 ppm
(2) Phosphorous, Total	1/Quarter	24-Hr. Composite	SM4500PE	0.01 ppm
(4) Temperature, Intake		Cont. Recorder		
(4) Temperature, Discharge		Cont. Recorder		

Intake 052	Frequency	Sample Type	Method	Detection Limits
Ammonia, Total as "N" (Non-NPDES)	**1/Week**	**Grab**		**0.1 ppm**
(2) Total Ammonia Nitrogen	1/Quarter	Grab		
(2) Organic Nitrogen	1/Quarter	Grab		
(2) Orthophosphate as "P"	1/Quarter	Grab	EPA 365.2	0.01 ppm
(2) Phosphorous, Total	1/Quarter	Grab	SM4500PE	0.01 ppm
(2) Nitrate	1/Quarter	Grab		
(2) Nitrite	1/Quarter	Grab	EPA 353.2	0.005 ppm

MP 101	Frequency	Sample Type	Method	Detection Limits
Ammonia, Total as "N"	2/Week	24-Hr. Composite	4500NH3E	0.1 ppm
Oil & Grease	2/Week	(6) Avg. 3 Daily Grabs	1664	5.0 ppm
Total Suspended Solids	2/Week	24-Hr. Composite	EPA 160.2	1.0 ppm
Lead, Total	2/Week	24-Hr. Composite	EPA 200.8	0.005 ppm
Zinc, Total	2/Week	24-Hr. Composite	EPA 200.8	0.02 ppm
Cyanide, Total	2/Week	(5) Comp-3	SM4500CNE	0.001 ppm
Cyanide, Available	2/Week	(5) Comp-3	OIA-1677	0.002 ppm
Phenols (4AAP)	2/Week	24-Hr. Composite	EPA 420.2	0.01 ppm
GC/MS Acid Fraction Organics	1/Quarter	(5) Comp-3	EPA 625	
2,4,6-Trichlorophenol				0.01 ppm
2,4-Dimethylphenol				0.01 ppm
4,6-Dinitro-2-methyl phenol				0.05 ppm
4-Chloro-3-methyl phenol				0.02 ppm
2-Nitrophenol				0.01 ppm
Pentachlorophenol				0.05 ppm
2-Chlorophenol				0.01 ppm
4-Nitrophenol				0.05 ppm
Phenol				0.01 ppm
2,4-Dichlorophenol				0.01 ppm
2,4-Dinitrophenol				0.01 ppm
(4) pH		Cont. Recorder		
(4) Flow		Cont. Recorder		

Outfall 012	Frequency	Sample Type	Method	Detection Limits
(4) pH	5/Week	Grab		
(1) Oil & Grease	1/Week	Grab	EPA 1664	5.0 ppm
Dissolved Oxygen	1/Month	Grab		
Residual Chlorine, Total	1/Month	Grab	Colorimetric DPD	
Total Suspended Solids	1/Month	24-Hr. Composite	EPA 160.2	1.0 ppm
Zinc, Total	1/Month	24-Hr. Composite	EPA 200.8	0.02 ppm
Zinc, Dissolved	1/Month	24-Hr. Composite	EPA 200.8	0.02 ppm
Nitrogen, Total as "N"	1/Quarter	24-Hr. Composite		1.0 ppm
Total Ammonia Nitrogen	1/Quarter	24-Hr. Composite		
Organic Nitrogen	1/Quarter	24-Hr. Composite		
Nitrate	1/Quarter	24-Hr. Composite		
Nitrite	1/Quarter	24-Hr Composite	EPA 353.2	0.005 ppm
Orthophosphate as "P"	1/Quarter	24-Hr. Composite	EPA 365.2	0.01 ppm
Phosphorous, Total	1/Quarter	24-Hr. Composite	SM4500PE	0.01 ppm
(4) Temperature		Cont. Recorder		
(4) Flow		Cont. Recorder		

Outfall 014	Frequency	Sample Type	Method	Detection Limits
Cyanide, Available	1/Week	(5) Comp-3	OIA-1677	0.002 ppm
Phosphorous, Total	1/Week	24-Hr. Composite	SM4500PE	0.01 ppm
Nickel, Total	1/Week	24-Hr. Composite	EPA 200.8	0.005 ppm
Copper, Total	1/Week	24-Hr. Composite	EPA 200.8	0.005 ppm
Chromium, Total	1/Week	24-Hr. Composite	EPA 200.8	0.0025 ppm
Chromium. Hexavalent	1/Week	24-Hr. Composite	SM 3500	0.005 ppm
Residual Chlorine, Total	2/Week	Grab	Colorimetric DPD	
Oil & Grease	2/Week	(6) Avg. 3 Daily Grabs	1664	5.0 ppm
(1) Zinc, Total	5/Week	24-Hr. Composite	EPA 200.8	0.02 ppm
(1) Total Suspended Solids	5/Week	24-Hr. Composite	EPA 160.2	1.0 ppm
(1) Lead, Total	5/Week	24-Hr. Composite	EPA 200.8	0.005 ppm
Cadmium, Total	1/Month	24-Hr. Composite	EPA 200.8	0.005 ppm
Orthophosphate as "P"	1/Month	24-Hr. Composite	EPA 365.2	0.01 ppm
Lead, Dissolved	1/Month	24-Hr. Composite	EPA 200.8	0.005 ppm
1,1,1-Trichloroethane	(7) 1/Quarter	(6) Avg. 3 Daily Grabs	EPA 624	0.005 ppm
Tetrachloroethylene	(7) 1/Quarter	(6) Avg. 3 Daily Grabs	EPA 624	0.005 ppm
Nitrogen, Total as "N"	1/Quarter	24-Hr. Composite	EPA 351.3	1.0 ppm
Total Ammonia Nitrogen	1/Quarter	24-Hr. Composite		
Organic Nitrogen	1/Quarter	24-Hr. Composite		
Nitrate	1/Quarter	24-Hr. Composite		
Nitrite	1/Quarter	24-Hr Composite	EPA 353.2	0.005 ppm
Cyanide, Total	1/Quarter	(5) Comp-3	SM4500CNE	0.001 ppm
Napthalene	1/Quarter	(5) Comp-3	EPA 625	0.01 ppm
Phenols (4AAP)	1/Quarter	24-Hr. Composite	EPA 420.2	0.01 ppm
(4) pH		Cont. Recorder		
Dissolved Oxygen		Cont. Recorder		
(4) Flow		Cont. Recorder		

