

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF WATER QUALITY

Draft PERMIT

TO DISCHARGE WASTEWATER UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provision of North Carolina General Statute 143-215.1, other lawful standards and regulations promulgated and adopted by the North Carolina Environmental Management Commission, and the Federal Water Pollution Control Act, as amended,

**Blue Ridge Paper Products Inc. dba Evergreen Packaging**

is hereby authorized to discharge wastewater from a facility located at

**Blue Ridge Paper Products Inc. dba Evergreen Packaging**  
Blue Ridge Paper Products Wastewater Treatment Plant  
Off Highway 215  
Canton  
Haywood County

to receiving waters designated as the Pigeon River in the French Broad River Basin in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, III and IV hereof.

This permit shall become effective.

This permit and authorization to discharge shall expire at midnight on

Signed this day

**DRAFT**

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Coleen H. Sullins, Director  
Division of Water Quality  
By Authority of the Environmental Management Commission

SUPPLEMENT TO PERMIT COVER SHEET

**Blue Ridge Paper Products, Inc. dba Evergreen Packaging**

is hereby authorized to:

1. Continue operation of a 29.9 MGD wastewater treatment plant for the treatment of wastewater associated with the Blue Ridge Paper Products Inc. pulp and paper mill, the Town of Canton's chlorinated domestic wastewater and landfill leachate. The treatment system consists of the following treatment units:
  - Grit Chamber
  - Bar Screen
  - Lift Pumps
  - Polymer addition
  - pH control ( CO<sub>2</sub> injection or H<sub>2</sub>SO<sub>4</sub> backup)
  - Three primary clarifiers
  - Nutrient Feed
  - Aeration basins
  - Three secondary clarifiers
  - Residual belt presses
  - Effluent flow measurement
  - Cascade post aeration with oxygen injection
  - Instream oxygen injection facilities

The facility is located at the Blue Ridge Paper Products WWTP, off Highway 215, Canton, Haywood County, and;

2. Discharge treated wastewater from said treatment works at the location specified on the attached map through outfall 001 into the Pigeon River, which is classified C water, in the French Broad River Basin.

**A. (1.) EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning on the effective date of the permit and lasting until expiration, the Permittee is authorized to discharge **treated industrial, municipal, stormwater and landfill wastewater** through outfall(s) **001**. Such discharges shall be limited and monitored by the Permittee as specified below:

| <u>Effluent Characteristics</u>                                | <u>Effluent Limits</u> |                | <u>Monitoring Requirements</u> |             |                              |
|--|------------------------|----------------|--------------------------------|-------------|------------------------------|
|  | Monthly Average        | Daily Maximum  | Measurement Frequency          | Sample Type | Sample Location <sup>1</sup> |
| Flow   | 29.9 MGD               |                | Continuous                     | Recording   | I or E <sub>1</sub>          |
| BOD, 5-day, 20°C   | 3205 lb/day            | 10897 lb/day   | Daily                          | Composite   | I, E <sub>1</sub>            |
| Total Suspended Solids   | 12549 lb/day           | 49560 lb/day   | Daily                          | Composite   | I, E <sub>1</sub>            |
| NH <sub>3</sub> -N   |                        |                | Daily                          | Composite   | E <sub>1</sub>               |
| AOX <sup>2</sup>   | 2168 lb/day            | 3309 lb/day    | Weekly                         | Composite   | E <sub>1</sub>               |
| Color <sup>3</sup>   | 52,000 lb/day          | 105,250 lb/day | Daily                          | Composite   | E <sub>1</sub>               |
| Dissolved Oxygen <sup>4</sup>                                  |                        |                | Daily                          | Grab        | E <sub>1</sub>               |
| Temperature <sup>5</sup>                                       |                        |                | Daily                          | Grab        | E <sub>1</sub>               |
| pH <sup>6</sup>  |                        |                | Daily                          | Grab        | E <sub>1</sub>               |
| Conductivity   |                        |                | Daily                          | Grab        | E <sub>1</sub>               |
| Fecal Coliform   | 200/ 100 mL            | 400/ 100 mL    | Weekly                         | Grab        | E <sub>1</sub>               |
| COD  |                        |                | Weekly                         | Composite   | E <sub>1</sub>               |
| Zinc <sup>11</sup>   |                        |                | Quarterly                      | Composite   | E <sub>1</sub>               |
| Total Nitrogen (NO <sub>2</sub> -N + NO <sub>3</sub> -N + TKN) |                        |                | Monthly                        | Composite   | E <sub>1</sub>               |
| Total Phosphorus   |                        |                | Monthly                        | Composite   | E <sub>1</sub>               |
| Chronic Toxicity <sup>7</sup>                                  |                        |                | Quarterly                      | Composite   | E <sub>1</sub>               |
| Trichlorophenol <sup>8</sup>                                   |                        | 30.6 lb/day    | Quarterly                      | Composite   | E <sub>1</sub>               |
| Pentachlorophenol <sup>8</sup>                                 |                        | 4.9 lb/day     | Quarterly                      | Composite   | E <sub>1</sub>               |
| Selenium   |                        |                | Annual                         | Composite   | E <sub>1</sub>               |
| 2,3,7,8 Tetrachloro-dibenzo-p-dioxin <sup>9</sup>              | 0.04 pg/L              |                | Annual                         | Composite   | I, E <sub>1</sub>            |
| Conductivity <sup>10</sup>                                     |                        |                | Daily                          | Grab        | Pigeon River                 |
| Flow <sup>10</sup>   |                        |                | Daily                          | Grab        | Pigeon River                 |
| Fecal Coliform <sup>10</sup>                                   |                        |                | Weekly                         | Grab        | Pigeon River                 |
| Color <sup>10</sup>  |                        |                | Variable                       | Grab        | Pigeon River                 |
| Temperature <sup>10</sup>                                      |                        |                | Variable                       | Grab        | Pigeon River                 |
| Dissolved Oxygen <sup>10</sup>                                 |                        |                | Variable                       | Grab        | Pigeon River                 |

