

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA

RECEIVED  
JUL 14 2022  
Environmental Quality  
Board

KENTUCKY POWER COMPANY,  
dba AEP

Appellant,

v.

Appeal No.

22-04-EQB

DIVISION OF WATER AND WASTE  
MANAGEMENT, WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Appellee,

NOTICE OF APPEAL

The Appellant Kentucky Power Company, doing business as AEP, (“Appellant” “AEP” or the “Company”), respectfully represents that it is aggrieved by certain terms and conditions in renewal of WV/NPDES Permit No. WV0005304 issued on or about June 13, 2022, and received by AEP on June 16, 2022. WV/NPDES Permit No. WV0005304 and the related agency response to comments are attached hereto as Exhibit A. The following issues represent the matters for which AEP is seeking relief:

**Relief Requested:**

1. Correctly apply the “combined waste stream formula” (“CWF”) at Outlet 001, and make necessary revisions based on those CWF corrections to derive appropriate limits;

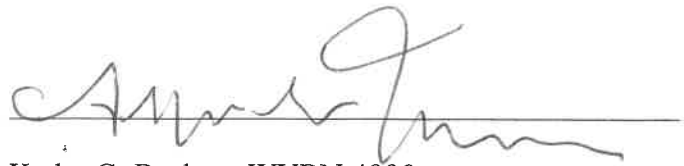
2. Revise TSS and Oil & Grease limits for Outlet 001 by using the proper application of the CWF (particularly with regard to pond removal efficiency percentages, representative non-process wastewater and flow) and correcting any other errors related to development of these effluent limitations;
3. Remove improperly applied limits for zinc and chromium at Outlet 001 since cooling tower chemicals do not contain zinc or chromium and therefore the source of concern is not present.
4. Correct any other errors in the development of arsenic, mercury, selenium, and nitrite + nitrate nitrogen effluent limitations for Outlet 201 based on the erroneous application of certain removal efficiencies;
5. AEP requests the “Schedule of Compliance” in Part B of the Permit contain a condition that recognizes well-documented global supply chain issues, and more specifically allows for compliance schedule dates to be modified in response to supply chain issues or other factors outside of the control of AEP.
6. Remove or revise Permit provisions that are in error based on a misapplication of the building block approach or combined waste stream formula;

**Specific Objections:**

The facts alleged relevant to this appeal and the specific objections on which this appeal is based, including questions of law and fact to be determined by the Board, are set forth in and attached hereto as Exhibit B.

Appellant prays that this matter be reviewed and that this honorable Board grant the requested by ordering the modification of the Permit

Dated this 14th day of July, 2022.

A handwritten signature in black ink, appearing to read "Allyn Turner", written over a horizontal line.

Kathy G. Beckett, WVBN 4998  
Allyn Turner, WVBN 5561  
Steptoe & Johnson, PLLC  
707 Virginia Street, East  
Charleston, West Virginia 25326  
(304) 353 8172  
Counsel for Kentucky Power Company, dba AEP

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA

KENTUCKY POWER COMPANY,  
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Appellant,

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Appeal No. 22-04-EQB

DIVISION OF WATER AND WASTE  
MANAGEMENT, WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION,

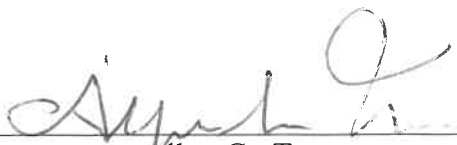
Appellee,

CERTIFICATE OF SERVICE

I, Allyn G. Turner, do hereby certify that a true and exact copy of the foregoing  
NOTICE OF APPEAL was caused to be served upon the following via hand delivery this 14<sup>th</sup>  
day of July 2022.

Ms. Kathy Emery, Acting Director  
Division of Water and Waste Management  
WV Department of Environmental Protection  
601 - 57th Street SE  
Charleston, WV 25304 – 2345

Office of Legal Services  
Department of Environmental Protection  
601 - 57th Street SE  
Charleston, WV 25304 – 2345

  
\_\_\_\_\_  
Allyn G., Turner

**EXHIBIT A**

Comments

Response to Comments

Permit

# COMMENTS



American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215  
aep.com

Director  
Division of Water and Waste Management, DEP  
ATTN: Lori Devereux, Permitting Section  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304-2345

October 15, 2021

Re: Kentucky Power Company – Mitchell Plant  
WV/NPDES Permit No. WV0005304 – Marshall County  
Draft WV/NPDES Permit Comments

Dear Ms. Devereux:

On behalf of Kentucky Power Company (KYPCO), American Electric Power Service Corporation hereby submits comments regarding the referenced Draft WV/NPDES Permit and Fact Sheet for the Mitchell Plant (Mitchell).

We appreciate the opportunity to provide these comments to the West Virginia Department of Environmental Protection (DEP) and trust they will be taken into consideration. We have numbered our comments for ease of reference and they follow the page-wise flow of the draft permit and fact sheet.

**1) Cover Sheet (page 2 of 36):**

The first paragraph of page 2 describes the permitted activity as: “to acquire, construct, install, operate, and maintain a new ultrafiltration unit (pressure filter) to provide additional treatment at the CPS Treatment Facility at new Outlet 201.” KYPCO would like to clarify that a two-stage bioreactor will also be acquired, constructed, installed and operated in addition to the ultrafiltration unit.

**2) Section A.001 (page 4 of 36) Copper Effluent Limitations:**

The WV/NPDES Permit includes effluent limitations for copper: Daily Maximum of 0.039 mg/l and Average Monthly of 0.016 mg/l. KYPCO’s review of past effluent data shows that this effluent limitation may be a concern for immediate compliance. KYPCO is requesting a 36 month compliance schedule to obtain compliance with this limit. The pond repurposing project is scheduled to be completed in November 2023. As part of the pond repurposing project, treatment tanks will be constructed. The 36 month compliance schedule will allow for KYPCO

operate the treatment tanks along with the full capacity of new repurposed ponds to determine if additional treatment technology is necessary to comply with the copper effluent limitations.

**3) Section A.001 (page 4 of 36) TSS and Oil and Grease Limits:**

**a. Use of Combined Waste Stream Formula:**

In reviewing the Draft Permit Fact Sheet (page 6 of 12 and Outlet 001 ELG table), it appears that DEP did not appropriately apply the combined waste stream formula (CWF) at Outlet 001, specifically as it relates to designation of and credit for the “non-regulated” waste streams. The Draft Permit specifies for Outlet 001 interim TSS effluent limits of 62.3 mg/l (Max. Daily) and 21.6 mg/l (Monthly Average) and final effluent limits of 37.6 mg/l (Max. Daily) and 11 mg/l (Monthly Average). As DEP notes in the fact sheet, the CWF must be used to adjust effluent limits to avoid dilution of regulated waste streams when combined for treatment with other waste streams (regulated or non-regulated), since steam electric effluent guidelines are set according to the individual, categorical waste stream. USEPA’s September 1985 “Guidance Manual for the Use of Production-Based Pretreatment Standards and the Combined Wastewater Formula” (Guidance Manual) provides clarification on the designation of non-regulated waste streams as either unregulated or dilution streams, for use of the CWF, as follows:

*“Unregulated waste streams are those waste streams that are not covered by categorical pretreatment standards and not classified as dilute waste streams. An unregulated waste stream could be ... one that is not regulated for the pollutant in question although it is regulated for others. Unregulated streams are presumed, for purposes of using the CWF, to contain pollutants of concern at a significant level. In effect, the CWF "gives credit" for pollutants which might be present in the unregulated waste stream. Rather than treating the unregulated flow as dilution, which would result in lowering the allowable concentration of a pollutant, the CWF allows the pollutant to be discharged in the unregulated waste stream at the same concentration as the standard for the regulated waste stream that is being discharged. This is based on the assumption that if pollutants are present in the unregulated waste stream, they will be treated to the same level as in the regulated waste stream.”*

EPA further notes that “in some cases, unregulated wastestreams may not actually contain pollutants of concern at a significant level” but they are still “considered unregulated” when applying the CWF.

*Dilution streams* are defined indirectly as waste streams in which the pollutant of concern is not detectable or is present in amounts too small to be effectively reduced by treatment.

Samples of cooling tower blowdown for each Unit and combined have been collected sporadically since 2013. Below are the results of the monitoring:



**Cooling Tower Blowdown TSS Results**

<b>Date</b>	<b>Unit</b>	<b>Result (mg/l)</b>
April 2013	2	18
May 2013	1	Below Detect
	1	Below Detect
	2	Below Detect
June 2016	1	53.9
	2	36.4
April 2017	2	72.5
September 2017	2	32.4
October 2017	Combined	35.2
July 2021	1	37.0
	2	19.3

Because the cooling tower blowdown is regulated by 40 CFR 423 for other pollutants (free available chlorine) and data shows that TSS is present at a significant level in the blowdown, this waste stream should be designated as *unregulated* for use in the CWF per EPA guidance.

In the Fact Sheet, it appears WVDEP would impose a removal efficiency of 91% for TSS based USEPA's Treatability Manual for settling ponds. AEP believes that DEP's use of removal efficiency in developing these limits is inappropriate. As described above, removal efficiency does not play a role in a combined waste stream calculation, per EPA's guidance. The only mechanism that we are aware of where a permit writer may consider a removal efficiency in determining technology based limits for a waste stream is where EPA has performed no technology analysis at all, and is therefore left to a Best Professional Judgement (BPJ) determination. Further, where a waste stream has been so analyzed by EPA and the agency has determined that no effluent limit for a pollutant is warranted, a permit writer is not authorized to undertake a BPJ approach for that waste stream/pollutant combination.

Even if WVDEP were authorized to conduct a BPJ determination, such an exercise is a complex, multi-step evaluation akin to a comprehensive effluent guidelines development process. According to EPA regulations, the permit writer must consider all of the following factors when setting BPJ BAT limitations:

- the age of equipment and facilities involved;
- the processes employed;
- the engineering aspects of the application of various types of control techniques; process changes;
- non-water quality environmental impacts, including energy requirements; and
- the cost of achieving the effluent reduction. 40 C.F.R. § 125.3(d).