Outfall 014	Frequency	Sample Type	Method	Detection Limits
601 Halogenated Volatiles	1/Quarter	Grab		
Bromodichloromethane				0.001 ppm
Bromoform				0.001 ppm
Bromomethane				0.005 ppm
2-Chloroethylvinyl Ether				0.001 ppm
Carbon Tetrachloride				0.001 ppm
Chlorobenzene				0.001 ppm
Chloroethane				0.005 ppm
Chloroform				0.001 ppm
Chloromethane				0.005 ppm
1,1-Dichloroethane				0.001 ppm
1,1-Dichloroethene				0.001 ppm
1,2-Dichloroethane				0.001 ppm
cis-1,2-Dichloroethene				0.001 ppm
trans-1,2-Dichloroethene				0.001 ppm
1,2-Dichloropropane				0.001 ppm
cis-1,3-Dichloropropene				0.001 ppm
trans-1,3-Dichloropropene				0.001 ppm
Dibromochloromethane				0.001 ppm
Dichlorodifluoromethane				0.005 ppm
Methylene Chloride				0.001 ppm
1,1,1-Trichloroethane				0.001 ppm
1,1,2,2- Tetrachloroethane				0.001 ppm
1,1,2-Trichloroethane				0.001 ppm
Tetrachloroethene				0.001 ppm
Trichloroethene				0.001 ppm
Trichlorofluoromethane				0.001 ppm
Vinyl Chloride				0.005 ppm
602 Aromatic Volatiles	1/Quarter	Grab	(3) EPA 624	
Benzene				0.001 ppm
Chlorobenzene				0.001 ppm
1,2-Dichlorobenzene				0.001 ppm
1,3-Dichlorobenzene				0.001 ppm
1,4-Dichlorobenzene				0.001 ppm
Ethylbenzene				0.001 ppm
Toluene				0.001 ppm

Intake 050	Frequency	Sample Type	Method	Detection Limits
Cyanide, Available "Non-NPDES"	1/Week	(5) Comp-3	OIA-1677	0.002
Phosphorous, Total	1/Week	Grab	SM4500PE	0.01 ppm
Orthophosphate as "P"	1/Month	Grab	EPA 365.2	0.01 ppm
Nitrogen, Total as "N"	1/Quarter	Grab		1.0 ppm
Total Ammonia Nitrogen	1/Quarter	Grab		
Organic Nitrogen	1/Quarter	Grab		
Nitrate	1/Quarter	Grab		
Nitrite	1/Quarter	Grab	EPA 353.2	0.005 ppm

Outfall 017	Frequency	Sample Type	Method	Detection Limits
Temperature	1/Month	Grab	Immersion	
(4) Flow	1/Month	Estimated		
Dissolved Oxygen	1/Month	Grab		
Oil & Grease	1/Month	Grab	1664	5.0 ppm
Residual Chlorine, Total	1/Month	Grab		
Total Suspended Solids	1/Month	Grab	EPA 160.2	1.0 ppm
Zinc, Total	1/Month	24-Hr. Composite	EPA 200.8	0.02 ppm
Zinc, Dissolved	1/Month	24-Hr. Composite	EPA 200.8	0.02 ppm
(4) pH	1/Month	Grab		
Nitrogen, Total as "N"	1/Year	24-Hr. Composite		1.0 ppm
Total Ammonia Nitrogen	1/Year	24-Hr. Composite		
Organic Nitrogen	1/Year	24-Hr. Composite		
Nitrate	1/Year	24-Hr. Composite		
Nitrite	1/Year	24-Hr. Composite	EPA 353.2	0.005 ppm
Orthophosphate as "P"	1/Year	24-Hr. Composite	EPA 365.2	0.01 ppm
Phosphorous, Total	1/Year	24-Hr. Composite	SM4500PE	0.01 ppm

Outfall 021	Frequency	Sample Type	Method	Detection Limits
Oil & Grease	1/Month	(6) Avg. 3 Daily Grabs	1664	5.0 ppm
602 Compounds	1/Month	(6) Avg. 3 Daily Grabs	(3) EPA 624	
Benzene				0.001 ppm
Chlorobenzene				0.001 ppm
1,2-Dichlorobenzene				0.001 ppm
1,3-Dichlorobenzene				0.001 ppm
1,4-Dichlorobenzene				0.001 ppm
Ethylbenzene				0.001 ppm
Toluene				0.001 ppm
Napthalene	1/Month	(6) Avg. 3 Daily Grabs	EPA 625	0.01 ppm
Phenols (4AAP)	1/Month	24-Hr. Composite	EPA 420.2	0.01 ppm
(4) pH	1/Month	Grab		
Nitrogen, Total as "N"	1/Quarter	24-Hr. Composite		1.0 ppm
Total Ammonia Nitrogen	1/Quarter	24-Hr. Composite		
Organic Nitrogen	1/Quarter	24-Hr. Composite		
Nitrate	1/Quarter	24-Hr. Composite		
Nitrite	1/Quarter	24-Hr. Composite	EPA 353.2	0.005 ppm
Orthophosphate as "P"	1/Quarter	24-Hr. Composite	EPA 365.2	0.01 ppm
Phosphorous, Total	1/Quarter	24-Hr. Composite	SM4500PE	0.01 ppm
(4) Flow		Cont. Recorder		

MP 114	Frequency	Sample Type	Method	Detection Limits
Chromium. Hexavalent	2/Week	24-Hr. Composite	SM 3500	0.005 ppm
Chromium, Total	2/Week	24-Hr. Composite	EPA 200.8	0.0025 ppm
(4) Flow	2/Week	Measured		

MP 214	Frequency	Sample Type	Method	Detection Limits
(4) pH		Cont. Recorder		
(4) Flow	1/Month	Measured		

MP 121 Bio-oxidation	Frequency	Sample Type	Method	Detection Limits
Ammonia, Total as "N"	1/Batch	24-Hr. Composite	4500 NH3E	0.1 ppm
Oil & Grease	1/Batch	(6) Avg. 3 Daily Grabs	1664	5.0 ppm
Total Suspended Solids	1/Batch	24-Hr. Composite	EPA 160.2	1.0 ppm
Cyanide, Total	1/Batch	Grab	SM4500CNE	0.001 ppm
Benzene	1/Batch	Grab	EPA 602	0.005 ppm
Benzo (a) Pyrene	1/Batch	(5) Comp-3	EPA 625	0.01 ppm
Napthalene	1/Batch	(5) Comp-3	EPA 625	0.01 ppm
Phenols (4AAP)	1/Batch	24-Hr. Composite	EPA 420.2	0.01 ppm
Flow	1/Batch	Measured		

(1) Frequency of 5 days per 7-day week. One week per month shall include monitoring on Saturday and one week per month on Sunday

(2) One grab sample from upstream side of 052 intake at Pennwood Warf. Sample taken concurent with 24 hr. composite at outfall 001.

(3) Please note that EPA 602 method is equivalent to the EPA 624 method where the lower detection limits of EPA 602 method can be met using the EPA 624 method. This substitution was confirmed by Gascoyne Laboratories through a letter directed to Mr. Ed Stone of the Maryland Department of the Environment March 5, 2001. A copy of this confirmation is on file.