**Footnotes:**

1. Sample Location: I- Influent, E<sub>1</sub> – Effluent, Pigeon River - Instream sampling as specified in A. (5.) Instream Monitoring Special Condition.
2. AOX monitoring shall be in accordance with the Sampling Plan for Cluster Rule Parameters (dated March 19, 2001) or subsequent modifications approved by the Division. AOX data shall be submitted on a quarterly basis along with other Effluent Guideline chemical data; refer to A. (7.) Effluent Guideline Sampling Plan Special Condition.
3. Annual average color limit is 39,000 lb/day, which will decrease to 37,000 lb/day based on the performance of the facility but no later than 4 years after permit effective date. See A. (8.) Color Analysis and Compliance Special Condition.
4. The daily average effluent dissolved oxygen concentration shall not be less than 6.0 mg/L. See A. (10.) Dissolved Oxygen Special Condition.
5. The monthly average instream temperature measured at a point 0.4 miles downstream of the discharge location shall not exceed 32°C during the months of July, August, and September and shall not exceed 29.0 °C during the months of October through June. The monthly average instream temperature measured at this location shall

not exceed the monthly average instream temperature of the upstream monitoring location by more than 13.9°C [See Special Condition A.(12.) Temperature Variance Review Special Condition].

6. The pH of the effluent shall not be less than 6.0 nor greater than 9.0 (on the standard units scale).
7. Chronic Toxicity (Ceriodaphnia) at 90% Effluent Concentration: March, June, September, December (see A. (4.) Chronic Toxicity Permit Limit (Quarterly)).
8. Trichlorophenol and Pentachlorophenol limits and monitoring are provisionally waived since the facility has certified that chlorophenolic biocides are not used at this facility. If the facility changes operations to include chlorophenolic biocide, the Permittee shall notified the Division prior to use and the limits and monitoring requirements shall become immediately effective.
9. See A. (9.) Dioxin Monitoring Special Condition.
10. See A. (5.) Instream Monitoring Special Condition.
11. Monitoring should be conducted in conjunction with Whole Effluent Toxicity Testing.

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

See A. (6.) Best Management Practices (BMP) Special Condition.

See A. (11.) Town of Canton Inflow and Infiltration Special Condition.

**Definitions:**

MGD – Million gallons per day

mL – Milliliter

µg/L - Micrograms per liter

COD - Chemical oxygen demand

lb/day – Pounds per day

BOD – Biochemical Oxygen Demand

AOX - Adsorbable Organic Halides

pg/L - picograms per liter

**A. (2.) EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning upon the effective date of the permit and lasting until expiration, the discharge of **wastewater from the pine bleach plant to the wastewater treatment plant** through internal outfall(s) **002 (E<sub>2</sub><sup>1</sup>)**, shall be limited and monitored by the Permittee as specified below and in A. (7.) Effluent Guideline Sampling Plan Special Condition:

| <u><b>Effluent Characteristics</b></u>      | <u><b>Limits</b></u>   |                         | <u><b>Monitoring Requirements<sup>2</sup></b></u> |                                |                                    |
|---|------------------------|-------------------------|---|--------------------------------|------------------------------------|
|   | <b>Monthly Average</b> | <b>Daily Maximum</b>    | <b>Measurement Frequency</b>                      | <b>Sample Type<sup>3</sup></b> | <b>Sample Location<sup>1</sup></b> |
| Flow <sup>2</sup>                           |                        |                         | Weekly  | Calculated                     | E <sub>2</sub>                     |
| Chloroform <sup>4</sup>                     | 5.1 lb/day             | 8.6 lb/day              | Quarterly   | Grab                           | E <sub>2</sub>                     |
| 2,3,7,8 Tetrachloro-dibenzo-p-dioxin (TCDD) |                        | < 10 pg/L               | Annual  | Composite                      | E <sub>2</sub>                     |
| 2,3,7,8 Tetrachloro-dibenzo-p-furan (TCDF)  |                        | 31.9 pg/L               | Annual  | Composite                      | E <sub>2</sub>                     |
| Trichlorosyringol                           |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 3,4,5-Trichlorocatechol                     |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 3,4,6-Trichlorocatechol                     |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 3,4,5-Trichloroguaiacol                     |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 3,4,6-Trichloroguaiacol                     |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 4,5,6-Trichloroguaiacol                     |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 2,4,5-Trichlorophenol                       |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 2,4,6-Trichlorophenol                       |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| Tetrachlorocatechol                         |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| Tetrachloroguaiacol                         |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| 2,3,4,6-Tetrachlorophenol                   |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |
| Pentachlorophenol                           |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>2</sub>                     |

**Footnotes:**

1. Sample Location: E<sub>2</sub> – Effluent is composed of **Bleach Plant Effluent-acid** (acid sewer collected from tap installed on filtrate pump from ClO<sub>2</sub> bleaching stage D-100 and from tap installed on filtrate pump from ClO<sub>2</sub> bleaching stage D-2) and **Bleach Plant Effluent-alkaline** (alkaline sewer collected from tap installed on filtrate pump from alkaline extraction stage E<sub>0</sub>). See A. (7.) Effluent Guideline Sampling Plan Special Condition
2. Monitoring and flow calculations shall be in accordance with the “Sampling Plan for Cluster Rule Parameters” (dated March 19, 2001) or subsequent modifications approved by the Division. Chemical results for Effluent Guideline parameters as prepared by the permittee (Internal Outfall 002 parameters + internal Outfall 003 parameters + AOX from Outfall 001) shall be reported on a quarterly basis or more frequently; refer to A. (7.) Effluent Guideline Sampling Plan Special Condition.
3. Sample Type: **Calculated**- calculate separate flows for alkaline and acid sewers by water balance or flow meters, and report total bleach plant flow (acid + alkaline wastestreams) in DMRs. **Grab**- collect separate grab samples every 4-hours for 24-hour period from both the acid and alkaline streams, which will then be composited separately by the lab, and analyzed as separate 24-hr composite acid and alkaline samples. **Composite**- collect separate grab samples every 4 hours for 24-hour period from both the acid and alkaline streams, then prepare and analyze a single flow-proportioned composite of the acid and alkaline wastestream.
4. For compliance purposes, the permittee must report the total chloroform mass loading based on addition of separate acid and alkaline chloroform mass loadings.
5. Limits are based on Minimum Levels (ML) specified in 40 CFR 430.01.