The permitting authority must assess these factors and then select a model treatment technology and derive effluent limitations on the basis of the selected technology. The “process and the factors considered by the permit writer are the same factors required to be considered by EPA in developing effluent guidelines....” EPA, *NPDES Permit Writers’ Manual*, EPA-833-K-10-001 (Sept. 2010) (“Permit Writers’ Manual”) at 5-46. Finally, the permitting authority then must document both “the approach used to develop the limitations ... and how the limitations carry out the intent and requirements of the CWA and the NPDES regulations.” *Id.* at 5-45.

The bottom ash ponds were designed to meet the long-standing effluent guidelines limits of 30 mg/L average and 100 mg/L maximum TSS, and not designed around a removal efficiency since the guidelines are not presented in those terms. As a result, cooling tower blowdown (“CTBD”) has been indirectly managed by KYPCO to meet a maximum 100 mg/L TSS limit. Regardless, KYPCO is not including this waste stream in its calculations, as it does not change the maximum TSS limit value.

KYPCO requests the TSS effluent limits be calculated as per EPA guidance shown below (extracted from Section 3.4 of the Guidance Manual). Use of this calculation will accurately account for the non-process wastewater as an unregulated waste stream (without need for a removal efficiency). As EPA notes in the CWF example in the Guidance Manual, when the formula is applied properly, it has the effect of allowing any unregulated streams combined with the regulated streams to be discharged at the same pollutant concentrations as allowed by the standards for the regulated streams.

**3.4 IMPLEMENTION OF THE CWF**

*This section will provide Control Authority and IU personnel with information that will be necessary to ensure the proper application and implementation of the CWF.*

**3.4.1 Combined Waste stream Formulas**

*Section 403.6(e) of the General Pretreatment Regulations provides two formulas to develop alternative categorical limits. One formula is used to develop an alternative concentration limit for standards that are concentration based. ...*

**3.4.1.1 Alternative Concentration Limit Formula**

$$C_T = \frac{\sum_{i=1}^N C_i F_i}{\sum_{i=1}^N F_i} \times \left( \frac{F_T - F_D}{F_T} \right)$$

$C_T$  = Alternative concentration limit for the pollutant in the combined wastestream

$C_i$  = Concentration-based categorical pretreatment standard for the pollutant in regulated stream i

$F_i$  = Average daily flow (at least 30 day average) of regulated stream i

$F_D$  = Average daily flow (at least 30 day average) of dilute wastestream(s) (see previous complete definition, page 3-2)

$F_T$  = Average daily flow (at least 30 day average) through the combined treatment facility (including regulated, unregulated and dilute wastestreams)

$N$  = Total number of regulated streams

In using the above justification, all the waste streams discharging to Outlet 001 would be considered either regulated or unregulated, but not dilution. In applying the above CWF, the limits for TSS should be:

Waste Stream	Designation Under CWF	Avg. Flow MGD	Max Flow MGD	40 CFR 423	40 CFR 423
				Avg TSS mg/l	Max TSS mg/l
Non Process	Unregulated	1.58	3.6		
LVW	Regulated	3.0	4.4	30	100
Bottom Ash	Regulated	0.62	0.88	30	100
FGD/CCR	Regulated	0.45	0.61	30	100

(all flows taken from Mitchell Draft Permit Fact Sheet)

$$CT_{avg} = \frac{30 \frac{\text{mg}}{\text{L}} * 4.07 \text{ MGD}}{4.07 \text{ MGD}} * \frac{5.65 \text{ MGD}}{5.65 \text{ MGD}}$$

$$CT_{avg} = 30 \text{ mg/L}$$

$$CT_{max} = \frac{\left(100 \frac{\text{mg}}{\text{L}} * 5.89 \text{ MGD}\right)}{5.89 \text{ MGD}} * \frac{9.49 \text{ MGD}}{9.49 \text{ MGD}}$$

$$CT_{max} = 100 \text{ mg/L}$$

In addition, the bottom ash/wastewater ponds are designed to remove TSS from stormwater to meet a benchmark limit of 100 mg/l for TSS.

**b. Oil and Grease:**

Outlet 001 contains interim Oil and Grease effluent limits of 12.5 mg/l (Max. Daily) and 10.8 mg/l (Monthly Average) and final effluent limits of 7.5 mg/l (Max. Daily) and 5.5 mg/l (Monthly Average). As discussed for TSS, KYPCO believes that stormwater runoff from the Plant would be considered *unregulated* and requests the Oil and Grease effluent limitations be recalculated following the same process as detailed above. DEP includes a benchmark value of 15 mg/L for oil and grease in NPDES Permits for stormwater. This shows that WVDEP feels that oil and grease could be present in the stormwater component of this combined waste stream outlet.

In addition, the effluent limitations should not change after the conversion to dry bottom ash. It is estimated that cooling water blowdown will still be used in approximately the same volume to cool ash in the hoppers and be considered “quench water”. Quench water is still considered a low volume wastewater. Therefore, KYPCO requests at minimum the “final” limitations for TSS and Oil and Grease be removed from Outlet 001. A revised water balance is included in Appendix I.

**4) Section A.003, (page 6, 7 and 8 of 36) Bromide, Bromoform, Fluoride, Cobalt, Methylene Chloride, and Magnesium Monitoring:**

The Fact Sheet on page 8 states that monitoring is being added for bromide, bromoform, fluoride, cobalt, methylene chloride, and magnesium to generate a database based on values submitted in the application. KYPCO requests that monitoring for these above parameters be removed from Outlet 001. Based on the waste load analysis performed for Outlet 001, none of these parameters were determined to be “monitor only” even based on one sample result. KYPCO currently monitors a significant number of parameters at Outlet 001.

**5) Section A.003, (page 6, 7 and 8 of 36) Barium, Boron, Manganese, Nickel, and Silver Monitoring:**

The Fact Sheet does not include an explanation for monitoring of barium, boron, manganese, nickel, and silver. The waste load analysis included as part of the Fact Sheet does not list any of these parameters as “monitor only”. KYPCO requests that monitoring for these above parameters be removed from Outlet 001. The monitoring is based on one sample collected as part of the NPDES Permit Application renewal application.

**6) Section A.012 (page 18 of 36) Flow Monitoring**

Outlet 012 requires flow to be measured. KYPCO requests flow measurement type be changed to “estimated”. Flow to Outlet 012 is mainly stormwater runoff from off-site sources. Other stormwater outlets have flow reported as “estimated”.

**7) Section A.013 (page 20 of 36), Outlet 013:**

New Outlet 013 was previously Outlet 006 in the Kammer WV/NPDES Permit No. WV0005291. This outlet has been eliminated by plugging the discharge and is located on the property that was previously transferred to Mingo Junction Steel, LLC. KYPCO requests this outlet be removed from the Mitchell NPDES Permit.

**8) Section A.201 (page 25 of 36), Final Effluent Limitations for Outlet 201**

**a. Use of Treatment Efficiency**

KYPCO believes that the DEP has incorrectly calculated the effluent limitations at Outlet 201 by not correctly applying the “building block” calculation of the effluent limitations as detailed below.

USEPA, in its 2015 ELG Technical Development Document,<sup>1</sup> specifically noted situations that are similar to the one encountered at the Mitchell Plant, noting that,

*“In some cases, a waste stream (e.g., FGD wastewater) containing a regulated pollutant (e.g., selenium or mercury) combines with other waste streams that contain the same pollutant, but that are not regulated for that pollutant (e.g., legacy wastewater contained in a surface impoundment).”*

In the case of the Mitchell Plant, rather than a “legacy wastewater,” we are dealing with landfill leachate, which also contains pollutants for which there are no metals limits for that categorical waste stream (i.e. arsenic in leachate). USEPA notes that,

*“In these cases, based on the information in its record, EPA strongly recommends that in applying the building block approach or CWF to the regulated pollutant...., permitting authorities either treat the waste stream that does not have a limitation or standard for the pollutant (legacy wastewater contained in a surface impoundment, in the example above) as a dilution flow or determine a concentration for that pollutant based on representative samples of that waste stream.”*

This guidance does not instruct the permitting agency to determine the treatment efficiency of the technology through which the pollutant will pass. It only specifies that the “representative” concentration of the pollutant be determined. The permitting agency must also,

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<sup>1</sup> USEPA. 2015. Technical Development Document for the Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category. EPA-821-R-15-007. pg. 14-13.

*“...determine the flow rate for use in the building block approach or CWF. EPA strongly recommends that the permitting authority calculate the flowrate based on representative flow rates for each waste stream.”<sup>2</sup>*

In addition, USEPA provided an example of the building block approach in the 2020 Supplemental Technical Development Document for FGD wastewater and leachate.<sup>3</sup> USEPA did not require a removal efficiency for any leachate parameters. If USEPA meant for a removal efficiency to be included, it would have been required as part of 40 CFR 423. For example, in one of the few examples where USEPA applies a removal efficiency in the context of establishing technology based limits, for sanitary wastewater limitations a removal efficiency is specifically listed in 40 CFR Part 133, based on EPA guidance. It requires 85% removal of BOD and TSS, based on the influent concentration for secondary treatment (physical and biological treatment).

By using the removal efficiency in the calculation of the Mitchell Plant FGD waste water effluent limits, similar to our comment 4.b, it appears that the DEP has indirectly attempted to develop a BPJ effluent limitation. As outlined in the NPDES Permit Writer’ Manual Section 5.2.3.6, Documenting Case-by-Case TBELs in the Permit Fact Sheet (and mentioned earlier in these comments), the permit writer must,

*“...document the development of case-by-case limitations in the NPDES permit fact sheet. The permit writer should clearly identify the data and information used in developing these effluent limitations and how that information was used. The permit writer also should document the rationale for concluding that there are no applicable effluent guidelines for the industrial wastewater or pollutant discharge. The information in the fact sheet should provide the NPDES permit applicant and the public a transparent, reproducible, and defensible description of how the BPJ limitations comply with the CWA and EPA regulations.”*

Based on these requirements, DEP would need to justify that there are no applicable effluent guidelines for the wastewater in question. In this case, that is not true. There are effluent guideline limitations (ELGs)<sup>4</sup> for FGD wastewaters and landfill leachate<sup>5</sup>. While not identical, each categorical wastewater has its own ELGs that are a part of 40 CFR 423. And while litigation of the 2015 ELG rule resulted in a remand of categorical limits for leachate, there is not

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<sup>2</sup> EPA does not recommend that the permitting authority assume that the pollutant is present at a significant level in the waste stream that does not have a relevant limitation or standard and just apply the same limitation or standard for the pollutant to the mixed waste stream. This will not ensure that treatment and control strategies are being employed to achieve the limitations or standards, rather than simply dilution.