(4) Internal Monitoring by BSC

(5) Comp-3 – (3) individual grabs composited together to make one sample for analysis.

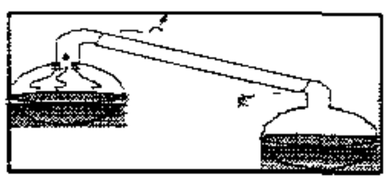
(6) Avg. 3 Daily Grabs – (3) individual grab samples analysed separately

(7) These parameters were changed from Monthly to Quarterly after May 2001.

Walter W. Farson
Updated July 26, 2001

Sparrows Point NPDES Sampling Setup Details

Procedures Used for*NPDES* Analyses



PH	*EPA Revised 1983 Method*	150.1
TSS	*EPA Revised 1983 Method*	160.2
Oil and Grease	*EPA Revised 1983 Method*	413.1
Ammonia - N	*Standard Methods*	4500 NH3E
Total Kjeldahl - N	*EPA Revised 1983 Method*	351.3
NO2 - N	*Standard Methods*	SM 4500 NO2-B
NO3 - N	*EPA Revised 1983 Method*	(*353.2)-354.1
Total Cyanide	*Standard Methods*	SM 4500-CN-E
Free Cyanide NON-AMEN	*Standard Methods*	4500-CN-E-M
Phenol	*EPA Revised 1983 Method*	420.2
Chromium	*EPA Revised 1983 Method*	200.7
Lead	*EPA Revised 1983 Method*	200.7
Zinc	*EPA Revised 1983 Method*	200.7
Copper	*EPA Revised 1983 Method*	200.7
Nickel	*EPA Revised 1983 Method*	200.7
Benzene	*EPA Revised 1983 Method*	602
PCE	*EPA Revised 1983 Method*	624
Naphthalene	*EPA Revised 1983 Method*	625
Benzo(a)Pyrene	*EPA Revised 1983 Method*	625

**** Used in 1997***

Revised June 16, 2000

NPDES

Flow Measuring Requirements

001	1/WK	ESTIMATED	**<---We calculate flow**
101		CONTINUOUS	*
012		CONTINUOUS	*
014		CONTINUOUS	
017	1/MONTH	ESTIMATED	
021		CONTINUOUS	*
MP114	2/WK	MEASURED	
121	1/DISCHARGE	MEASURED	
MP214	1/MONTH	MEASURED	

* **Flows are on outfall flow sheet!**

Monday

NPDES

Outfall		Parameter	Frequency	Type /	Bottle	Preservative
001	**	PH	**1/DAY**	G/	*	*
	**	TOT RESIDUAL CHLORINE	**1/DAY**	G/	*	*
012						
		TOT O/G	**1/WK**	1G/	C	**HCI**
		PH	**5/WK**	G/	*	*
014						
		TOT O/G	**2/WK**	3G/	C	**HCI**
		AVAILABLE CYANIDE	**1/WK**	3G/	D	**NAOH**
		TOT RESIDUAL CHLORINE	**2/WK**	G/	*	*
050						
		AVAILABLE CYANIDE	**1/WK**	3G/	D	**NAOH**
MP101						
		TOT O/G	**2/WK**	3G/	C	**HCI**
		TOT CYANIDE	**2/WK**	3G/	B	**NAOH**
		AVAILABLE CYANIDE	**2/WK**	3G/	D	**NAOH**

TOTAL = 19 bottles

**** One week (5/7) per month must include one Saturday. "To be done 2nd week of every month"**

One week (5/7) per month must include one Sunday. " To be done 3rd week of every month"

Tuesday

NPDES

Outfall		Parameter	Frequency	Type /	Bottle	Preservative
001						
		PH	**1/DAY**	G/	*	*
		TOT RESIDUAL CHLORINE	**1/DAY**	G/	*	*
012						
		PH	**5/WK**	G/	*	*
014						
	**	TSS	**5/WK**	1C/	B	**NEAT**
		TOT CHROMIUM	**1/WK**	1C/	A	**NITRIC**
		HEX CHROMIUM	**1/WK**	1C/	A	**NEAT**
	**	TOT LEAD,ZINC	**5/WK**	1C/	A	**NITRIC**
MP101						
		TOT AMMONIA	**2/WK**	1C/	B	**H2SO4**
		TSS	**2/WK**	1C/	B	**NEAT**
		TOT LEAD,ZINC	**2/WK**	1C/	A	**NITRIC**
		PHENOLS	**2/WK**	1C/	D	**H2SO4**
MP114						
		HEX CHROMIUM	**2/WK**	1C/	A	**NEAT**
		TOT CHROMIUM	**2/WK**	1C/	A	**NITRIC**

Total = 10 bottles

**** One week (5/7) per month must include one Saturday. "To be done 2nd week of every month"**

One week (5/7) per month must include one Sunday. " To be done 3rd week of every month"

Wednesday

NPDES

Outfall	Parameter	Frequency	Type /	Bottle	Preservative
001					
	PH	**1/DAY**	G/ *		*
	TOT RESIDUAL CHLORINE	**1/DAY**	G/ *		*
012					
	PH	**5/WK**	G/ *		*
014					
	TOT PHOSPHORUS	**1/WK**	1C/ A		**H2SO4**
	TSS	**5/WK**	1C/ B		**NEAT**
	TOT LEAD,ZINC	**5/WK**	1C/ A		**NITRIC**
MP101					
	TOT AMMONIA	**2/WK**	1C/ B		**H2SO4**
	TSS	**2/WK**	1C/ B		**NEAT**
	TOT LEAD,ZINC	**2/WK**	1C/ A		**NITRIC**
	PHENOL	**2/WK**	1C/ D		**H2SO4**
MP114					
	HEX CHROMIUM	**2/WK**	1C/ A		**NEAT**
	TOT CHROMIUM	**2/WK**	1C/ A		**NITRIC**
050	TOT PHOSPHOROUS sample to be taken concurrently with 014	**1/WK**	1G/A		**H2SO4**

TOTAL = 10 bottles

Thursday

NPDES

Outfall	Parameter	Frequency	Type / Bottle	Preservative
001	AMMONIA	**1/WK**	1C/ B	**H2SO4**
	PH	**1/DAY**	G/ *	*
	TOT RESIDUAL CHLORINE	**1/DAY**	G/ *	*
012				
	PH	**5/WK**	G/ *	*
014				
->	TSS	**5/WK**	1C/ B	**NEAT**
->	TOT LEAD,ZINC	**5/WK**	1C/ A	**NITRIC**
->	TOT COPPER,NICKLE	**1/WK**	1C/ A	**NITRIC**
	Extra bottle for GRAPHITE FURNACE - NI		1C/ A	**NITRIC**

TOTAL = 5 bottles

-> Clean sampling procedure being performed on this day only!

composite breakdown today!