**Definitions:**

lb/day – Pounds per day  
pg/L – Picograms per liter

µg/L – Micrograms per liter

**A. (3.) EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning upon the effective date of the permit and lasting until expiration, the discharge of **wastewater from the hardwood bleach plant to the wastewater treatment plant** through internal outfall(s) **003 (E<sub>3</sub><sup>1</sup>)**, shall be limited and monitored by the Permittee as specified below and in A. (7.) Effluent Guideline Sampling Plan Special Condition:

| <u><b>Effluent Characteristics</b></u>      | <u><b>Limits</b></u>   |                         | <u><b>Monitoring Requirements<sup>2</sup></b></u> |                                |                                    |
|---|------------------------|-------------------------|---|--------------------------------|------------------------------------|
|   | <b>Monthly Average</b> | <b>Daily Maximum</b>    | <b>Measurement Frequency</b>                      | <b>Sample Type<sup>3</sup></b> | <b>Sample Location<sup>1</sup></b> |
| Flow <sup>2</sup>                           |                        |                         | Weekly  | Calculated                     | E <sub>3</sub>                     |
| Chloroform <sup>4</sup>                     | 6.5 lb/day             | 10.9 lb/day             | Quarterly   | Grab                           | E <sub>3</sub>                     |
| 2,3,7,8 Tetrachloro-dibenzo-p-dioxin (TCDD) |                        | < 10 pg/L               | Annual  | Composite                      | E <sub>3</sub>                     |
| 2,3,7,8 Tetrachloro-dibenzo-p-furan (TCDF)  |                        | 31.9 pg/L               | Annual  | Composite                      | E <sub>3</sub>                     |
| Trichlorosyringol                           |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 3,4,5-Trichlorocatechol                     |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 3,4,6-Trichlorocatechol                     |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 3,4,5-Trichloroguaiacol                     |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 3,4,6-Trichloroguaiacol                     |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 4,5,6-Trichloroguaiacol                     |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 2,4,5-Trichlorophenol                       |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 2,4,6-Trichlorophenol                       |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| Tetrachlorocatechol                         |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| Tetrachloroguaiacol                         |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| 2,3,4,6-Tetrachlorophenol                   |                        | < 2.5 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |
| Pentachlorophenol                           |                        | < 5.0 µg/L <sup>5</sup> | Quarterly   | Composite                      | E <sub>3</sub>                     |

**Footnotes:**

1. Sample Location: E<sub>3</sub> – Effluent is composed of **Bleach Plant Effluent-acid** (acid sewer collected from tap installed on filtrate pump from ClO<sub>2</sub> bleaching stage D-100) and **Bleach Plant Effluent-alkaline** (alkaline sewer collected from tap installed on filtrate pump from alkaline extraction stage E<sub>0</sub>). See A. (7.) Effluent Guideline Sampling Plan Special Condition.
2. Monitoring and flow calculations shall be in accordance with the “Sampling Plan for Cluster Rule Parameters” (dated March 19, 2001) or subsequent modifications approved by the Division. Chemical results for Effluent Guideline parameters, as prepared by the permittee (Internal Outfall 002 parameters + internal Outfall 003 parameters + AOX from Outfall 001) shall be reported on a quarterly basis or more frequently; refer to A. (7.) Effluent Guideline Sampling Plan Special Condition.
3. Sample Type: **Calculated**- calculate separate flows for alkaline and acid sewers by water balance or by flow meter, and report total bleach plant flow (acid + alkaline wastestreams) in DMRs. **Grab**- collect separate grab samples every 4-hours for 24-hour period from both the acid and alkaline streams, which will then be composited separately by the lab, and analyzed as separate 24-hr composite acid and alkaline samples. **Composite**- collect separate grab samples every 4 hours for 24-hour period from both the acid and alkaline streams, then prepare and analyze a single flow-proportioned composite of the acid and alkaline wastestream.
4. For compliance purposes, the permittee must report the total chloroform mass loading based on addition of separate acid and alkaline chloroform mass loadings.
5. Limits are based on Minimum Levels (ML) specified in 40 CFR 430.01.

**Definitions:**

lb/day – Pounds per day  
pg/L – Picograms per liter

µg/L – Micrograms per liter

**A. (4.) CHRONIC TOXICITY PERMIT LIMIT (QRTRLY)**

The effluent discharge shall at no time exhibit observable inhibition of reproduction or significant mortality to *Ceriodaphnia dubia* at an effluent concentration of 90%.

The permit holder shall perform at a minimum, *quarterly* monitoring using test procedures outlined in the “North Carolina *Ceriodaphnia* Chronic Effluent Bioassay Procedure,” Revised February 1998, or subsequent versions or “North Carolina Phase II Chronic Whole Effluent Toxicity Test Procedure” (Revised-February 1998) or subsequent versions. The tests will be performed *during the months of* March, June, September, December. Effluent sampling for this testing shall be performed at the NPDES permitted final effluent discharge below all treatment processes.

If the test procedure performed as the first test of any single quarter results in a failure or ChV below the permit limit, then multiple-concentration testing shall be performed at a minimum, in each of the two following months as described in “North Carolina Phase II Chronic Whole Effluent Toxicity Test Procedure” (Revised-February 1998) or subsequent versions.

The chronic value for multiple concentration tests will be determined using the geometric mean of the highest concentration having no detectable impairment of reproduction or survival and the lowest concentration that does have a detectable impairment of reproduction or survival. The definition of “detectable impairment,” collection methods, exposure regimes, and further statistical methods are specified in the “North Carolina Phase II Chronic Whole Effluent Toxicity Test Procedure” (Revised-February 1998) or subsequent versions.