<sup>3</sup> Section 14, pages 14-27 and 28, Table 14.10

<sup>4</sup> 40 CFR Part 423 Steam Electric Power Generating Point Source Category

<sup>5</sup> In terms of applying the Best Practical Technology (BPT) TSS and oil and grease limits applicable to combustion residual leachate, see the 2020 rule, which amended 40 CFR 423.12(b)(11). (85 Fed. Reg. at 64,716-17). The limits are the standard ones, but this section now makes those limits applicable to leachate specifically, rather than treating it in the catch-all category of low volume waste.

a void created but in fact the 1982 limits for low volume waste streams (within which leachate was then classified) apply.

It is also worth noting that USEPA itself in May 2020 established a final NPDES permit in New Hampshire (USEPA Region 1 administers the permit) for a power plant and did not conduct a BPJ analysis for leachate. In the permit for the Merrimack Station, USEPA followed the interpretation that once the Fifth Circuit vacated the BAT limits for leachate, EPA's 1982 determination not to set BAT limits for low volume wastes became automatically applicable, such that it controls and forecloses the possibility of setting BPJ limits for leachate. Specifically, USEPA said of Combustion Residual Leachate (CRL) in its response to comments:

*Until EPA takes action to address the Court's vacatur or propose new national BAT limit(s) for CRL, the Region must determine what limit(s) apply and are appropriate to regulate this wastestream. In this final permit, the Region has applied the CRL limits based on the regulations prior to, or in the absence of, the 2015 Rule.... In 1982, EPA considered setting BAT limits for low volume wastes but ultimately determined not to establish BAT limits because toxic metals in the wastestream "are present in amounts too small to be effectively reduced by technologies known to the Administrator."*

Region 1 goes on to say that it is not appropriate to set any BPJ BAT limits for leachate, given EPA's actions in 1982:

*BAT requirements for low volume waste are, therefore, no further control beyond BPT. Stated differently, the Agency's decision not to establish BAT limits for low volume wastes in 1982 occupies the field. To the extent that any commenter would suggest the Region conduct a site-specific assessment of BAT limits for CRL, this practice is foreclosed by the existence of applicable ELGs.*

For these reasons, KYPCO believes that the limits for Outlet 201 must be recalculated as discussed below.

#### **b. Recalculation of Limits**

During the course of our detailed review of the draft permit, KYPCO has reviewed the flows at the FGD wastewater treatment system. The flows used were correct. However, KYPCO submitted average concentrations to calculate the CWF limits for both daily maximum and monthly averages at Outlet 201. Based on review of data collected, the following values for daily maximum and average would need to be used for leachate in the calculation of CWF limits at Outlet 201:

Parameter	Daily Max	Average
<b>Arsenic</b>	184 ug/l	74.03 ug/l
<b>Mercury</b>	14.6 ng/l	2.57 ng/l
<b>Nitrate-Nitrite</b>	15.6 mg/l	11.1 mg/l
<b>Selenium</b>	590.9 ug/l	359.21 ug/l



KYPCO provides the comparison of limits:

**Calculated ELG Limits for Various Scenarios**

Parameters	Daily Max				30-day Average		
	Building Block Limits	Draft Permit Limits	Revised Permit Limits	ELG Rule (FGD Only)	Building Block Limits	Draft Permit Limits	ELG Rule (FGD Only)
Arsenic (ug/L)	47.5	15.5	16	18	20	7	8
Mercury (ng/L)	87.3	84	84.7	103	28.3	28	34
Nitrate-NO2 (mg/L)	6.1	3.3	3.3	4	4.5	2.5	3
Selenium (ug/L)	162.7	58	58.4	70	89	24	29

These are based on the revised concentrations and the correct application of the building block approach to leachate as an *unregulated* waste stream for these pollutants. The monthly draft permit limits would not be revised since flow and concentration average are correct.

**9) Section B: (page 27 of 36) Compliance Schedule, January 1, 2022 Progress Report:**

The Part B. Schedule of Compliance first date to submit a progress report is January 1, 2022. KYPCO requests WVDEP review this date when the permit is issued effective and make the first compliance milestone be at least 30 days after the effective date of the NPDES Permit.

**10) Section B: (page 28 of 36) Compliance Schedule, June 1, 2025 Submittal of Detailed Flow Analysis:**

The June 1, 2025 date requests the following be submitted:

*The permittee shall submit a detailed flow analysis and wastewater inventory at Outlet 001, 006, and 012. At a minimum, the flow analysis shall include quantitative (or qualitative engineering estimates where quantitative estimates are impractical) average and maximum flows for each waste type at each outlet (regulated vs non-regulated). The wastewater inventory shall at a minimum detail the status (source, dilute vs process) of each subtype of flow on the facilities' "Wastewater Flow Diagram" and/or "Proposed Wastewater Flow Diagram After ELG/CCR Projects" dated 12/1/2020. For Outlet 001 which has a documented mixture of process wastewater (per 40 CFR 432) and non-regulated, dilute wastewater input into the respective treatment systems a major modification shall be submitted to adjust/update TSS and O&G limitations in Section A.*

KYPCO requests this detailed flow and inventory be submitted with the NPDES Permit Renewal Application. We believe it is inefficient for DEP to be potentially processing a major permit modification based on this information likely only one year prior to the next renewal cycle.

**11) Section C.13.a (page 30 of 36):**

KYPCO requests that language be included in Section C.13.a related to batch discharges from Outlets 006 and 011 be included. These outlets are the final discharge from ponds controlled by manual valves. The revised language in the 2021 NPDES permit would read as follows (underlined text is additional language):

*Samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Samples shall be taken during the first thirty (30) minutes, or as soon thereafter as practicable, of the storm event. Due to batch discharges from Outlets 006 and 011, the aforementioned protocols may not result in a discharge from a storm event. Therefore, the permittee shall attempt to sample Outlets 006 and 011 in accordance with the above mentioned protocols so long as a discharge occurs. Otherwise, the permittee shall sample the batch discharges from Outlets 006 and 011 when it occurs but no later than the approximate midpoint in time of the manually controlled batch discharge.*

KYPCO also requests that Outlet 012 be sampled at any time during discharge. Water quality of the large pond discharging via Outlet 012 would not be impacted by a single, typical precipitation event. Depending on frequency and intensity of precipitation events, Outlet 012 may not have a discharge or take a significant amount of time for runoff to create a discharge. Requiring Plant staff to observe and be prepared to sample during a precipitation event is burdensome and unnecessary.

**12) Section C.20 (page 31 of 36):**

KYPCO requests that Condition C.28 be revised to include EPA Method 1664 B as follows: "The permittee shall utilize EPA Method No. 1664 A or EPA Method No. 1664 B (gravimetric analysis using the hexane extractable method [HEM]) for the analysis of oil and grease." EPA Method 1664 B (2010) is the updated version of EPA Method 1664 A (1999), and both are listed in 40 CFR 136 as acceptable methods. The same method detection limit and report limit are specified in both methodologies.

**13) Section C.21.a., Aluminum MDL (page 32 of 36):**

KYPCO requests an increase in the required method detection limit (MDL) for Total Aluminum from 1 ug/L to 5 ug/L. While the lab performing NPDES monitoring does use EPA Method 200.8 for Total Aluminum, the currently achievable MDL is 5 ug/L. This is due to the August

2017 Methods Update Rule, which required changes in the MDL calculation to include background contamination resulting in overall higher MDLs for most parameters. KYPCO also notes that the lowest permit limit for aluminum is proposed at Outlet 001 and is 0.58 mg/L, or 580 ug/L, significantly higher than an MDL of 5 ug/L.

**14) Section C.23 (page 32 of 36):**

Section C.23 lists the chemicals added for cooling tower maintenance. The following chemicals are used at the Plant for cooling tower maintenance:

Sodium Hypochlorite	Nalco 1393T
Actibrom 1338	Nalperse 73550
Sulfuric Acid	Nalco-H-130
Trasar 3DT120	

The other chemicals are used for deicing, boiler water treatment, and wastewater treatment at the Plant.

KYPCO will continue to use these chemicals for their intended purposes and does not expect any adverse effect to the discharge from the Plant.

**15) Sections C.28: (page 33 of 36) NOPP Language:**

Section C.28 details the submittal of a Notice of Planned Participation (NOPP). This section can be removed from the NPDES Permit due to the NOPP submittal date of October 13, 2021 having already passed.

**16) Section C**

AEP requests that the quarterly and semi-annual monitoring frequencies be defined in Section C. and be based on a calendar year, as follows:

**Quarterly** (1/quarter) frequency means sampling shall be done between: January-March; April-June; July-September; and October-December. The quarterly results shall be reported on the March, June, September and December DMRs.

**Semi-annual** sample frequency means sampling shall be done between: January-June and July-December with a minimum of 3 months between samples. The semi-annual results shall be reported on the June and December DMRs.

**17) Fact Sheet, (page 5 of 12) Sulfate :**

The NPDES Permit contains only “monitor only” for sulfates; however, KYPCO objects to use of ECOTOX being used to potentially generate a numeric water quality standard for a pollutant without going through the appropriate rulemaking process

Section 10, page 5 of the Fact Sheet acknowledges that West Virginia does not have a numeric criteria for sulfate, but states “the agency does have concerns with the toxicity from this pollutant and its impact on the narrative water quality criteria found in 47 CSR 2, Section 3.2.e. which prohibits discharges from discharging materials in concentrations which are harmful to or toxic to man, animal, aquatic life.”

WVDEP notes in the Fact Sheet that USEPA has established a LC50 of 7,000 mg/l for sulfate in its ECOTOX database. WVDEP states that it applied 1/10 of USEPA’s LC50 value to evaluate if there would be reasonable potential for the discharge to cause or contribute to a violation of the State’s narrative water quality criterion. WVDEP provides no rationale or explanation for using the 1/10 of the LC50. This procedure for calculating the sulfate WQBELs is inappropriate for calculating a WQBEL.<sup>6</sup>

Finally, as West Virginia does not have a state numeric water quality criterion for sulfate, WVDEP’s application of narrative water quality criterion to impose end-of-pipe effluent limitations is a de-facto creation of a numeric water quality criterion, and WVDEP did not follow the required procedures to take this action. West Virginia’s state WQC are contained at W. Va. C.S.R. § 47-2-8, Appendix E. WVDEP’s authority to implement specific water quality criteria is contained at W. Va. Code § 22-4.a(16), which requires WVDEP to set such standards through a rulemaking. WVDEP may only promulgate rulemakings in accordance with the requirements of the State Administrative Procedures Act, which it did not do here. *See* W. Va. Code § 29A-3-1.