Friday

NPDES

Outfall	Parameter	Frequency	Type /	Bottle	Preservative
001					
	PH	**1/DAY**	G/	*	*
	TOT RESIDUAL CHLORINE	**1/DAY**	G/	*	*
012					
	PH	**5/WK**	G/	*	*
014					
	TSS	**5/WK**	1C/	B	**NEAT**
	TOT LEAD,ZINC	**5/WK**	1C/	A	**NITRIC**
	TOT O/G	**2/WK**	3G/	C	**HCI**
	TOT RESIDUAL CHLORINE	**2/WK**	G/	*	*
MP101					
	TOT O/G	**2/WK**	3G/	C	**HCI**
	TOT CYANIDE	**2/WK**	3/G	B	**NAOH**
	AVAILABLE CYANIDE	**2/WK**	3G/	D	**NAOH**

TOTAL = 14 bottles

Saturday

NPDES

Outfall	Parameter	Frequency	Type /	Bottle	Preservative
014					
	TSS	**5/WK**	1C/	B	**NEAT**
	TOT LEAD,ZINC	**5/WK**	1C/	A	**NITRIC**

Total = 2 bottles

On week when Saturday is required in 5/7, comps will be broken down on Monday! **"2nd Week of every month"**

Isco must be refrigerated!

On week when Sunday is required in 5/7, comps again will be broken down on Monday! **"3rd Week of every month"**

BIO Plant Discharge
Wednesday

Outfall		Parameter	Frequency	Type /	Bottle	Preservative
121						
		FLOW	**PER Discharge**	*	*	*
		TOT AMMONIA	|	1C/	B	**H2SO4**
	*	TOT O/G	|	3G/	C	**HCI**
		TSS	|	1C/	B	**NEAT**
		TOT CYANIDE	|	3G/	B	**NAOH**
		BENZENE	|	3G/	VOA(6)	**HCI**
	*	BENZO(A)PYRENE	|	3G/	D	**Sodium Thiosulfate**
	*	NAPHTHALENE	|	3G/	D	**NEAT**
		PHENOLS	|	1C/	D	**H2SO4**

Total = 21 bottles

* Gascoyne to combine 3 grabs at lab to form a composite, then analyze.

1st Wednesday
of every Month

NPDES

Outfall	Parameter	Frequency	Type /	Bottle	Preservative
014					
	ORTHOPHOSPHATE	**1/MONTH**	1C/ A		**NEAT**
	DISSOLVED LEAD	**1/MONTH**	1C/ A		**NEAT**
	TOT CADMIUM	**1/MONTH**	1C/ A		**NITRIC**
017					
	TOT O/G	**1/MONTH**	1G/ C		**HCI**
	TSS	**1/MONTH**	1G/ B		**NEAT**
	TOT ZINC	**1/MONTH**	1C/ A		**NITRIC**
	DISSOLVED ZINC	**1/MONTH**	1C/ A		**NEAT**
	TOT RESIDUAL CHLORINE	**1/MONTH**	G/ *		*
	PH / TEMP	**1/MONTH**	G/ *		*
	DO	**1/MONTH**	G/ *		*
050					
	ORTHOPHOSPHATE *To be taken concurrently with 014*	**1/MONTH**	1G/ A		**NEAT**

TOTAL = 8 bottles

1st Thursday
of every Month

NPDES

Outfall		Parameter	Frequency	Type /	Bottle	Preservative
001						
		TOT COPPER,ZINC	**1/MONTH**	1C/ A		**NITRIC**
		AVAILABLE CYANIDE	**1/MONTH**	3G/ D		**NAOH**
012						
		TOT ZINC	**1/MONTH**	1C/ A		**NITRIC**
		DISSOLVED ZINC	**1/MONTH**	1C/ A		**NEAT**
		TSS	**1/MONTH**	1C/ B		**NEAT**
		TOT RESIDUAL CHLORINE	**1/MONTH**	G/ *		*
		DO	**1/MONTH**	G/ *		*
021						
		TOT O/G	**1/MONTH**	3G/ C		**HCI**
	*	602 COMPOUNDS	**1/MONTH**	3G/ VOA(6)		**HCI**
		NAPHTHALENE	**1/MONTH**	3G/ D		**NEAT**
		PHENOL	**1/MONTH**	1C/ D		**H2SO4**
		PH	**1/MONTH**	G/ *		*
		TRIP BLANKS		VOA (2)		

TOTAL = 22 bottles

* Include Benzene!

QTR Started
January 1, 2001

2nd Wednesday
of every Quarter

NPDES

Outfall	Parameter	Frequency	Type / Bottle	Preservative
001				
	TOT -NITROGEN	**1/QTR**	1C/ B	**H2SO4**
	TOT PHOSPHORUS	**1/QTR**	1C/ B	**H2SO4**
	ORTHOPHOSPHATE	**1/QTR**	1C/ A	**NEAT**
	NITRITE	**1/QTR**	1C/ A	**NEAT**
MP101				
	GC/MS ACID FRACTION ORGANICS	**1/QTR**	1C/ D (2)	**NEAT**
012				
	TOT -NITROGEN	**1/QTR**	1C/ B	**H2SO4**
	TOT PHOSPHORUS	**1/QTR**	1C/ A	**H2SO4**
	ORTHOPHOSPHATE	**1/QTR**	1C/ A	**NEAT**
	NITRITE	**1/QTR**	1C/ A	**NEAT**
014	TRIP BLANKS		2VOA	HCI
	ORGANICS 601-602	**1/QTR**	1G/ VOA(2)	**HCI**
	TOT -NITROGEN	**1/QTR**	1C/ B	**H2SO4**
	TOT CYANIDE	**1/QTR**	3/G B	**NAOH**
	NAPHTHALENE	**1/QTR**	3G/ D	**NEAT**
	PHENOL	**1/QTR**	1C/ D	**H2SO4**
	NITRITE	**1/QTR**	1/C A	**NEAT**
As of 7/1/01 -->	TRICHLOROETHANE > TETRACHLOROETHYLENE	**1/QTR**	3G/ VOA(6)	**HCI**
021	TOT -NITROGEN	**1/QTR**	1C/ B	**H2SO4**
	ORTHOPHOSPHATE	**1/QTR**	1C/ A	**NEAT**
	TOT PHOSPHORUS	**1/QTR**	1C/ A	**H2SO4**
	NITRITE	**1/QTR**	1C/ A	**NEAT**
050	TOT -NITROGEN	**1/QTR**	1G/ B	**H2SO4**
	ORTHOPHOSPHATE	**1/QTR**	1G/ A	**NEAT**
	TOT PHOSPHORUS	**1/QTR**	1G/ A	**H2SO4**
	NITRITE	**1/QTR**	1G/ A	**NEAT**
	samples to be taken concurrently with 014			
052 - Intake				
	NITRITE	**1/QTR**	1G/ A	**NEAT**
	TOT PHOSPORUS	**1/QTR**	1G/ A	**H2SO4**
	TOT NITROGEN	**1/QTR**	1G/ B	**H2SO4**
	ORTHOPHOSPHATE	**1/QTR**	1G/ A	**NEAT**
	samples to be taken concurrently with 001			