All toxicity testing results required as part of this permit condition will be entered on the Effluent Discharge Monitoring Form (MR-1) for the months in which tests were performed, using the parameter code TGP3B for the pass/fail results and THP3B for the Chronic Value. Additionally, DWQ Form AT-3 (original) is to be sent to the following address:

Attention: North Carolina Division of Water Quality  
Environmental Sciences Section  
1621 Mail Service Center  
Raleigh, North Carolina 27699-1621

Completed Aquatic Toxicity Test Forms shall be filed with the Environmental Sciences Branch no later than 30 days after the end of the reporting period for which the report is made.

Test data shall be complete, accurate, include all supporting chemical/physical measurements and all concentration/response data, and be certified by laboratory supervisor and ORC or approved designate signature. Total residual chlorine of the effluent toxicity sample must be measured and reported if chlorine is employed for disinfection of the waste stream.

Should there be no discharge of flow from the facility during a month in which toxicity monitoring is required, the permittee will complete the information located at the top of the aquatic toxicity (AT) test form indicating the facility name, permit number, pipe number, county, and the month/year of the report with the notation of “No Flow” in the comment area of the form. The report shall be submitted to the Environmental Sciences Branch at the address cited above. Should the permittee fail to monitor during a month in which toxicity monitoring is required, monitoring will be required during the following month. Should any test data from this monitoring requirement or tests performed by the North Carolina Division of Water Quality indicate potential impacts to the receiving stream, this permit may be re-opened and modified to include alternate monitoring requirements or limits.

If the Permittee monitors any pollutant more frequently than required by this permit, the results of such monitoring shall be included in the calculation & reporting of the data submitted on the DMR & all AT Forms submitted.

NOTE: Failure to achieve test conditions as specified in the cited document, such as minimum control organism survival, minimum control organism reproduction, and appropriate environmental controls, shall constitute an invalid test and will require immediate follow-up testing to be completed no later than the last day of the month following the month of the initial monitoring.

**A. (5.) INSTREAM MONITORING SPECIAL CONDITION**

| <b>Stream Designation</b> | <b>Mile Marker</b> | <b>Location Description</b>   | <b>Parameter</b>   | <b>Frequency</b>                                     |
|---------------------------|--------------------|---|--|--|
| UP                        | 63.8               | Pigeon River upstream of the waste treatment plant outfall (prior to mixing with the discharge) | Temperature<br>D.O.<br>Conductivity<br>Color <sup>1</sup><br>Flow <sup>2</sup><br>Fecal Coliform | Daily<br>Daily<br>Daily<br>2/Week<br>Daily<br>Weekly |
| DN1 <sup>3</sup>          | 62.9               | Pigeon River at Fiberville Bridge   | Temperature<br>D.O.<br>Conductivity<br>Color <sup>1</sup>  | Daily<br>Daily<br>Daily<br>2/Week                    |
| DN2 <sup>3</sup>          | 57.7               | Pigeon River Above Clyde  | Temperature<br>D.O.  | Daily<br>Daily                                       |
| DN3 <sup>3</sup>          | 55.5               | Pigeon River Below Clyde  | <b>See Footnote 3</b>  | <b>See Footnote 3</b>                                |
| DN4 <sup>3</sup>          | 53.5               | Pigeon River at NCSR 1625 bridge  | <b>See Footnote 3</b>  | <b>See Footnote 3</b>                                |
| DN5                       | 42.6               | Pigeon River at Hepco   | Temperature<br>D.O.<br>Color <sup>1</sup><br>Flow <sup>2</sup>                                   | Weekly<br>Weekly<br>Weekly<br>Daily                  |
| DN6                       | 26.0               | Pigeon River prior to mixing with Big Creek   | Color <sup>1</sup>   | Weekly   |
| BC                        | ~ 26.0             | Mouth of Big Creek prior to mixing with the Pigeon River  | Color <sup>1</sup>   | Weekly   |
| DN7                       | 24.7               | Pigeon River at Browns Bridge (~ NC/TN State Line)  | Temperature<br>D.O.<br>Color <sup>1</sup>  | Weekly<br>Weekly<br>Weekly                           |

All instream samples shall be grab samples.

Footnotes:

1. Color (See A. (8.) Color Analysis and Compliance Special Condition) All instream samples collected shall be representative of the Pigeon River and Big Creek, respectively. Both true and apparent color shall be monitored using the methods specified in A. (8.) Color Analysis and Compliance Special Condition. Samples shall be collected at stations DN6, BC, and DN7 only when at least one generator at CP&L is in operation and releasing water to the Pigeon River. Samples collected at DN1 shall be collected from the middle or midpoint of the transect of the Pigeon River.
2. Flow monitoring is necessary, as specified above, for the True Color calculation stipulated in A. (8.) Color Analysis and Compliance Special Condition.
3. Dissolved Oxygen. The average daily dissolved oxygen concentration measured at River Mile 62.9 (DN1), and 57.7 (DN2), shall not be less than 5.0 mg/L and the instantaneous minimum dissolved oxygen concentration shall not be less than 4.0 mg/L (See A. (10.) Dissolved Oxygen Special Condition). If the dissolved oxygen drops below 5.0 mg/L at station 57.7 then monitoring shall be required at stations 55.5 (DN3) and 53.5 (DN4).

**A. (6.) BEST MANAGEMENT PRACTICES (BMP) SPECIAL CONDITION**

The permittee must implement the BMPs specified below. The primary BMP objective is to prevent leaks and spills of spent pulping liquors, soap, and turpentine. A secondary objective is to contain, collect, and recover at the immediate process area, or otherwise control, those leaks, spills, and intentional diversions of spent pulping liquor, soap, and turpentine that do occur. BMPs must be developed according to best engineering practices and must be implemented in a manner that takes into account the specific circumstances at the mill.