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<sup>6</sup>Additionally, WVDEP’s use of the LC50 value from USEPA’s ECOTOX database is wrong in and of itself, notwithstanding the fact that WVDEP arbitrarily applied 1/10 of the LC50 value. The ECOTOX database expressly instructs users to “consult the original scientific paper to ensure an understanding of the context of the data retrieved from ECOTOX.” Doing so reveals that the LC50 value is based solely on 1984 research on uranium mine pollution. The LC50 value is therefore outdated and of no utility for a coal-fired steam electric power plant.

**18) Fact Sheet, (page 7 of 10) FGD WWTP Treatment:**

The Fact Sheet issued with the draft permit states in 2<sup>nd</sup> paragraph on page 7 that:

“The permittee will also construct an ultrafiltration system (pressure filter) to treat FGD wastewater and landfill leachate at the outlet of the existing FGD WWTP (new Outlet 201).”

This sentence should read:

“The permittee will also construct *a two-stage bioreactor* and an ultrafiltration system (pressure filter) to treat FGD wastewater and landfill leachate at the outlet of the existing FGD WWTP (new Outlet 201).”

**19) Issuance of Final NPDES Permit:**

Since American Electric Power Service Corporation represents both KYPCO and Appalachian Power Company, KYPCO notes that Appalachian Power Company has appealed the recently issued NPDES permit for its Amos plant, and has raised on appeal issues with how DEP calculated limits for various outfalls using the combined wastestream formula and building block approach. Because KYPCO raises similar concerns with DEP’s approach to calculating limits for Amos (see comments regarding Total Suspended Solids and Oil and Grease effluent limitations at Outlet 001 and ELG FGD effluent limitations at Outfall 201), and to avoid duplicative litigation over the same issue, to the extent DEP is not willing to revise its approach to calculating these limits in accordance with the comments contained herein, we urge DEP to refrain from finalizing this permit until these issues are resolved by the Environmental Quality Board.

If necessary, we would be glad to participate in a meeting with DEP staff to further discuss these comments. In the meantime, if there are any questions or further information is needed, please contact Steve Wells at (740) 215-0408 or [sfwells@aep.com](mailto:sfwells@aep.com).

Sincerely,



Alan R. Wood, P.E. (OH)  
Director, Water & Ecological Resource Services

Attachment

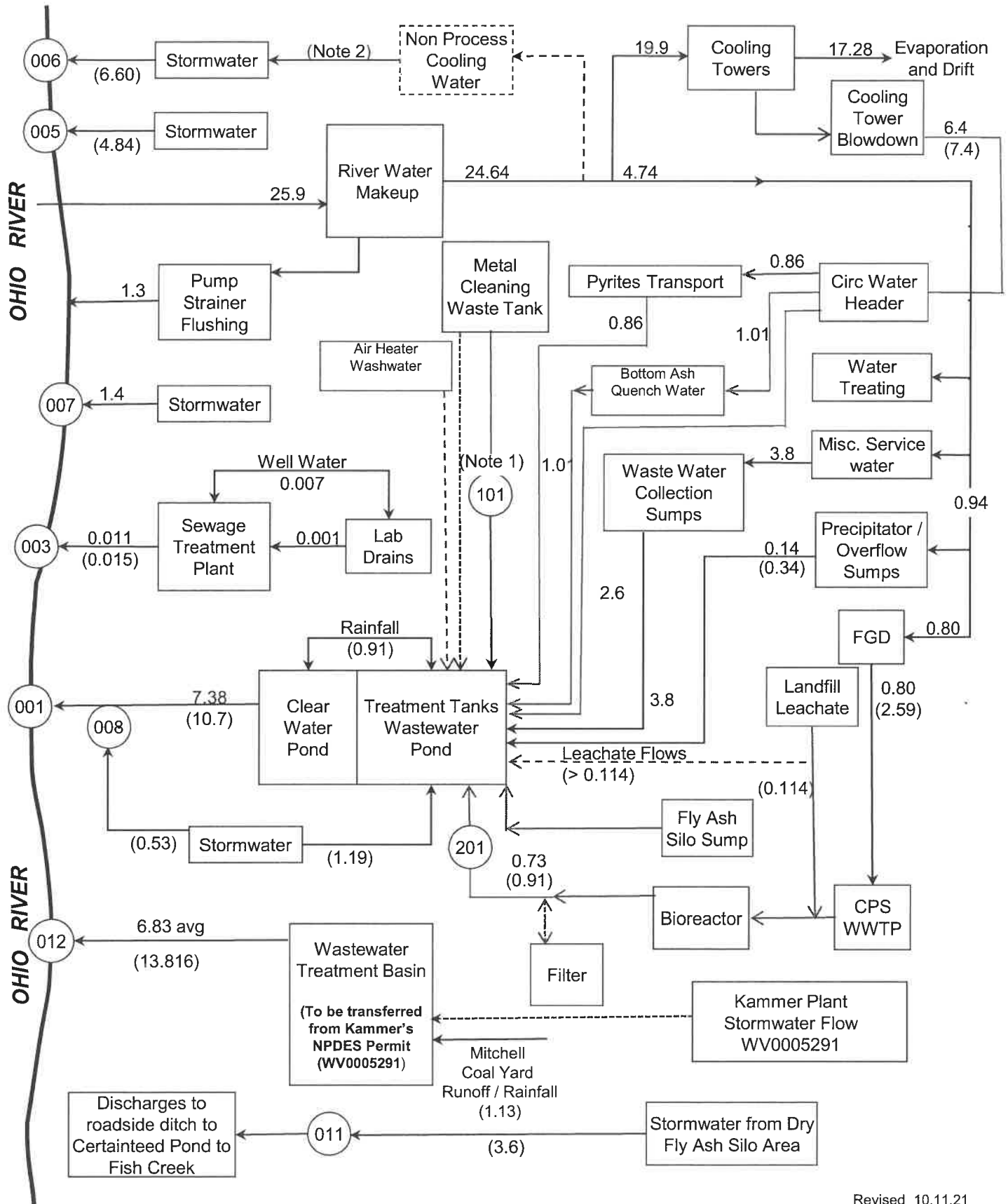
Kentucky Power Company  
Mitchell Plant

NPDES Permit Comments  
October 15, 2021

c: Doug Rosenberger - Mitchell Plant  
Danielle Roski – Mitchell Plant  
Matt Palmer – Mitchell Plant  
Steve Wells – AEP Headquarters  
Robert Schmidt – AEP Headquarters

# Appendix I

## Updated Water Balance



Revised 10.11.21

**NOTE:1:** 450,000 gal. Over 10 days every 18 months on average.  
**NOTE 2:** Max. of 2.88 mgd over 12 to 16 weeks per year during unit outages.  
**NOTE 3:** Washwater generated during cleaning events – estimated 0.43 MGD for 2 days per year.

Red line flows are changes as part of this NPDES Permit Update.

**All flows measured in gallons per day**  
 Average Flow - MGD  
 Maximum Flow - (MGD)

#### - Outlet number

Kentucky Power Company  
**Mitchell Plant**

Wastewater Flow Diagram After  
 ELG/CCR Projects

Water & Ecological  
 Resource Services **AEP**



# **RESPONSE TO COMMENTS**



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**west virginia** department of environmental protection

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Division of Water and Waste Management  
601 57th Street SE  
Charleston, West Virginia 25304-2345  
Phone: 304-926-0495/Fax: 304-926-0496

Harold D. Ward, Cabinet Secretary  
<https://dep.wv.gov>

June 13, 2022

KENTUCKY POWER COMPANY  
1 RIVERSIDE PLAZA  
22ND FLOOR  
COLUMBUS, OH 43215

**CERTIFIED RETURN RECEIPT REQUESTED**

Dear Permittee:

Enclosed please find WV/NPDES Permit Number WV0005304 dated June 13, 2022.

Kentucky Power's comments were received by letter dated October 15, 2021. The following is the agency's response to these comments regarding the draft permit that went to public notice on August 31, 2021.

Comment No. 1 : Cover Sheet - Bioreactor Description

The cover sheet has been revised to identify the bioreactor.

Comment No. 2 : Outlet 001 - Copper Limits

Pursuant to federal regulations, compliance is required as soon as possible. The agency reviewed effluent data and believes that compliance is attainable.

Comment No. 3 : Outlet 001 - TSS and Oil and Grease Limits

The usage of the term in the fact sheet is in reference to the combined treatment at the facility (i.e., the bottom ash pond) which treats multiple wastestreams, both regulated and non-regulated and dilute and non-dilute, as considered by each specific guideline and waste type in a single treatment facility to achieve the limitations in 40 CFR 423. In general, when used in the fact sheet the "combined wastestream formula" is a reference to a complete mass balance on all wastestreams.

In addition, AEP's calculation is incorrect, specifically the  $(F_t - F_d)/F_t$  value. Based on the submitted reference, the term should be  $(5.65 - 0.73) / 5.65 = 0.87$  for the average. The non-process wastewater cannot be included as non-dilute in the calculation, it must be considered a dilute wastestream per 40 CFR 423. A similar calculation would be made for the max limit. AEP's contention is incorrect that the cooling tower blowdown should be treated as process wastewater. The cited reference in USEPA's "Guidance Manual for the Use of Production-Based Pretreatment Standards and the Combined Wastewater Formula" was not fully included in the comment letter and has been taken out of context. The reference further goes on to clarify that dilution flow ( $F_d$ ) occurs when pollutants of concern are not detectable or are in trace amounts in "process wastestreams". The reference does not refer to non-process wastestreams.

Instead, it means that even if a wastestream is a process wastestream and is regulated by a guideline it can still be considered a dilute flow if there is de minimus loadings of the parameter in question. Wastestreams, such as cooling water blowdown, are always considered dilution flow unless the guideline specifically designates cooling tower blowdown as process wastewater, which is not the case here.

The agency did utilize the cooling water TSS results provided in the comment letter to reassess unregulated wastewater credit for TSS which revised both the interim and final TSS limits in the final permit at Outlet 001. Calculations can be found in the attached fact sheet addendum.