TOTAL = 41 bottles

1st Wednesday
of every Year

NPDES

Outfall	Parameter	Frequency	Type /	Bottle	Preservative
017					
	TOT -NITROGEN >	**1/YEAR**	1C/ B		**H2SO4**
	- AMMONIA NITRO				
	- ORGANIC NITRO				
	- NITRATE				
	NITRITE	**1/YEAR**	1C/ A		**NEAT**
	ORTHOPHOSPHATE	**1/YEAR**	1C/ A		**NEAT**
	TOT PHOSPHORUS	**1/YEAR**	1C/ A		**H2SO4**

TOTAL = 4 bottles

In the BCZR, under Section 502.1, Petition for Special Exemption and Variance, let me read the following, "Before any special exemption may be granted, it must appear that the use for which a special exemption is granted will not…a) be detrimental to the health, safety, or general welfare of the locality". The operations of Kroff over the past 18 months have demonstrated that they are detrimental to the welfare of the community by their constant and persistent odors that sometimes start at the Key Bridge and continue to North Point Blvd and beyond. There can only be one of two reasons that their odor continues – either they do not possess the capacity in which to solve this nuisance, or they simply do not care. Granting them this special exemption is the same as tacit approval for their existing operations to continue to create odor issues. Granting them approval is tantamount to growing the odor problem due to their expanded capacity. Until they address and correct their problems, they are detrimental to the general welfare of the community and as per your zoning regulations, a special exemption cannot be granted. All I respectfully ask is that you comply with Section 502.1a and enforce them to address their nuisances.

11/14/05

PROTESTANT'S

EXHIBIT NO. 1

THE JEFFERSONIAN.com

October 28, 2005

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Oil recycler at ISG mill looking for outside customers

10/26/05
By Virginia Terhune
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SPARROWS POINT

Kroff Chemical wants to expand its oil-recycling operation on Shipping Road at the ISG steel mill in Sparrows Point.

The Pittsburgh-based company recovers oil from wastewater generated by operations on the ISG property and converts it to usable fuel for the steelmaker (formerly Bethlehem Steel).

Kroff wants to to expand the operation by also accepting oily wastewater from other companies off site, which could include wastewater from gas stations, underground tanks and industrial processes.

The wastewater would be shipped to the Kroff facility by truck or rail, according to an application filed with Baltimore County for a special hearing and a special exception before the zoning commissioner, which are required in a bill passed by the County Council last year.

A hearing is scheduled for 2 p.m. Nov. 14 in Room 407 of the county courts building in Towson.

PLACE IN FILE

The Maryland Department of the Environment is waiting for approval before issuing an air quality permit, according to the zoning application.

The company wants to expand in order to generate more recovered oil for ISG to burn as alternative fuel, said Jim Cipollone, Kroff's on-site sales and operations manager.

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ISG uses recovered oil as fuel to generate electricity used in its manufacturing processes.

"They want us to generate more," he said, because it's a cheaper source of energy than natural gas and other fuels, which are rising in price for manufacturers as well as consumers.

Assuming the zoning approval is granted, Kroff will begin to accept additional customers right away, Cipollone said. Depending on growth, the facility will hire additional people to work in operations and marketing.

The operation currently employs eight people - Cipollone, an administrator and six full-time operations and maintenance people.

Kroff has enough capacity to take on additional customers without physically expanding at this point, Cipollone said.

U.S. Filter

Kroff took over oil-recovery operations at ISG in May 2004 from U.S. Filter, a Pennsylvania-based company that had been operating at Sparrows Point since 1997.

The U.S. Filter facility was closed and Kroff spent more than $1 million to build a new one next door, Cipollone said.

U.S. Filter planned to consolidate its area oil-recycling operations in nearby North Point on part of a 21-acre industrial site off Fischer Road formerly owned by Valspar, a Minneapolis-based paint and coatings company.

At that point, the company was operating several facilities serving about 4,500 customers in the Baltimore area, according to company managers.

U.S. Filter received preliminary state and county approvals to move in the spring of 2004, having invested about $1.1 million in site improvements and committing an additional $1.7 million in lease payments for the new location.

But neighbors in the nearby Wells-McComas community, who already objected to truck traffic in the area, opposed another industrial operation close by.

Among the opponents were the politically influential owners of the Briarwood Estate mobile home park adjacent to the Valspar site. The owner of the complex is the daughter of lawyer Robert Romadka, who practiced in Essex for many years.

To support the Wells-McComas residents, the County Council passed a bill in October 2004 that set limits on oil-recovery

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(Formerl
Tanks)
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Mfg. Sta
Steel Ta
The Port
Sanitatic
Pumping
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Tanks
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Guarant
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www.plasti

facilities.

The bill required a 1,000-foot buffer between the operation and neighbors and also required operators to win approval for a special exception from the zoning commissioner.

In December 2004, Zoning Commissioner William Wiseman denied U.S. Filter's request, concluding in part that the operation would adversely affect neighbors because of truck traffic, blocked access for emergency vehicles and the cumulative effect of air emissions.

In January 2005, U.S. Filter appealed Wiseman's ruling to the county Board of Appeals. The company withdrew its appeal in late August without explanation, and the board dismissed the case in September.

Officials with U.S. Filter could not immediately be reached Oct. 24 for comment about their plans for the Fisher Road site or current operations in Baltimore.

E-mail Virginia Terhune at Virginia Terhune@patuxent.com

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PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Vince Gloriosa	1105 North Point Blvd	[redacted]	gloriadad@aol.com
~~[illegible]~~	Suite 310	Baltimore, MD 21224	
Donna Thomas	4702 Green Cove Cir.	Balto., MD 21219	madonna61@comcast.net
Lauren Taylor	409 Washington Ave.	Towson, MD 21204	ltaylor@pattuxent.com
Rich Cobert	Economic Development	Towson MD	rcobert@co.ba-md.us

