

Attachment B

NPDES Written Findings

Mining Permit No. 01180301 **NPDES Permit No.** PA0279617

Site Name: Northern Tract Quarry

1. Facility description

Applicant: Specialty Granules, LLC

Municipality: Hamiltonban

County: Adams

Type of Facility: Coal Noncoal

Surface Prep Plant Underground Mine Coal Refuse Reprocessing

Receiving Stream: Unnamed Tributary to Toms Creek and Toms Creek

This watershed is a Special Protection Watershed designated as HQ or EV Yes No

This watershed is identified as an impaired stream (TMDL) Yes No

If yes, it is impaired for N/A.

This permit is for

- New source(s)
- Renewal of existing source(s)
- Revision

This permit includes the following:

- Point source discharge(s) which require numerical effluent limits.
- Narrative effluent limits in lieu of numerical limits (Best Management Practices)

The discharges are as follows:

Outfall	Identifier	Type	Frequency	Average Flow Rate	Maximum Flow Rate	Units (GPM/MGD)
001	Sedimentation Pond (NT Pond 1)	SW	P	*	*	MGD
002	Sedimentation Pond (NT Pond 2)	SW	P	*	*	MGD

For the type of discharge use Stormwater (SW), Mine Drainage Treatment (MDT) or Other (O)
 For frequency use Continuous (C) Intermittent (I) or Precipitation Dependent (P)

Or

There is no point source discharge authorized for this facility. All water, including stormwater, will be contained within the site.

2. TMDL Waste Load Allocation Not Applicable-Not a TMDL Stream

A waste load allocation for this permit is:

- not needed because there will be no treated wastewater discharge
- available from completed permit number
- built into the existing TMDL report
- limits at criteria TMDL requires a WLA to be Requested (Kiski-Conemaugh TMDL)
- not needed because the effluent limits meet in-stream criteria and the TMDL does not require WLA

3. Basis for Permit Conditions

This NPDES permit contains the mandated standard conditions as required in 40 CFR 122.41. In addition, the permit contains the following conditions:

For new Permits, the following conditions are included in the permit to document the effluent characterization requirements:

The permittee shall provide analysis of samples collected from erosion and sedimentation control outfalls within two years of the initial discharge of each facility in compliance with 40 CFR 122.26(c)(1)(i)(G). Specifically, sampling results are required for the pollutants listed in 40 CFR 122, Appendix D, Table III (Report All), and for Appendix D, Tables II and IV those that are expected to be present and pH, specific conductivity, temperature, alkalinity, acidity, iron, manganese, aluminum, sulfate, chloride, settleable solids, total dissolved solids, oil and grease, BOD5, COD, Kjeldahl nitrogen, and nitrate plus nitrite nitrogen. This quantitative data requirement is subject to the small business exemption at 40 CFR 122.21(g)(8) for Tables II and IV.

The operator must not cause or contribute to degradation of Toms Creek or Unnamed Tributary to Toms Creek in the event of a discharge from the emergency spillways for outfalls 001 and 002.

For TSS, a non-degrading discharge from the emergency spillways from outfall 001 and 002 shall be permitted during a 100-year/24-hour storm event or greater if the difference in the concentrations between the upstream and downstream monitoring points are not statistically significant given the natural variability of such parameters and has not caused or contributed to an adverse impact on human health, aquatic life, public water supply uses, cold water fishes, or recreational uses of the stream.

The permittee must commence collecting water samples for TSS with flow measurements at the monitoring points listed below during a precipitation event which exceeds the 100-year/24-hour event or at any precipitation event the emergency spillway outfalls 001 and 002 appear possible to discharge:

Outfall 001

Outfall 002

SS-TC-US (Upstream Toms Creek- Upstream of Outfall 001)

SS-4 (Midstream Toms Creek -Downstream of Outfall 001)

SS-CH1-US (Upstream Unnamed Tributary to Toms Creek)

SS-CHN1-DS (Downstream Unnamed Tributary to Toms Creek)

The operator is required to report all the above referenced monitoring information with its quarterly sampling results. In addition, the operator is to provide a yearly report of the data collected during the discharge events at outfalls 001 and 002.

After a minimum of three precipitation events exceeding the 100-year/24-hour event or any other precipitation event where the emergency spillways from outfalls 001 and 002 discharge, sampling results will be evaluated to determine reasonable potential for an exceedance of the corresponding water quality criterion for TSS. Should a reasonable potential for an exceedance be established, water quality based

effluent limits will be calculated and implemented during precipitation events, as described above, and the permit will be revised at that time to include these limits.

4. Alternatives to standards

There are no alternatives to standards since the NPDES permit will require that the discharge meet all applicable water quality standards.

Or

The NPDES permit applicant has requested an alternative to required standards of Chapter 93 under the procedure of Chapter 93 relating to Social or Economic Justification.

SGI will implement a non-discharge alternative that includes: (1) the installation of oversized ponds NT Pond Nos. 1 and 2 (outfall 001 and 002) and related drainage structures, (2) collection and transfer of water from the Northern Tract Pond System to the Lower Mill Pond System, and (3) the water use technologies that are part of the Lower Mill Pond System. The Northern Tract mine permit plan utilizes an alternative discharge location which will collect runoff from the Northern Tract area and discharge such waters to a non-specially protected watershed via the Lower Mill Three Pond System in all instances except for a storm that is of greater intensity or magnitude than a 100-year/24-hour storm event, when there would be the potential for a discharge via an auxiliary spillway to reach Toms Creek. As such, SGI has completed an SEJ for the potential discharges that may occur from outfalls 001 and 002.

5. Procedures for reaching a final decision

Date of the notice of the tentative determination for this application was published in the Pennsylvania Bulletin May 26, 2018

Period for public comment: May 26, 2018 to June 26, 2018

Address where comments are received 286 Industrial Park Road, Ebensburg, PA 15931

Was there a public hearing? Yes No

Date of public hearing: July 23, 2018 and January 30, 2019

Written comments accepted for July 23, 2018 public hearing: July 23, 2018 to August 6, 2018

Written comments accepted for January 30, 2019 public hearing: January 30, 2019 to February 13, 2019

Was this application subject to EPA review? Yes No

If yes, have the issues that were raised been resolved? Yes No NA

6. Calculations or explanation of effluent limits

Effluent limits for this permit are based on:

BAT

In-stream (TMDL requirement)

WQBEL

WQSS (Anti-Deg Method)

PENTOX

Mass Balance Calculations

Limits defined by TMDL

7. Waivers

The permittee has not been granted any waivers under 40 CFR Secs. 122.21 or 123.25 related to permit applications.