The agency believes use of a benchmark value to quantify storm water levels is not appropriate.

Comment No. 4 : Outlet 001 - Bromide, Bromoform, Fluoride, Cobalt, Methylene Chloride, and Magnesium Monitoring

Based upon further review of all information, monitoring for these parameters has been removed in the final permit.

Comment No. 5 : Outlet 001 - Barium, Boron, Manganese, Nickel, and Silver Monitoring

Based upon the information supplied in the permit application, the agency believes further monitoring is warranted. However, the agency has revised monitoring from quarterly to semi-annually in the final permit.

Comment No. 6 : Outlet 012 - Flow

The requested revision was made in the final permit.

Comment No. 7 : Outlets 013 and 014

Outlets 013 and 014 were erroneously added to the permit and have been removed from the final permit.

Comment No. 8 : Outlet 201 - FGD Limits

The agency has not calculated a BPJ limit. The leachate that the permittee is describing is considered dilute wastewater per the ELG and the data provided by the permittee on the characteristics of the wastewater were on an untreated basis (prior to entering the proposed combined wastewater system). The building block approach, is for considering multiple wastestreams on a post-treatment basis. Since the leachate data provided is on an untreated basis and the ELG limitations are imposed on the effluent of the treatment unit, the untreated leachate data must be evaluated on an effluent basis. The agency used the removal efficiencies in the development document to perform this calculation. The agency is neither requiring the permittee to achieve these removal efficiencies nor imposing these removal efficiencies in the permit. Also, the permittee may develop its own removal efficiencies based on its specific treatment unit operations if it desires.

As discussed with AEP personnel, the building block approach diagram that AEP is referring to in the comment letter does not describe the proposed design on the AEP system. In EPA's diagram, leachate combines with treated FGD wastewater on the effluent side of the FGD treatment system. In the permittee's design, leachate combines with other wastewaters prior to the treatment system.

The agency considered the maximum concentration information provided and recalculated the final limits at Outlet 201 in the final permit. However, this only slightly revised the maximum daily for limit for arsenic in the final permit. The agency believes that final limits imposed are appropriate.

#### Comment No. 9 : Section B - Compliance Milestones

Some of the compliance milestones were adjusted/removed in the final permit to account for the timing of the issuance date of the final permit.

#### Comment No. 10 : Detailed Flow Analysis

This milestone was removed from Section B and imposed as Section C.31 in the final permit. The submittal date was revised to be with the next permit reissuance application.

#### Comment No. 11 : Section C.14.a

The requested revisions have been made in the final permit.

#### Comment No. 12 : Section C.20

The requested revision has been made in the final permit.

#### Comment No. 13 : Section C.21.a - Aluminum

The agency has removed aluminum from this condition as it is unnecessary due to the limits and water quality criteria being significantly above the MDL.

Comment No. 14 : Section C.23

Section C.23 was revised to remove the chemicals not used for cooling tower maintenance in the final permit.

Comment No. 15 : Section C.28

The NOPP language contained in the draft permit was removed in the final permit. Please note that Section C.28 revised to address the next comment.

Comment No. 16 : Quarterly and Semi-annual Monitoring Periods

Section C.28 was revised to define quarterly and semi-annual monitoring periods in the final permit. Quarterly monitoring periods are determined by EPA's ICIS database system which is based on a calendar year. However, semi-annual monitoring periods are determined by EPA's ICIS database system which determines semi-annual monitoring based upon the effective date of the reissued permit.

Comment No. 17 : Sulfate Assessment

As noted, there was no reasonable potential for sulfate and no limits are imposed in the permit. The agency followed the approach prescribed in 47 CSR 2, Section 9 of WV's Water Quality Standards regarding safe concentration values in its assessment of sulfate.

Comment No. 18 : Fact Sheet - FGD Treatment

The agency recognizes the erroneous omission of identifying the two-stage bioreactor in the fact sheet. As noted previously, this was corrected in the permit.

Comment No. 19 : Final Permit Issuance

Based on discussions regarding the Amos Appeal between APCO, the WVDEP, and the USEPA, the agency believes its assessment of the limits are appropriate and there is no reason to further delay the issuance of this permit. Additionally, the permittee recently indicated that issuance of this permit is necessary for certain projects to move forward.

Comment No. 20 : Treatment Chemicals

The permittee supplied new information on March 28, 2022 regarding treatment chemicals at the site. Section C.32 has been added to the permit providing approval and conditions for the use of these chemicals.

Comment No. 21 : Outlet 001 - Zinc and Chromium

KENTUCKY POWER COMPANY

Page 5

June 13, 2022

Pursuant to comments from the USEPA, the agency did not impose the effluent guideline requirements for cooling tower blowdown in 40 CFR 423.13 in the draft permit. As a result of these comments, the agency has imposed interim and final zinc and chromium limits at Outlet 001 in the final permit. Further discussion of these effluent limitations can be found in the attached fact sheet addendum.

Please note that a Discharge Monitoring Report (DMR) is to be completed and submitted to this Division each month.

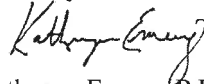
Finally note that copies of all future correspondence regarding the permit must be forwarded to the Field Inspector and Field Supervisor at the following address:

Department of Environmental Protection  
Environmental Enforcement  
2031 Pleasant Valley Rd  
Suite #1  
Fairmont, WV 26554

Also, please note the attachment to this permit which describes the annual permit fee requirement. Reissuance of your permit does not change the annual fee billing cycle.

If you have any questions, please contact John Lockhart, P.E. of this Division at (304) 926-0499 at extension 43889, or by email at [john.v.lockhart@wv.gov](mailto:john.v.lockhart@wv.gov).

Sincerely,



Katheryn Emery, P.E.  
Director

KE:jl

Enclosures

**Permit Number:** WV0005304

**Permittee:** KENTUCKY POWER COMPANY

**cc:** Env. Insp. Supv.  
Env. Insp.  
ORSANCO  
US EPA





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**Fwd: AEP Mitchell Plant (WV0005304)**

1 message

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**Sweeney, Matthew L** <matthew.l.sweeney@wv.gov>  
To: "Devereux, Lori K" <lori.k.devereux@wv.gov>

Thu, Sep 30, 2021 at 2:57 PM

EPA comments

----- Forwarded message -----

From: **Fulton, Jennifer** <Fulton.Jennifer@epa.gov>

Date: Thu, Sep 30, 2021 at 1:41 PM

Subject: AEP Mitchell Plant (WV0005304)

To: Sweeney, Matthew L &lt;matthew.l.sweeney@wv.gov&gt;

Cc: yogesh.p.patel@wv.gov &lt;yogesh.p.patel@wv.gov&gt;, Moncavage, Carissa &lt;Moncavage.Carissa@epa.gov&gt;, Martinsen, Jessica &lt;Martinsen.Jessica@epa.gov&gt;

Matt,

According to our Memorandum of Agreement, the Environmental Protection Agency (EPA) Region III has received the draft National Pollutant Discharge Elimination System (NPDES) permit for:

**AEP Mitchell Plant****NPDES Number: WV0005304****EPA Received: August 25, 2021****30-day Due Date: September 25, 2021 (WVDEP provided an extension for EPA's review to October 1, 2021)**

This is a major permit discharging to the Ohio River. EPA has chosen to perform a limited review based on the Steam Electric ELG, 316(b), and compliance schedule requirements. EPA has completed its review and has the following comments:

- It appears that 423.13(d) applies to Outlet 001, however, there is no justification as to why the ELGs for total chromium and total zinc were not applied and included in the permit for this outlet. The fact sheet would benefit from a discussion as to why the permit includes a monitor only requirement at Outlet 001 for these pollutants.
- Discharges from Outlet 004 in the AEP Kammer permit (WV0005291) are being transferred to this permit and renamed Outfall 012. The Kammer permit identifies discharges from Outlet 004 as being comprised of stormwater and coal pile runoff, however the permit indicates discharges from Outlet 012 are stormwater. Please clarify discharges from Outlet 012 are process water and stormwater as indicated in both the fact sheet and the Kammer permit and revise the draft permit accordingly.
- There are monitoring requirements and effluent limits listed for 28 pollutants at Outlet 004 in the Kammer permit (WV0005291) that have not been transferred to the draft permit at Outlet 012. The draft permit contains monitoring for only 11 of these pollutants and some limits

were removed or changed without any discussion or justification provided in the fact sheet. Has WVDEP conducted a reasonable potential analysis of these pollutants that resulted in a change in the monitoring and effluent limitation requirements? The fact sheet needs to include a discussion of the results of the reasonable potential analysis and justification for the removal of monitoring requirements and effluent limits for the discharges at new Outlet 012.