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

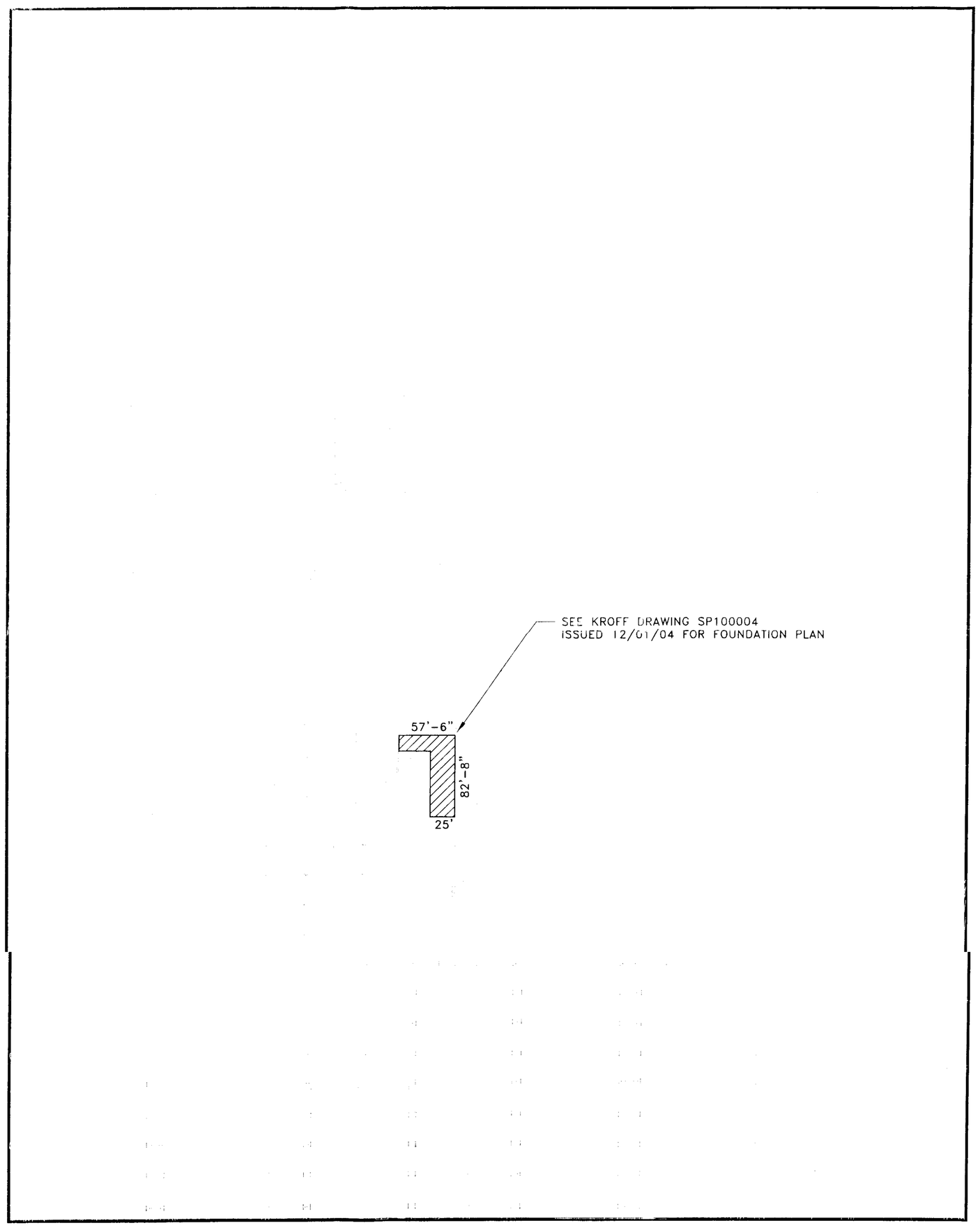
PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Leslie M. Pittler	25 Wandsworth Bridge Way	Lutherville, Md 21093	Les_law@comcast.net
James P. Cipollone	299 Tomato Court	Forest Hill, MD 21050	jcipollone@knotts.com
BRANDON BONANNO	68 Yorkway	Balto., MD 21222	bbonanno@jacobsenvironmental.com

243272-1

APPROX. 750 FEET
TO BETHLEHEM BLVD.

N



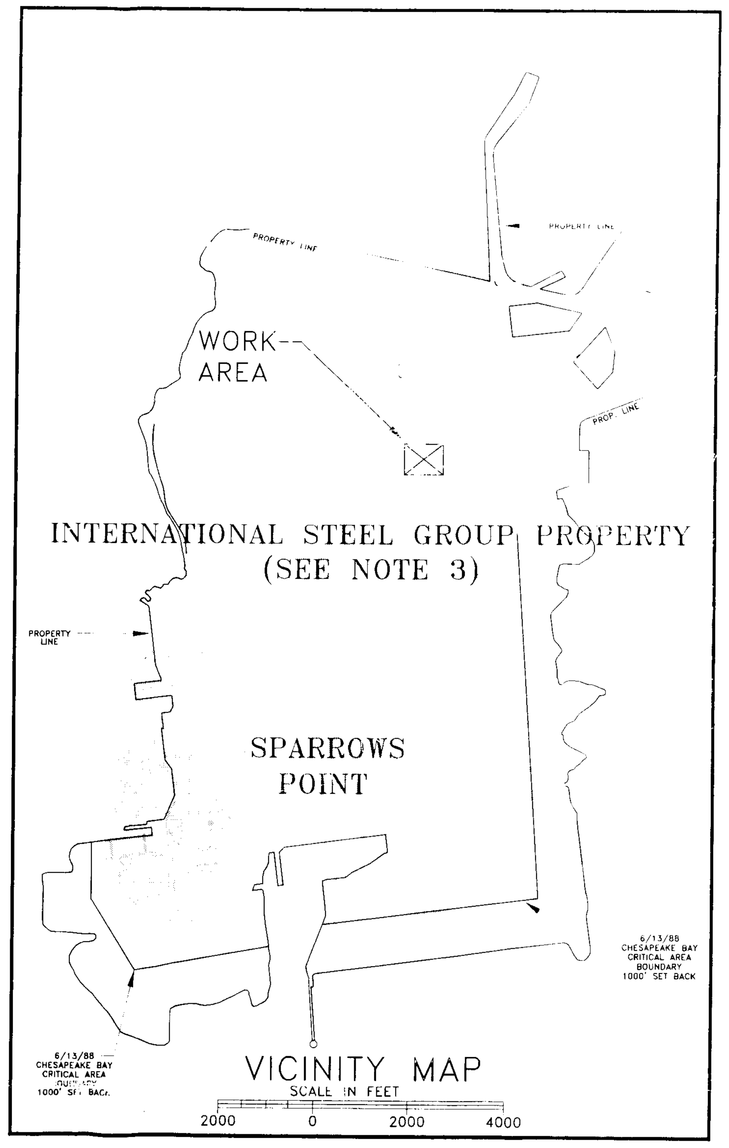
APPROX. 4,000 FEET
TO NORTH POINT BLVD.