**Section A. BMP Implementation Requirements**

1. The permittee must return spilled or diverted spent pulping liquors, soap, and turpentine to the process to the maximum extent practicable as determined by the mill, recover such materials outside the process, or discharge spilled or diverted material at a rate that does not disrupt the receiving wastewater treatment system.
2. The permittee must maintain a program to identify and repair leaking equipment items. This program must include: (i) Regular daily visual inspections of process area with equipment items in spent pulping liquor, soap, and turpentine service; (ii) Immediate repair of leaking equipment items, when possible. Leaking equipment items that cannot be repaired during normal operations must be identified, temporary means for mitigating the leaks must be provided, and the leaking equipment items repaired during the next maintenance outage; (iii) Identification of conditions under which production will be curtailed or halted to repair leaking equipment items or to prevent pulping liquor, soap, and turpentine leaks and spills; and (iv) A means for tracking repairs over time to identify those equipment items where upgrade or replacement may be warranted based on frequency and severity of leaks, spills, or failures.
3. The permittee must operate continuous, automatic monitoring systems that the mill determines are necessary to detect and control leaks, spills, and intentional diversions of spent pulping liquor, soap, and turpentine. These monitoring systems should be integrated with the mill process control system and may include, e.g., high level monitors and alarms on storage tanks; process area conductivity (or pH) monitors and alarms; and process area sewer, process wastewater, and wastewater treatment plant conductivity (or pH) monitors and alarms.
4. The permittee must maintain a program of initial and refresher training of operators, maintenance personnel, and other technical and supervisory personnel who have responsibility for operating, maintaining, or supervising the operation and maintenance of equipment items in spent pulping liquor, soap, and turpentine service. The refresher training must be conducted at least annually and the training program must be documented.
5. The permittee must prepare a brief report that evaluates each spill of spent pulping liquor, soap, or turpentine that is not contained at the immediate process area and any intentional diversion of spent pulping liquor, soap, or turpentine that is not contained at the immediate process area. The report must describe the equipment items involved, the circumstances leading to the incident, the effectiveness of the corrective actions taken to contain and recover the spill or intentional diversion, and plans to develop changes to equipment and operating and maintenance practices as necessary to prevent recurrence. Discussion of the reports must be included as part of the annual refresher training.
6. The permittee must maintain a program to review any planned modifications to the pulping and chemical recovery facilities and any construction activities in the pulping and chemical recovery areas before these activities commence. The purpose of such review is to prevent leaks and spills of spent pulping liquor, soap, and turpentine during the planned modifications, and to ensure that construction and supervisory personnel are aware of possible liquor diversions and of the requirement to prevent leaks and spills of spent pulping liquors, soap, and turpentine during construction.
7. The permittee must install and maintain secondary containment (i.e., containment constructed of materials impervious to pulping liquors) for spent pulping liquor bulk storage tanks equivalent to the volume of the largest tank plus sufficient freeboard for precipitation. An annual tank integrity testing program, if coupled with other containment or diversion structures, may be substituted for secondary containment for spent pulping liquor bulk storage tanks.

8. The permittee must install and maintain secondary containment for turpentine bulk storage tanks.
9. The permittee must install and maintain curbing, diking or other means of isolating soap and turpentine processing and loading areas from the wastewater treatment facilities.
10. The permittee must conduct wastewater monitoring to detect leaks and spills, to track the effectiveness of the BMPs, and to detect trends in spent pulping liquor losses. Such monitoring must be performed in accordance with Section E.

#### Section B. BMP Plan Requirements

1. The permittee must maintain and implement a BMP Plan. The BMP Plan must be based on a detailed engineering review as described in this section. The BMP Plan must specify the procedures and the practices required for the mill to meet the requirements of Section A, the construction the mill determines is necessary to meet those requirements including a schedule for such construction, and the monitoring program (including the statistically derived action levels) that will be used to meet the requirements of Section E. The BMP Plan also must specify the period of time that the mill determines the action levels established under Section D may be exceeded without triggering the responses specified in Section E.
2. The permittee must conduct a detailed engineering review of the pulping and chemical recovery operations--including but not limited to process equipment, storage tanks, pipelines and pumping systems, loading and unloading facilities, and other appurtenant pulping and chemical recovery equipment items in spent pulping liquor, soap, and turpentine service--for the purpose of determining the magnitude and routing of potential leaks, spills, and intentional diversions of spent pulping liquors, soap, and turpentine during the following periods of operation: (i) Process start-ups and shut downs; (ii) Maintenance; (iii) Production grade changes; (iv) Storm or other weather events; (v) Power failures; and (vi) Normal operations.
3. As part of the engineering review, the permittee must determine whether existing spent pulping liquor containment facilities are of adequate capacity for collection and storage of anticipated intentional liquor diversions with sufficient contingency for collection and containment of spills. The engineering review must also consider: (i) The need for continuous, automatic monitoring systems to detect and control leaks and spills of spent pulping liquor, soap, and turpentine; (ii) The need for process wastewater diversion facilities to protect end-of-pipe wastewater treatment facilities from adverse effects of spills and diversions of spent pulping liquors, soap, and turpentine; (iii) The potential for contamination of storm water from the immediate process areas; and (iv) The extent to which segregation and/or collection and treatment of contaminated storm water from the immediate process areas is appropriate.
4. The permittee must amend its BMP Plan whenever there is a change in mill design, construction, operation, or maintenance that materially affects the potential for leaks or spills of spent pulping liquor, turpentine, or soap from the immediate process areas.
5. The permittee must complete a review and evaluation of the BMP Plan five years after the first BMP Plan is prepared and, except as provided in Section B.4., once every five years thereafter. As a result of this review and evaluation, the permittee must amend the BMP Plan within three months of the review if the mill determines that any new or modified management practices and engineered controls are necessary to reduce significantly the likelihood of spent pulping liquor, soap, and turpentine leaks, spills, or intentional diversions from the immediate process areas, including a schedule for implementation of such practices and controls.
6. The BMP Plan, and any amendments thereto, must be reviewed by the senior technical manager at the mill and approved and signed by the mill manager. Any person signing the BMP Plan or its amendments must certify to the Division under penalty of law that the BMP Plan (or its amendments) has been prepared in accordance with good engineering practices and in accordance with this regulation. The permittee is not required to obtain approval from the Division of the BMP Plan or any amendments thereto.