- The permittee submitted an update to their 2016 permit application that provides information as to how they will comply with the Steam Electric ELG requirements. The permittee describes a new two-stage bioreactor that will be constructed near the current FGD Wastewater Treatment Plant that will be used to treat the FGD wastewater at Outlet 001. The landfill leachate will also be treated in the bioreactor and added to the FGD wastewater prior to discharging via Outlet 001. Because there will be a combined wastestream discharged at Outlet 001, and the ELG requirements apply to FGD wastewater, the permittee recommended using the Building-Block Approach in EPA's 2015 ELG Technical Development Document (TDD) Section 14.1.5 for the FGD ELG calculations. The permittee indicated that flows from the FGD WWTP vary, therefore, the design flow rate was used in their ELG calculations. EPA's TDD Section 14.1.5 states *"In all cases where the permitting authority is applying the building block approach or combined waste formula (CWF), the permitting authority must also determine the flow rate for use in the building block or CWF. EPA strongly recommends that the permitting authority calculate the flow rate based on representative flow rates for each wastestream."* (underline added for emphasis). The TDD goes on to say that the facility should be responsible for providing sufficient data that reflects representative samples of each individual wastestream and that these data reflect a study of the applicable wastestreams that covers the full range of variability in concentration and flow for each wastestream. In other words, the TDD strongly recommends that actual flow rates be used in the calculations and that these flow rates must be representative of the full range of variability for the Wastestream. The fact sheet indicated that WVDEP applied the building block/CWF approach when calculating the ELGs at Outlet 001, however, it is unclear what flows were used in these calculations. Were the flows representative of the actual FGD wastestream or the design flow of the FGD WWTP?
- The compliance schedule for Outlet 201 does not justify the time needed for the facility to come into compliance with the final limits for arsenic, mercury, nitrate+nitrite, and selenium. In accordance with 40 CFR 122.47(a)(1), a compliance schedule shall require "as soon as possible" and, therefore, the milestones in the schedule should justify the length of the schedule based on the specific needs of the facility. As it is written, the permittee is required to complete a preliminary detail design to support bid packages for the FGD treatment system in 2022, however, the permittee is only required to submit progress reports for the remaining three years. A compliance schedule must include "an enforceable sequence of actions or operations leading to compliance with an effluent limitation" as defined in 502(17) of the Clean Water Act. As such, the compliance schedule for arsenic, mercury, nitrate+nitrite, and selenium does not meet the requirements of the Clean Water Act and its implementing regulations and should therefore be revised.
- The permit requires the facility to operate its intake to ensure that the total withdrawal from the Ohio River is less than 5% of the mean annual flow of the Ohio River. It appears that WVDEP has determined that maintaining an intake flow that is no more than 5% of the Ohio River is BTA for entrainment. While this may be appropriate, it is unclear whether the requirements for making site-specific entrainment determinations were satisfied at 125.94(d), which also requires the consideration of the relevant factors at 125.98(f)(2). The fact sheet should include a discussion of how the requirements at 125.94(d) and 125.98(f) were met in determining BTA for entrainment. Additionally, the permit does not appear to require any monitoring to ensure this 5% requirement will be met. How will compliance with this permit requirement be determined?
- The permit states that the design velocity (normal operation) is 0.15 ft/s @35,000 gpm. The BTA standard for impingement mortality at 125.94(c)(2) requires a maximum design through screen velocity of 0.5 fps. Is the "normal operation" of the facility's cooling water intake

structure the same as the maximum design or maximum flow? In other words, is the facility's CWIS normally operating at maximum capacity?

Please address the above and provide Carissa Moncavage with any changes to the draft permit and/or fact sheet.

Thank you,

Jen Fulton

Jennifer Fulton, Acting Chief

Clean Water Branch

Water Division (3WD40)

U.S. EPA Region 3

304-234-0248

**PERMIT**



STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WATER AND WASTE MANAGEMENT  
601 57TH STREET SE  
CHARLESTON, WV 25304-2345

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WATER POLLUTION CONTROL PERMIT

**NPDES PERMIT NO.:** WV0005304

**SUBJECT:** Industrial Waste

**ISSUE DATE:** June 13, 2022

**EFFECTIVE DATE :** August 01, 2022

**EXPIRATION DATE:** June 12, 2027

**SUPERSEDES:** Permit No. WV0005304  
dated November 30, 2010

**LOCATION:** MOUNDSVILLE  
(City)

Marshall  
(County)

Upper Ohio River 2  
(Drainage Basin)

See the next page for a list of Outlets.

**TO WHOM IT MAY CONCERN:**

**This is to certify that:** KENTUCKY POWER COMPANY  
1 RIVERSIDE PLAZA  
22ND FLOOR  
COLUMBUS, OH 43215

**is hereby granted a West Virginia NPDES Water Pollution Control Permit to:**

operate and maintain treatment and disposal systems and best management practices for the direct discharge of treated industrial wastes (process wastewater, metal cleaning waste, low volume wastewater, storm water) from Outlet 001 into the Ohio River near Milepoint 112.8.

Also to operate and maintain treatment and disposal systems for the direct discharge of treated sanitary wastes from Outlet 003 into the Ohio River near Milepoint 112.8.

Also to operate and maintain treatment and disposal systems for the direct discharge of treated stormwater and process wastes (miscellaneous and precipitator sumps) from Outlet 006 into the Ohio River near Milepoint 112.4.

Also to operate and maintain treatment and disposal systems and best management practices for the direct discharge of treated storm water through Outlet 011 into approximately 0.15 miles from its mouth of Fish Creek, a tributary of the Ohio River.

Also to operate and maintain treatment and disposal systems and best management practices for the direct discharge of treated storm water and process wastewater (coal pile runoff) through Outlet 012 into the Ohio River near Milepoint 111.9.

Also to operate and maintain treatment and disposal systems and best management practices for the direct discharge of untreated and treated storm water respectively through Outlets 007 and 008 into the Ohio River near Milepoints 112.6 and 112.8 respectively.

Also to acquire, construct, install, operate, and maintain a new 6.7-acre, lined Wastewater Pond Complex and adjacent tank-based chemical treatment system (organosulfide and polymer) to replace the Bottom Ash Wastewater Treatment Ponds at Outlet 001.

Also to acquire, construct, install, operate, and maintain a new two-stage bioreactor and ultrafiltration unit (pressure filter) to provide additional treatment at the CPS Treatment Facility at new Outlet 201.

Both the new Outlet 001 and 201 treatment systems shall be constructed per plans and specifications in "Mitchell Plant, 2021 NPDES Permit Renewal Application Update, NPDES Permit #WV0005304, January 8, 2021" prepared by American Electric Power Service Corporation.

**This permit is subject to the following terms and conditions :**

The information submitted on and with Permit Application No. WV0005304, dated the 22nd day of December 2014, additional information dated the 10th day of October 2014, the 16th day of September 2016, the 8th day of January 2021, 6th day of August 2021, the 9th day of August 2021, the 10th day of August 2021, and the 28th day of March 2022 are all hereby made terms and conditions of this Permit with like effect as if all such permit application information were set forth herein and with other conditions set forth in Sections A, B, C, D, and Appendix A.

**The validity of this permit is contingent upon the payment of the applicable annual permit fee, as required by Chapter 22, Article 11, Section 10 of the Code of West Virginia.**

Inspectable Unit	Latitude	Longitude	Receiving Stream	Dist. to Stream Mouth (in Mile)	Milepost
001	39°49'20"	80°49'06"	OHIO RV	N/A	112.8
003	39°49'20"	80°49'06"	OHIO RV	N/A	112.8
005	39°50'13"	80°49'24"	OHIO RV -- No Monitoring Required	N/A	112
006	39°49'45"	80°49'15"	OHIO RV	N/A	112.4
007	39°49'33"	80°49'11"	OHIO RV	N/A	112.6
008	39°49'23"	80°49'07"	OHIO RV	N/A	112.8
011	39°49'11"	80°48'47"	FISH CK	0.15	N/A
012	39°50'18"	80°49'26"	OHIO RV	N/A	111.9
101	39°49'20"	80°49'06"	OHIO RV	N/A	N/A
106	39°49'45"	80°49'15"	OHIO RV	N/A	112.4
201	39°49'20"	80°49'06"	OHIO RV	N/A	N/A

**A.001 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 001 (Storm Water Runoff, Process Water)

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

Effluent Characteristic	Discharge Limitations				Other Units		Units	Monitoring Requirements	
	Quantity		Units					Measurement Frequency	Sample Type
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	2/month	Calculated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 7/1/2023	N/A	N/A	N/A	N/A	24.4 Avg. Monthly	77.2 Max. Daily	mg/l	2/month	24 hr Composite
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-A) Final: 07/02/2023 to 6/12/2027	N/A	N/A	N/A	N/A	35.7 Avg. Monthly	80.1 Max. Daily	mg/l	2/month	24 hr Composite
00400 - (pH) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	2/month	Grab
00610 - (Ammonia Nitrogen) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
00620 - (Nitrogen Nitrate) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
00615 - (Nitrogen Nitrite) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
50060 - (Chlorine, Total Residual) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 7/1/2023	N/A	N/A	N/A	N/A	0.016 Avg. Monthly	0.057 Max. Daily	mg/l	1/month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 001, at the discharge to the Ohio River via 48" steel pipe via a weir.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.



**A.001 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 001 (Storm Water Runoff, Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
50060 - (Chlorine, Total Residual) (Year Round) (ML-1) (RF-A) Final: 07/02/2023 to 6/12/2027	N/A	N/A	N/A	N/A	0.028 Avg. Monthly	0.057 Max. Daily	mg/l	1/month	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	0.016 Avg. Monthly	0.039 Max. Daily	mg/l	2/month	24 hr Composite
01114 - (Lead, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 7/1/2023	N/A	N/A	N/A	N/A	0.079 Avg. Monthly	0.209 Max. Daily	mg/l	1/month	24 hr Composite
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-A) Final: 07/02/2023 to 6/12/2027	N/A	N/A	N/A	N/A	0.179 Avg. Monthly	0.357 Max. Daily	mg/l	1/month	24 hr Composite
01113 - (Cadmium, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
00718 - (Cyanide, Weak Acid Dissocia) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/quarter	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 001, at the discharge to the Ohio River via 48" steel pipe via a weir.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.001 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 001 (Storm Water Runoff, Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
01074 - (Nickel, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	24 hr Composite
01079 - (Silver, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	24 hr Composite
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	0.58 Avg. Monthly	1.2 Max. Daily	mg/l	1/month	24 hr Composite
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
00940 - (Chloride (as Cl)) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
61425 - (Acute Tox - Ceriodaphnia Dut) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	0.5 Avg. Monthly	0.9 Max. Daily	TUa	1/6 months	24 hr Composite
61427 - (Acute Toxicity - Pimephales) (Year Round) (ML-1) (RF-D)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	TUa	1/year	24 hr Composite
01034 - (Chromium, Total (as Cr)) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 7/1/2023	N/A	N/A	N/A	N/A	0.016 Avg. Monthly	0.042 Max. Daily	mg/l	1/month	24 hr Composite

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 001, at the discharge to the Ohio River via 48" steel pipe via a weir.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.001 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 001 (Storm Water Runoff, Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
01034 - (Chromium, Total (as Cr)) (Year Round) (ML-1) (RF-A) Final: 07/02/2023 to 6/12/2027	N/A	N/A	N/A	N/A	0.1 Avg. Monthly	0.1 Max. Daily	mg/l	1/month	24 hr Composite
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	0.038 Avg. Monthly	0.072 Max. Daily	mg/l	2/month	24 hr Composite
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
01007 - (Barium, Total (as Ba)) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	24 hr Composite
01097 - (Antimony, Total (as Sb)) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
00999 - (Boron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	24 hr Composite
11123 - (Total Recov. Manganese) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	24 hr Composite
00011 - (Temperature, F) (Year Round) (ML-7) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Avg. Monthly	DEG.F	2/month	Insitu