SCALE IN FEET

0 50 100 150 200 250 300

PLOT PLAN

N



VICINITY MAP
SCALE IN FEET
2000 0 2000 4000

SITE PLAN INFORMATION

1. THIS PROPERTY IS LOCATED WITHIN THE 15TH ELECTION DISTRICT, 35TH PRECINCT.
2. AREA OF PROPERTY - 2442.590 ACRES, TAX ACCOUNT - 15-02-024000
3. PROPERTY LINES:
   WEST BOUNDARY - BEAR CREEK SHORELINE
   SOUTH BOUNDARY - PATAPSCO RIVER
   SOUTHEAST BOUNDARY - OLD ROAD BAY AND JONES CREEK
   NORTH & NORTHEAST BOUNDARY - SHOWN ON VICINITY MAP AND DESCRIBED IN THE FOLLOWING DEEDS:
   JED BOOK E VOLUME 17 PAGE 56 DATED 8/1/1918 (507 FOLIO 1)
   WPC 552 FOLIO 47 DATED 8/1/1918
   RJS 1422 FOLIO 96 DATED 7/25/1923
   CWB, JR. 969 FOLIO 455 DATED 1/15/1936
   CWB, JR. 987 FOLIO 205 DATED 12/15/1936
   JWB 1588 FOLIO 477 DATED 6/13/1947
   EHK, JR. 6614 FOLIO 564
   RRG 4411 FOLIO 120
4. EXISTING ON SITE USAGE - STEEL MANUFACTURING
   USAGE FOR THIS PROJECT INDUSTRIAL BUILDINGS AND FOUNDATIONS
5. EXISTING ZONING CLASSIFICATION - MH-IM.
6. PARKING DATA: NONE REQUIRED
7. HEARING FOR SPECIAL EXCEPTION: FOR A SPECIAL EXCEPTION UNDER 256.4 OF THE BALTIMORE COUNTY ZONING REGULATIONS OIL REFINERY INCLUDING ANY FACILITY FOR THE RECOVERY, PROCESSING OR RECYCLING OF OIL, OR THESTORAGE OR TRANSFER OF OIL BE RECYCLED IF LOCATED AT LEAST 1,000 FEET FROM ANY RESIDENTIAL ZONE AND LEAST 500 FEET FROM ANY BL, BM, OR MR ZONE.
8. SPECIAL HEARING FOR NON-CONFIRMING USE: NON-CONFIRMING USE AS AN OIL REFINERY AS SET FORTH UNDER 256.4 OF THE BALTIMORE COUNTY ZONING REGULATIONS

SIGNED: T.N. Wettlaufer
T.N. WETTLAUFER - ENGINEERING MANAGER

PERMIT #D544661 OBTAINED FOR FOUNDATIONS BY KROFF CHEMICAL CO. AND STEVENS PAINTON CORP.

PROJECT NUMBER

REVISION NUMBER	DATE	DESCRIPTION	COORDINATE	INITIAL
	2-2-2004	ISSUED	N-11	GAR
1	3-8-2005	ISSUED	N-11	MSS
2	8-23-2005	PLOT PLAN MINOR REVISIONS		MT
3	9-6-2005	ADDED SITE PLAN NOTES 7 & 8		MT
4				
5				
6				
7				
8				
9				
10				

DRAWING NO	REFERENCE
ISG-243275	PLOT PLAN
243219 THRU 243221	DEMOLITION AND FOUNDATION PLAN

FILE NAME: ISG-243272-001.DWG | SCALE FACTOR: 1:1

DEPT: PLOT PLAN OF
AREA: WASTE OIL RECOVERY PLANT
JOB: KROFF CHEMICAL COMPANY, INC
OIL RECOVERY SERVICES
SPARROWS POINT, BALTO. COUNTY 21219

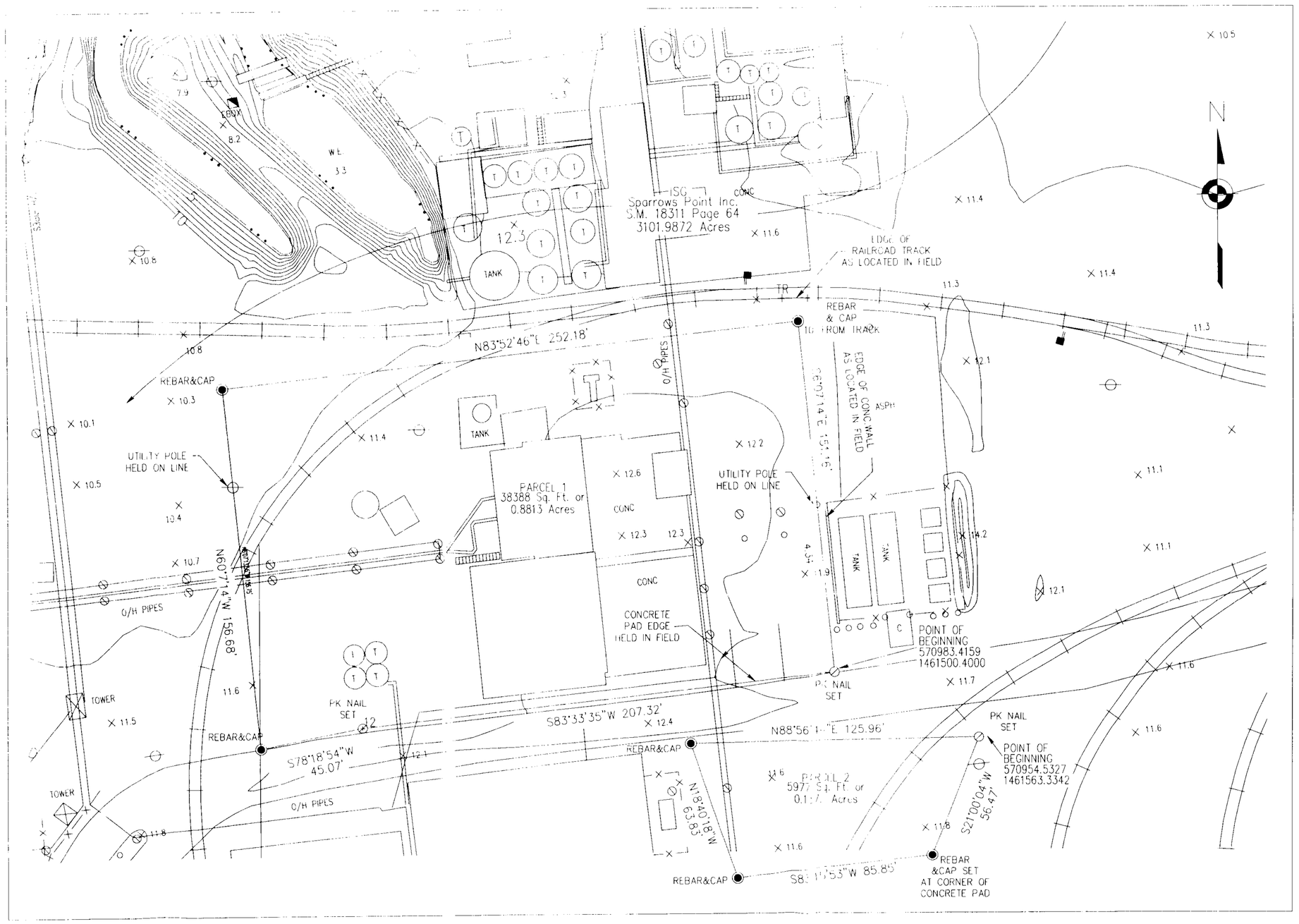
DRAWN BY: DC | SCALE: AS SHOWN | SPARROWS POINT PLANT
CHECKED BY: VJN
APPROVED BY: GAR
ISG
DRAWING NUMBER: 243272-1