#### Section C. BMP Recordkeeping Requirements

1. The permittee must maintain on its premises a complete copy of the current BMP Plan and the records specified in Section C.2 and must make such BMP Plan and records available to the Division for review upon request.
2. The permittee must maintain the following records for three years from the date they are created: (i) Records tracking the repairs performed in accordance with the repair program described in Section A; (ii) Records of initial and refresher training conducted in accordance with Section A; (iii) Reports prepared in accordance with Section A; and (iv) Records of monitoring required by Sections A and E.

#### Section D. Establishment of Wastewater Treatment System Influent Action Levels

1. The permittee must conduct a monitoring program per Section D.2, for the purpose of defining wastewater treatment system influent characteristics (or action levels), described in Section D.3, that will trigger requirements to initiate investigations on BMP effectiveness and to take corrective action.
2. The permittee must employ the following procedures in order to develop the action levels required by Section D:
  - Monitoring parameters. The permittee must collect 24-hour composite samples and analyze the samples for a measure of organic content (e.g., Chemical Oxygen Demand (COD) or Total Organic Carbon (TOC)). Alternatively, the mill may use a measure related to spent pulping liquor losses measured continuously and averaged over 24 hours (e.g., specific conductivity or color).
  - Monitoring locations. The permittee must conduct monitoring at the point influent enters the wastewater treatment system. For the purposes of this requirement, the permittee may select alternate monitoring point(s) in order to isolate possible sources of spent pulping liquor, soap, or turpentine from other possible sources of organic wastewaters that are tributary to the wastewater treatment facilities (e.g., bleach plants, paper machines and secondary fiber operations).
3. By the permit effective date the permittee must complete an initial six-month monitoring program using the procedures specified in Section D and must establish initial action levels based on the results of that program. A wastewater treatment influent action level is a statistically determined pollutant loading determined by a statistical analysis of six months of daily measurements. The action levels must consist of a lower action level, which if exceeded will trigger the investigation requirements described in Section E, and an upper action level, which if exceeded will trigger the corrective action requirements described in Section E.
4. Six month after the permit effective date, the permittee must complete a second six-month monitoring program using the procedures specified in Section D and must establish revised action levels based on the results of that program. The initial action levels shall remain in effect until replaced by revised action levels.
5. Action levels developed under this Section must be revised using six months of monitoring data after any change in mill design, construction, operation, or maintenance that materially affects the potential for leaks or spills of spent pulping liquor, soap, or turpentine from the immediate process areas.

#### Section E. BMP Monitoring, Corrective Action, and Reporting Requirements

1. The permittee must conduct daily monitoring of the influent to the wastewater treatment system in accordance with the procedures described in Section D for the purpose of detecting leaks and spills, tracking the effectiveness of the BMPs, and detecting trends in spent pulping liquor losses.
2. Whenever monitoring results exceed the lower action level for the period of time specified in the BMP Plan, the permittee must conduct an investigation to determine the cause of such exceedance. Whenever monitoring results exceed the upper action level for the period of time specified in the BMP Plan, the permittee must complete corrective action to bring the wastewater treatment system influent mass loading below the lower action level as soon as practicable.
3. Although exceedances of the action levels will not constitute violations of an NPDES permit, failure to take the actions required by Section E.2 as soon as practicable will be a permit violation.

4. The permittee must report to the Division the results of the daily monitoring conducted pursuant to Section E.1. Such reports must include a summary of the monitoring results, the number and dates of exceedances of the applicable action levels, and brief descriptions of any corrective actions taken to respond to such exceedances. Submission of such reports shall be annually, by March 31<sup>st</sup> of the following year.

#### Section F. BMP Definitions

1. Action Level: A daily pollutant loading that when exceeded triggers investigative or corrective action. Mills determine action levels by a statistical analysis of six months of daily measurements collected at the mill. For example, the lower action level may be the 75th percentile of the running seven-day averages (that value exceeded by 25 percent of the running seven-day averages) and the upper action level may be the 90th percentile of the running seven-day averages (that value exceeded by 10 percent of the running seven-day averages).
2. Division: North Carolina DENR, Division of Water Quality, 1617 Mail Service Center, Raleigh, North Carolina 27699-1617.
3. Equipment Items in Spent Pulping Liquor, Soap, and Turpentine Service: Any process vessel, storage tank, pumping system, evaporator, heat exchanger, recovery furnace or boiler, pipeline, valve, fitting, or other device that contains, processes, transports, or comes into contact with spent pulping liquor, soap, or turpentine. Sometimes referred to as "equipment items."
4. Immediate Process Area: The location at the mill where pulping, screening, knotting, pulp washing, pulping liquor concentration, pulping liquor processing, and chemical recovery facilities are located, generally the battery limits of the aforementioned processes. "Immediate process area" includes spent pulping liquor storage and spill control tanks located at the mill, whether or not they are located in the immediate process area.
5. Intentional Diversion: The planned removal of spent pulping liquor, soap, or turpentine from equipment items in spent pulping liquor, soap, or turpentine service by the mill for any purpose including, but not limited to, maintenance, grade changes, or process shutdowns.
6. Mill: The owner or operator of a direct or indirect discharging pulp, paper, or paperboard manufacturing facility subject to this section.
7. Senior Technical Manager: The person designated by the mill manager to review the BMP Plan. The senior technical manager shall be the chief engineer at the mill, the manager of pulping and chemical recovery operations, or other such responsible person designated by the mill manager who has knowledge of and responsibility for pulping and chemical recovery operations.
8. Soap: The product of reaction between the alkali in kraft pulping liquor and fatty acid portions of the wood, which precipitate out when water is evaporated from the spent pulping liquor.
9. Spent Pulping Liquor: For kraft and soda mills "spent pulping liquor" means black liquor that is used, generated, stored, or processed at any point in the pulping and chemical recovery processes.
10. Turpentine: A mixture of terpenes, principally pinene, obtained by the steam distillation of pine gum recovered from the condensation of digester relief gases from the cooking of softwoods by the kraft pulping process. Sometimes referred to as sulfate turpentine.