Intake / Upstream Temperature. See Condition C.29

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 001, at the discharge to the Ohio River via 48" steel pipe via a weir.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.001 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 001 (Storm Water Runoff, Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
00011 - (Temperature, F) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	DEG.F	2/month	Insitu
Effluent Temperature									
81020 - (Sulfate) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
01220 - (Chromium, Hex. Diss.) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	24 hr Composite
00552 - (Oil and Grease, Hexane EXTF) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 7/1/2023	N/A	N/A	N/A	N/A	10.8 Avg. Monthly	12.5 Max. Daily	mg/l	1/month	Grab
00552 - (Oil and Grease, Hexane EXTF) (Year Round) (ML-1) (RF-A) Final: 07/02/2023 to 6/12/2027	N/A	N/A	N/A	N/A	5.5 Avg. Monthly	7.5 Max. Daily	mg/l	1/month	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 001, at the discharge to the Ohio River via 48" steel pipe via a weir.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.003 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 003 (Sanitary)

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

Effluent Characteristic	Discharge Limitations				Monitoring Requirements		Units	Measurement Frequency	Sample Type
	Quantity	Units	Other Units	Units	Measurement Frequency	Sample Type			
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	0.015 Max Daily	mgd	1/quarter	measured
00310 - (BOD, 5-Day 20 Deg.C) (Year Round) (ML-1) (RF-B)	3.75 Avg. Monthly	7.5 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max. Daily	mg/l	1/quarter	Grab
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-B)	3.75 Avg. Monthly	7.5 Max. Daily	Lbs/Day	N/A	30 Avg. Monthly	60 Max Daily	mg/l	1/quarter	Grab
74055 - (Coliform, Fecal) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	200 Mon. Geo. Mean	400 Max. Daily	Cnts/100ml	1/quarter	Grab
00400 - (pH) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	6 Inst. Min	N/A	9 Inst. Max	S.U.	1/quarter	Grab
00625 - (Nitrogen, Kjeldahl Total) (Year Round) (ML-1) (RF-B)	2.25 Avg. Monthly	4.5 Max. Daily	Lbs/Day	N/A	18 Avg. Monthly	36 Max. Daily	mg/l	1/quarter	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 003, at the discharge to the Ohio River via a 6" HDPE pipe.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.006 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 006 (Storm Water Runoff, Other)

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

Effluent Characteristic	Discharge Limitations				Monitoring Requirements		Units	Measurement Frequency	Sample Type
	Quantity	Units	Other Units	Units					
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/6 months	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01074 - (Nickel, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outlet 006, At the discharge from the stormwater pond via a 36" SLPE pipe to the Ohio River. Refer to Section C.14 for sampling requirements. [Samples shall be taken and reported for stormwater only discharges]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.006 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 006 (Storm Water Runoff, Other)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
81020 - (Sulfate) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01220 - (Chromium, Hex. Diss.) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

**Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):**

Outlet 006, At the discharge from the stormwater pond via a 36" SLPE pipe to the Ohio River. Refer to Section C.14 for sampling requirements. [Samples shall be taken and reported for stormwater only discharges]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.007 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 007 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>				
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/quarter	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	Grab
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/6 months	Grab
01074 - (Nickel, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 007, at the discharge to the Ohio River via a 54" corrugated steel pipe to an open ditch.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.



**A.007 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 007 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
81020 - (Sulfate) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outlet 007, at the discharge to the Ohio River via a 54" corrugated steel pipe to an open ditch.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.008 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 008 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>	<u>Units</u>	<u>Units</u>	<u>Units</u>		<u>Measurement Frequency</u>	<u>Sample Type</u>
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/quarter	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/6 months	Grab
01074 - (Nickel, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outlet 008, At the discharge to the Ohio River via a 24" corrugated steel pipe to an open ditch prior to mixing with the wastewater from Outlet 001.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.008 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 008 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>					
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	Grab
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/quarter	Grab
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
81020 - (Sulfate) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outlet 008, At the discharge to the Ohio River via a 24" corrugated steel pipe to an open ditch prior to mixing with the wastewater from Outlet 001.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.011 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 011 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/6 months	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/6 months	Grab
01074 - (Nickel, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 011, at the discharge from the 18" corrugated steel pipe.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.011 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 011 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
70295 - (Solids, Total Dissolved (TDS)) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
81020 - (Sulfate) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01220 - (Chromium, Hex. Diss.) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 011, at the discharge from the 18" corrugated steel pipe.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.012 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 012 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	1/6 months	Estimated
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	50 Max. Daily	mg/l	1/6 months	Grab
00400 - (pH) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	S.U.	1/6 months	Grab
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/6 months	Grab
01074 - (Nickel, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 012, at weir located immediately prior to 36" diameter reinforced concrete discharge pipe for former Outlet 004 (WV0005291).

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.012 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 012 (Storm Water Runoff)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Other Units</u>		<u>Units</u>	<u>Monitoring Requirements</u>	
	<u>Quantity</u>		<u>Units</u>					<u>Measurement Frequency</u>	<u>Sample Type</u>
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab
81020 - (Sulfate) (Year Round) (ML-1) (RF-C)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	1/6 months	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Outlet 012, at weir located immediately prior to 36" diameter reinforced concrete discharge pipe for former Outlet 004 (WV0005291).

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.101 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 101 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>		<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>				
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	Once/Discharge	measured
Not to exceed 2 samples per month.									
01042 - (Copper, Total (as Cu)) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	1 Avg. Monthly	1 Max. Daily	mg/l	Once/Discharge	Grab
Not to exceed 2 samples per month.									
01045 - (Iron, Total (as Fe)) (Year Round) (ML-1) (RF-A)	N/A	N/A	N/A	N/A	1 Avg. Monthly	1 Max. Daily	mg/l	Once/Discharge	Grab
Not to exceed 2 samples per month.									

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):  
Internal Outlet 101, at the discharge from metal cleaning tank prior to mixing with any other wastewaters.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.



**A.106 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 106 (Storm Water Runoff, Other)

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

Effluent Characteristic	Discharge Limitations				Monitoring Requirements		Units	Measurement Frequency	Sample Type
	Quantity	Units	Other Units	Units	Units	Units			
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mgd	Once/Daily Discharge	Estimated
Not to exceed 4 samples per month									
00530 - (Total Suspended Solids) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	100 Max. Daily	mg/l	Once/Daily Discharge	Grab
Not to exceed 4 samples per month									
00400 - (pH) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	6 Inst. Min.	N/A	9 Inst. Max.	S.U.	Once/Daily Discharge	Grab
Not to exceed 4 samples per month									
01119 - (Copper, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	0.039 Max. Daily	mg/l	Once/Daily Discharge	Grab
Not to exceed 4 samples per month									
01094 - (Zinc, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	Once/Daily Discharge	Grab
Not to exceed 4 samples per month									
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	Once/Daily Discharge	Grab
Not to exceed 4 samples per month									
01104 - (Aluminum, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	1.2 Max. Daily	mg/l	Once/Daily Discharge	Grab
Not to exceed 4 samples per month									
00980 - (Iron, Total Recoverable) (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l	Once/Daily Discharge	Grab
Not to exceed 4 samples per month									

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outlet 106, Samples shall be taken at the same location as Outlet 006 only when non-stormwater (sump overflow, etc) is present. Residence time in the pond shall be accounted for. [Samples for stormwater only shall be reported via Outlet 006]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.106 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 106 (Storm Water Runoff, Other)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>				
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>		
00552 - (Oil and Grease, Hexane EXTf (Year Round) (ML-1) (RF-B)	N/A	N/A	N/A	N/A	Rpt Only Avg Monthly	20 Max Daily	mg/l	Once/Daily Discharge	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outlet 106, Samples shall be taken at the same location as Outlet 006 only when non-stormwater (sump overflow, etc) is present. Residence time in the pond shall be accounted for. [Samples for stormwater only shall be reported via Outlet 006]

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.201 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 201 (Process Water)

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

Effluent Characteristic	Discharge Limitations				Monitoring Requirements				
	Quantity	Units	Other Units	Units	Measurement Frequency	Sample Type	Units	Measurement Frequency	Sample Type
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 3/31/2025	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/month	measured
[Until 3/31/2025] Samples shall be taken at the discharge from the FGD Systems Treatment Unit.									
50050 - (Flow,in Conduit or thru plant) (Year Round) (ML-1) (RF-A) Final: 04/01/2025 to 6/12/2027	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/month	measured
[On 04/01/2025 and after] Samples shall be taken at the outlet of the Bio Reactor / Ultrafiltration Unit prior to mixing.									
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 3/31/2025	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/month	24 hr Composite
[Until 3/31/2025] Samples shall be taken at the discharge from the FGD Systems Treatment Unit.									
71900 - (Mercury, Total (as Hg)) (Year Round) (ML-1) (RF-A) Final: 04/01/2025 to 6/12/2027	N/A	N/A	N/A	N/A	0.028 Avg. Monthly	0.084 Max. Daily	ug/l	1/month	24 hr Composite
[On 04/01/2025 and after] Samples shall be taken at the outlet of the Bio Reactor / Ultrafiltration Unit prior to mixing.									
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 3/31/2025	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/month	24 hr Composite
[Until 3/31/2025] Samples shall be taken at the discharge from the FGD Systems Treatment Unit.									
00981 - (Selenium, Total Recoverable) (Year Round) (ML-1) (RF-A) Final: 04/01/2025 to 6/12/2027	N/A	N/A	N/A	N/A	24 Avg. Monthly	58 Max. Daily	ug/l	1/month	24 hr Composite
[On 04/01/2025 and after] Samples shall be taken at the outlet of the Bio Reactor / Ultrafiltration Unit prior to mixing.									
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 3/31/2025	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	ug/l	1/month	24 hr Composite
[Until 3/31/2025] Samples shall be taken at the discharge from the FGD Systems Treatment Unit.									
00978 - (Arsenic, Total Recoverable) (Year Round) (ML-1) (RF-A) Final: 04/01/2025 to 6/12/2027	N/A	N/A	N/A	N/A	7 Avg. Monthly	16 Max. Daily	ug/l	1/month	24 hr Composite
[On 04/01/2025 and after] Samples shall be taken at the outlet of the Bio Reactor / Ultrafiltration Unit prior to mixing.									