ISG-ACAD-D

PETITIONER'S
EXHIBIT NO. 1

CE-170-SPHX

C:\DWG_ISG\243272-001.DWG MODE PAGE 1 - 9/6/2005 10:18:44 AM



NOTES:

1. HEARING FOR SPECIAL EXCEPTION: FOR A SPECIAL EXCEPTION UNDER 256.4 OF THE BALTIMORE COUNTY ZONING REGULATIONS OIL REFINERY, INCLUDING ANY FACILITY FOR THE RECOVERY, PROCESSING OR RECYCLING OF OIL, OR THE STORAGE OR TRANSFER OF OIL BE RECYCLED IF LOCATED AT LEAST 1,000 FEET FROM ANY RESIDENTIAL ZONE AND LEAST 500 FEET FROM ANY BL, BM, OR MR ZONE
2. SPECIAL HEARING FOR NON-CONFIRMING USE: NON CONFIRMING USE AS AN OIL REFINERY AS SET FORTH UNDER 256.4 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

		7
		8
ISG-243272	KROFF CHEM. CO. OIL RECOVERY PLANT	9
DRAWING	REFERENCE	0

REVISION

Number	Date	DESCRIPTION	Coordinate	Initial
1	8-23-05	ADDED REFERENCE DRAWING ISG-243272-1		MT
2	9-6-05	ADDED NOTES 1 AND 2		MT
3				
4				
5				
6				

FINISHES ON THIS DRAWING CONFORM TO A.I.S.E. STANDARDS

DEPT: PLANT GENERAL

SECTION OR AREA: WASTE OIL RECOVERY PLANT

JOB: KROFF CHEMICAL COMPANY, INC OIL RECOVERY SERVICES

PART: PLOT PLAN

DRAWN BY: WR&A

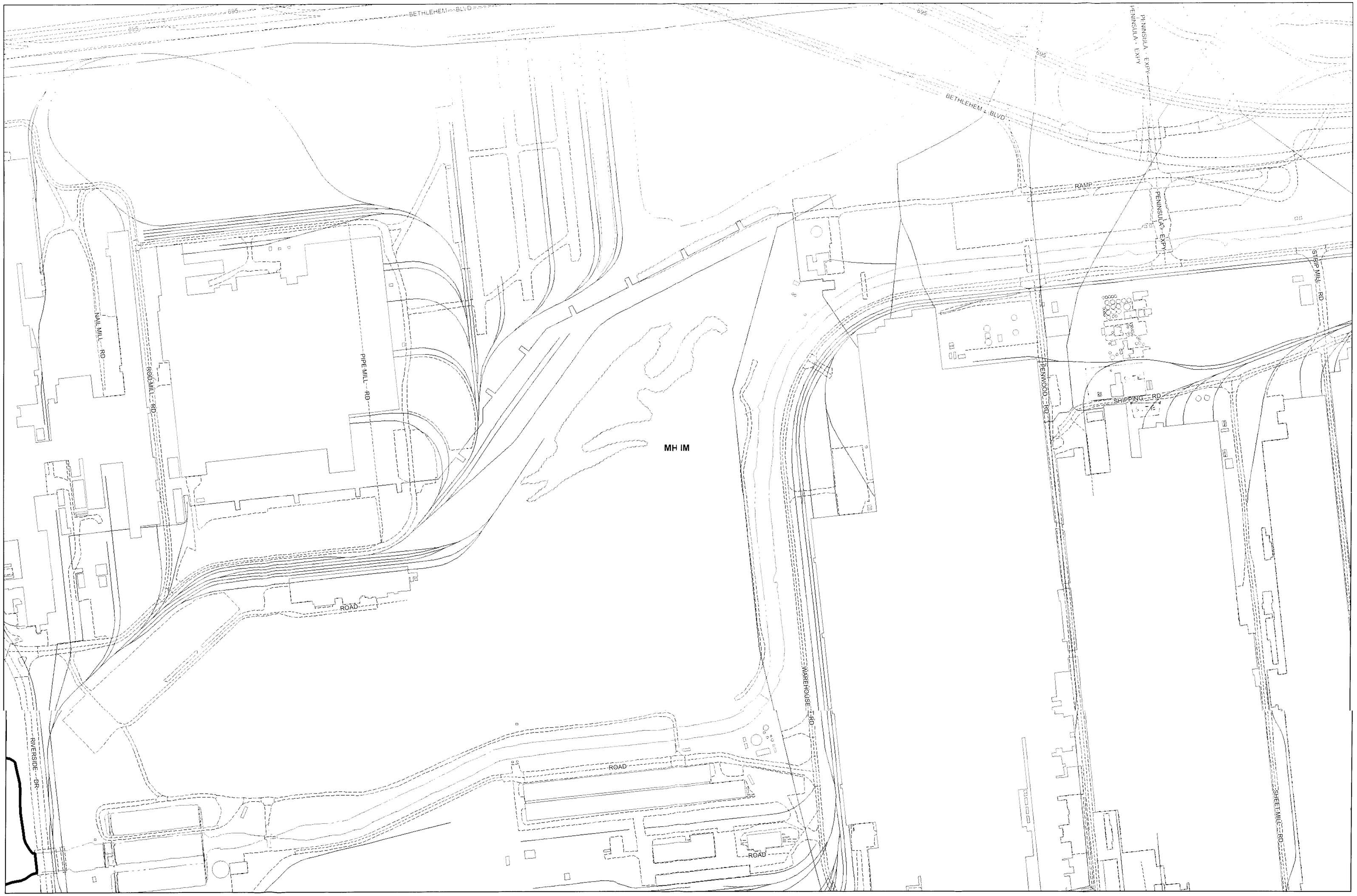
CHECKED BY: WR&A

SCALE: 30'=1 ft.

APPROVED: M.

INTERNATIONAL STEEL GROUP, INC
SPARROWS POINT DIVISION

DRAWING NO. 243275



Plan Sheet: *111A2*

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

Zoning — Streams — Vegetation
Buildings — Roads — Rail Lines

Baltimore County
Office of Planning and Zoning
Official Zoning Map

110B1	110C1	111A1	111B1	111C1
110B2	110C2	111A2	111B2	111C2
110B3	110C3	111A3	111B3	111C3

Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004