**A. (7.) EFFLUENT GUIDELINE SAMPLING PLAN SPECIAL CONDITION**

The bleach plant effluent samples (Outfalls 002 and 003) shall be analyzed for 2,3,7,8-TCDD in accordance with EPA Method 1613. A single sample, from each of the bleach plant effluents, may be analyzed to determine compliance with the daily maximum effluent limitation.

The bleach plant effluent samples (Outfall 002 and 003) shall be analyzed for the 12 chlorinated phenolic compounds in accordance with EPA Method 1653. A single sample, from each of the bleach plant effluents, may be analyzed to determine compliance with the daily maximum effluent limitation. The Minimum Levels for each of the 12 chlorinated compounds are the same as the Daily Maximum concentrations listed on the effluent pages for the respective outfall(s).

The final wastewater treatment plant effluent sample (Outfall 001) shall be analyzed for AOX in accordance with EPA Method 1650, or subsequent test methods approved by the Division.

The permittee may request future monitoring modifications to the Effluent Guideline requirements, including 1) use of ECF certification in lieu of monitoring for chloroform in the bleach plant effluents (Outfall(s) 002 and 003) 2) demonstrating compliance using samples collected less frequently than every four hours; 3) using automated composite volatile samplers for chloroform sampling; and 4) using automated composite samplers for chlorophenolic, 2,3,7,8 TCDD and 2,3,7,8 TCDF sampling. Such future requests will be evaluated in accordance with 15A NCAC 2H.0114.

The flow calculations for internal Outfall(s) 002 and 003 shall not be subject to accuracy requirements specified under Part II, Section D.3. This exclusion is similar to that provided for pump log flow calculations.

Chemical data for Effluent Guideline parameters (Outfall(s) 002 and 003 parameters + AOX from Outfall 001) shall be submitted to the Division on a quarterly basis or more frequently (January- March, April-June, July- September, October-December). Quarterly submissions shall be due 60 days following the last day of each quarter (Due dates = May 31, August 31, November 30, and February 28). Chemical data shall be submitted on Division-approved DMR forms, with a separate form provided for each month.

**A. (8.) REQUIREMENTS FOR COLOR ANALYSIS AND COMPLIANCE SPECIAL CONDITION**

1. The color reduction requirements contained in this special condition have been derived directly from the mill's efforts to identify possible reduction measures and from the EPA Technology Review Workgroup (TRW report dated February 25, 2008)
2. The average annual discharge of true color for each calendar year shall not exceed 39,000 pounds per day. The monthly average effluent true color loading shall not exceed 52,000 pounds per day. For the purpose of this permit only, "pounds of true color" is calculated by the following equation:  
$$\text{Effluent Flow (MGD)} \times \text{Effluent True Color Level (Platinum Cobalt Units)} \times 8.34.$$
3. All samples collected for color analysis and for use in the above calculation shall be measured and reported using the procedure referenced in 39 FR 430.11 (b) (May 29, 1974) - true and apparent color or as amended by the EPA.
4. Four years after the permit effective date, the average annual discharge of true color for each calendar year shall not exceed 37,000 pounds per day
5. The permittee shall not increase the mill's pulp production capacity during the term of this permit, unless the permittee can demonstrate that the increased production can be achieved while reducing color loading. In addition, increasing the mill's pulp production capacity may require permit revision in accordance with North Carolina's NPDES Permitting rules.
6. The NPDES Permit shall be subject to reopening in order to modify the color requirements based upon the following the required triennial reviews:
  - Any breakthrough in color removal technologies. Such breakthroughs shall be brought to the NPDES Committee for consideration, by Blue Ridge Paper and the Division of Water Quality, as soon as they are discovered.
  - An acceptable statistical analysis of effluent color discharge data demonstrating significantly better color removal performance than that currently prescribed in the permit, except as noted herein.
  - Successful application of end-of-pipe color reduction technology or in-mill color minimization effort that results in significant and measurable reduced mass color discharge.
7. The transfer of this NPDES permit will not proceed until any successor-in-interest to the current permittee has agreed to accept the provisions of this permit.
8. The facility will provide annual progress reports to the Division on the color reduction efforts.
9. To minimize color discharges during periods of lowest river flow and higher recreational use in the river, no major maintenance outages will be scheduled during the months of June, July and August.
10. Based on the EPA TRW recommendations, the permittee shall evaluate the technologies identified below and develop an implementation plan that would either utilize these technologies when technically, operationally, or economically feasible, or identify other options that will result

in similar increments of color reduction. The TRW may review and comment on the justification for any item among the following recommendations found by Blue Ridge Paper to be technically, operationally, or economically infeasible:

A. The following suite of items will be implemented by the permittee, upon further expedited evaluation if necessary to refine detailed design and operating parameters, during this permit term:

- further improvements in leak and spill prevention and control (BMP's) covering all process lines, including probable color-generating sources (e.g., sulfide containing) among white and green liquors in the recovery cycle
- process optimization (enhanced extraction stages, reduced bleaching chemical use, etc.); and
- addition of second stage oxygen delignification on the softwood/pine fiber line

The time necessary for Blue Ridge Paper to implement these items or alternatives in logical sequence should realistically reflect the Mill's ability to design, fund, and install or implement them at the earliest possible date. For example, an updated and detailed evaluation of the addition of second stage oxygen delignification on the softwood fiber line should identify necessary adjustments to upstream pulp digestion (e.g., kappa number targets), bleaching (e.g., bleaching chemical usage rates, kappa factors) and downstream brightness/strength and other relevant process control and product quality parameters, designing and costing, and refining color reduction projections.

B. The following items will be evaluated and implemented as appropriate during this permit term:

- increasing filtrate recycle and use of the existing BFR process for the hardwood fiber line
- reducing black liquor carryover by further evaluating in detail and adjusting operating conditions in the direct contact evaporators (DCEs)
- reducing impact of Chloride Removal Process (CRP) purge on treated effluent color by gathering data sets over as long a period as possible, preferably at full scale, with and without the CRP purge to better understand the impact on treatability of this source of color. If it is determined that CRP color is found not to be removed in the treatment system, further study should assess:
  - securing whatever additional reductions are possible based on any demonstrated technology that works and can be economically applied to this waste stream, either within the mill and sewer system, or chlorine dioxide pretreatment to reduce color in the CRP purge stream prior to introduction to the treatment system
  - avoiding release of the CRP purge during periods of low flow in the receiving stream
- better understanding and controlling, if possible, the physical and chemical mechanisms underlying "sewer generated color". This will require a sustained effort going forward beyond this permit term given that process changes and BMP improvements to be made will more than likely further change the chemistry and mechanisms underlying "sewer generated color".
- improving color removal by the Mill's wastewater treatment plant via:
  - better equalizing and further optimizing treatment by using polymers and other chemicals to pretreat highly-colored segregated wastewaters including streams that are diverted to the extra primary clarifier, or by other operational and/or treatment means not yet identified

- o investigating use of polymers or other chemicals upstream of the secondary clarifiers, especially during periods of high influent color and/or low river flow

**A. (9.) DIOXIN MONITORING SPECIAL CONDITION**

The permittee shall perform the analyses for dioxin and dibenzofuran as outlined below:

| <u>Sampling Point</u>                               | <u>Monitoring Requirements</u> |                    |
|---|--------------------------------|--------------------|
|   | <u>Measurement Frequency</u>   | <u>Sample Type</u> |
| Influent to Wastewater Treatment Plant <sup>1</sup> | Annual                         | Composite          |
| Effluent <sup>2</sup>                               | Annual                         | Composite          |
| Sludge <sup>1</sup>                                 | Annual                         | Composite          |
| Landfill Leachate <sup>1</sup>                      | Annual                         | Composite          |

Footnotes:

1. The samples shall be analyzed for 2,3,7,8-TCDD and 2,3,7,8 TCDF in accordance with EPA Method 1613. A single sample may be analyzed. Alternatively, the sample volumes may be collected to enable the sample to be split (duplicate analysis). The Minimum Level in the effluent for 2,3,7,8-TCDD and 2,3,7,8 TCDF by EPA Method 1613 is 10 pg/l.
2. The effluent samples shall be analyzed for the full range of dioxin and furan isomers as identified in the list below and shall be in accordance with EPA Method 1613. A single sample may be analyzed. Alternatively, the sample volumes may be collected to enable the sample to be split (duplicate analysis). The minimum level using these methods for the purpose of compliance evaluation is considered to be 10 picograms per liter

| DIOXIN        |       | DIBENZOFURAN  |       |
|---------------|-------|---------------|-------|
| <u>Isomer</u> |       | <u>Isomer</u> |       |
| 2,3,7,8       | TCDD  | 2,3,7,8       | TCDF  |
| 1,2,3,7,8     | PeCDD | 1,2,3,7,8     | PeCDF |
|               |       | 2,3,4,7,8     | PeCDF |
| 1,2,3,4,7,8   | HxCDD | 1,2,3,4,7,8   | HxCDF |
| 1,2,3,7,8,9   | HxCDD | 1,2,3,7,8,9   | HxCDF |
|               |       | 1,2,3,6,7,8   | HxCDF |
| 1,2,3,6,7,8   | HxCDD | 2,3,4,6,7,8   | HxCDF |
| 1,2,3,4,6,7,8 | HpCDD | 1,2,3,4,6,7,8 | HpCDF |
|               |       | 1,2,3,4,7,8,9 | HpCDF |

If dioxins or dibenzofurans are detected in the effluent above the minimum level, the permittee shall initiate Quarterly monitoring of sludge, landfill leachate, and effluent.

***Additional Requirements***

Annual dioxin fish tissue analysis shall be performed through 2009 in accordance with the Division of Water Quality approved monitoring plan, which will be reviewed as necessary. The permit requirement will drop from the permit after 2009 unless fish tissue analysis indicates a public health hazard exists. The monitoring plan is an enforceable part of this permit. All dioxin data collected as part of this monitoring requirement will be reported as required in the plan, no later than 180 days after sampling.

**A. (10.) DISSOLVED OXYGEN SPECIAL CONDITION**

The permittee shall maintain an average daily dissolved oxygen concentration of not less than 5.0 mg/L with a minimum instantaneous value of not less than 4.0 mg/L at River Miles 62.9 (DN1) and 57.7 (DN2). The permittee shall operate oxygen injection facilities at the outfall structure, at 0.9 miles downstream of the discharge, and at 2.1 miles downstream of the discharge, as necessary, to comply with this requirement. These facilities shall be operated in a manner which will maintain the water quality standard for dissolved oxygen in the Pigeon River downstream of the discharge. Blue Ridge Paper shall report the date and duration of oxygen injection use as a supplement to the monthly Discharge Monitoring Report (DMR) forms. If the dissolved oxygen drops below 5.0 mg/L at station DN2 then monitoring shall be required at stations DN3 and DN4.

**A. (11.) TOWN OF CANTON INFLOW AND INFILTRATION SPECIAL CONDITION**

The permittee shall make continued efforts to promote reduction of inflow/infiltration to the Town of Canton's wastewater collection system.

**A. (12.) TEMPERATURE VARIANCE REVIEW SPECIAL CONDITION**

Blue Ridge Paper shall complete an analysis of temperature and shall submit a balanced and indigenous species study, no later than 180 days prior to the permit expiration date. As part of this analysis, Blue Ridge Paper shall submit a complete temperature variance report documenting the need for a continued temperature variance.

The study shall be performed in accordance with the Division of Water Quality approved plan. The temperature analysis and the balanced and indigenous study plan shall conform to the specifications outlined in 40 CFR 125 Subpart H and the EPA's Draft 316a Guidance Manual, dated 1977. The EPA shall be provided an opportunity to review the plan prior to the commencement of the study.