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outlet 201 - [Until 3/31/2025] Samples shall be taken at the discharge from the FGD Systems Treatment Unit. [On 04/01/2025 and after] Samples shall be taken at the outlet of the Bio Reactor / Ultrafiltration Unit prior to mixing.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

**A.201 DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS:**

**Permit Limits**

During the period beginning 8/1/2022 and lasting through midnight 6/12/2027 the permittee is authorized to discharge from Outlet Number(s) 201 (Process Water)

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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>			
	<u>Quantity</u>		<u>Units</u>	<u>Other Units</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>	
00630 - (Nitrite Plus Nitrate Nitrogen) (Year Round) (ML-1) (RF-A) Interim: 8/1/2022 to 3/31/2025	N/A	N/A	N/A	N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	mg/l 1/month	24 hr Composite
[Until 3/31/2025] Samples shall be taken at the discharge from the FGD Systems Treatment Unit.								
00630 - (Nitrite Plus Nitrate Nitrogen) (Year Round) (ML-1) (RF-A) Final: 04/01/2025 to 6/12/2027	N/A	N/A	N/A	N/A	2.5 Avg. Monthly	3.3 Max. Daily	mg/l 1/month	24 hr Composite
[On 04/01/2025 and after] Samples shall be taken at the outlet of the Bio Reactor / Ultrafiltration Unit prior to mixing.								

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Internal Outlet 201 - [Until 3/31/2025] Samples shall be taken at the discharge from the FGD Systems Treatment Unit. [On 04/01/2025 and after] Samples shall be taken at the outlet of the Bio Reactor / Ultrafiltration Unit prior to mixing.

This discharge shall comply with Appendix A - I MANAGEMENT CONDITIONS I - 12.

## B. SCHEDULE OF COMPLIANCE

**1. The permittee shall achieve compliance with the provisions for waste treatment and the monitoring requirements specified in the permit in accordance with the following schedule :**

- Nov 01, 2022: Complete preliminary and detailed design for Outlet 001 to support bid packages, including civil, mechanical, and electrical engineering packages for the pond complex modifications.
- Also complete preliminary and detailed design for Outlet 201 to support bid packages, including civil, mechanical, and electrical/I&C packages for the FGD treatment system.
- Jun 01, 2023: The permittee shall submit a progress report that identifies the status of the actions taken, as well as the actions to be taken, to complete closure of the West BAP of the former Bottom Ash Pond treatment system.
- Jul 01, 2023: Cease discharge of bottom ash transport wastewaters to the Outlet 001 combined wastewater system. Achieve compliance with the final effluent limitations in Section A.001 for TSS and O&G.
- The permittee shall submit the final design of the treatment system to come into compliance with the final effluent limitations for arsenic, mercury, nitrate+nitrite, and selenium at Outlet 201.
- Feb 01, 2024: Complete closure (i.e. removal of the CCR material and decontamination of the CCR unit) and repurposing of East and West BAP of the former Bottom Ash Pond treatment system.
- Complete closure (i.e. removal of the CCR material and decontamination of the CCR unit) and repurposing of East and West BAP of the former Bottom Ash Pond treatment system.
- The permittee shall submit a progress report that identifies the status of the actions taken, as well as the actions to be taken, to come into compliance with the final effluent limitations for arsenic, mercury, nitrate+nitrite, and selenium at Outlet 201.
- Jun 01, 2024: The permittee begin construction of the treatment system to come into compliance with the final effluent limitations for arsenic, mercury, nitrate+nitrite, and selenium at Outlet 201.
- Jul 01, 2024: The permittee shall submit a progress report that identifies the status of the actions taken, as well as the actions to be taken, to come into compliance with the final effluent limitations for arsenic, mercury, nitrate+nitrite, and selenium at Outlet 201.
- Jan 01, 2025: The permittee shall submit a progress report that identifies the status of the actions taken, as well as the actions to be taken, to come into compliance with the final effluent limitations for arsenic, mercury, nitrate+nitrite, and selenium at Outlet 201.
- Apr 01, 2025: Complete construction, performance testing and tuning for the ultrafiltration (pressure filter) FGD treatment system. Achieve compliance with final effluent limitations in Section A.201 for arsenic, mercury, nitrate+nitrite, and selenium.

**2. Reports of compliance or non-compliance with, and progress reports on interim and final requirements contained in the above compliance schedule, if any, shall be postmarked no later than 14 days following each schedule date.**

### Section C - Other Requirements

1. The permittee shall practice good housekeeping including maintaining the facility grounds. There shall be no scattered parts, equipment, debris, etc. Any and all drums shall be either stored in a covered area or kept upon pallets and properly sealed.
2. The issuance of this permit shall not relieve the permittee of the obligation to comply with any other federal, state or local laws. Compliance with this permit does not relieve the permittee from the obligation of Section 311 of the Clean Water Act. This permit does not authorize spills of hazardous substances/wastes from any permitted outlet into waters of the State. Such incidents are to be reported in accordance with Sections IV.1 and IV.2 of Appendix A of this permit.
3. Upon review of information submitted under terms and conditions of this permit, the permit may be modified to require additional effluent limitations/monitoring requirements and/or improved best management practices.
4. The permittee shall notify the Division of Water and Waste Management immediately when it becomes aware of any migration of any pollutant from any unpermitted source (such as contaminated groundwater and/or storm water) into surface waters of the State.
5. Without prior approval from the agency, the permittee shall not accept and treat wastewater from any other facility.
6. The permittee shall submit each month according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration and/or quantities the values of the constituents listed in Section A analytically determined to be in the plant effluent(s). Additional information pertaining to effluent monitoring and reporting can be found in Section III of Appendix A.
7. The required DMRs shall be received by the agency no later than 25 days following the end of the reporting period in accordance with the following requirements. The agency is now requiring the permittee to utilize our electronic discharge monitoring report (eDMR) system which is now mandatory. The permittee is not required to submit hard copies of the DMRs to the addresses listed below when using eDMR. Special circumstances may result in the agency granting an exemption to eDMR and are considered on case by case basis. If the permittee was exempted by the agency from using the eDMR system, then the permittee is required to send hard copies to the addresses below. The permittee may contact the agency for more information about the eDMR system and potential exemptions from using it. Regardless, in accordance with Appendix A, Section III.6 of this permit, the permittee shall maintain copies of DMRs (either hard copies or electronic copies) at the plant site and the DMRs shall be made readily available upon request for DEP personnel.

Director  
Division of Water and Waste Management  
601 57th Street, SE  
Charleston, West Virginia 25304  
Attn: Permitting Branch

U. S. Environmental Protection Agency  
Region III, Water Protection Division  
NPDES Enforcement Branch (3WP42)  
1650 Arch Street  
Philadelphia, PA 19103

Department of Environmental Protection  
Environmental Enforcement  
2031 Pleasant Valley Drive  
Fairmont, West Virginia 26554

8. For any noncompliance reports to be submitted in writing by this permit, a copy shall also be forwarded to the EPA at the location specified under Condition C.7. of this permit.
9. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee should use actual analytical results when these results are greater than or equal to the MDL and should use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee should use the actual MDL in the calculation for averaging and report the result as less than the average calculation.

**Section C - Other Requirements**

10. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If a MDL is not sensitive enough to confirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.
11. The permittee shall not use alternate DMRs without prior approval from this Agency.
12. The Groundwater Protection Plan (GPP) shall be maintained at the plant site and shall be available for inspection by the Division of Water and Waste Management personnel.
13. The permittee shall maintain and implement the storm water pollution prevention plan (SWPPP) for the site. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with the industrial activity. 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 the industrial activity at the facility and to assure compliance with the terms and conditions of this permit. A copy of this document shall be retained at the site and shall be available for review upon request from DEP personnel.
14. The following storm water requirements apply to Outlets 006, 007, 008, 011, and 012:
  - a. Samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Samples shall be taken during the first thirty (30) minutes, or as soon thereafter as practicable, of the storm event. Due to batch discharges from Outlets 006 and 011, the aforementioned protocols may not result in a discharge from a qualifying storm event. The permittee shall attempt to sample Outlets 006 and 011 in accordance with the above mentioned protocols so long as a discharge occurs. Otherwise, the permittee shall sample the batch discharges from Outlets 006 and 011 when discharges occur, but no later approximate midpoint of the manually controlled discharge. Outlet 012 shall be sampled when a discharge occurs from the pond.
  - b. Each outlet shall be monitored separately.

c. Pollutant	Benchmark Value
-----	
Total Suspended Solids	100 mg/l
pH	6.0 to 9.0 S.U.
Total Copper	0.0636 mg/l
Total Zinc	0.117 mg/l
Total Aluminum	0.75 mg/l
Total Selenium	0.005 mg/l
Total Iron	1.5 mg/l
Total Arsenic	0.16854 mg/l
Total Mercury	0.0014 mg/l
Total Nickel	0.47 mg/l
Sulfate	700 mg/l
Fecal Coliform	400 cts/100ml

When the concentration results from a minimum of four consecutive samples of a pollutant are all less than the corresponding benchmark value for the pollutant, additional monitoring for the pollutant is not required (all pH values of the samples must be within the range 6.0 to 9.0 S.U.). The facility shall submit, each year, to the Division of Water and Waste Management, in lieu of the monitoring data, a certification (form will be provided upon request) that there has not been a significant change in the industrial activity or the pollution prevention measures in the area of the facility that drains to the outlet for which sampling is to be waived. If the concentration of a pollutant exceeds the corresponding benchmark concentration or a pH value is not within the range of 6.0 to 9.0 S.U., monitoring shall be continued and storm water pollution prevention practices shall be revised and implemented. A letter stating the revised and implemented storm water pollution prevention practices shall be submitted to the Division of Water and Waste Management at the address listed in Section C.7. Those parameters which have a limit in Section A are not eligible for this certification.

### Section C - Other Requirements

15. The facility shall maintain a Spill Prevention Control and Countermeasures (SPCC) Plan as required by Section 311(j) of the Clean Water Act. At a minimum the plan shall include all the required elements in 40 CFR 112 of the Code of Federal Regulations and be independently certified by a licensed professional engineer.
16. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the permit may be promptly modified and/or reissued to include effluent limitations and/or other requirements to control such storm water discharges.
17. The permittee shall perform acute effluent toxicity testing for Outlet No. 001 in accordance with the following.
  - a. The acute effluent toxicity testing prescribed, herein, shall be 48-hour static acute toxicity tests utilizing *Pimephales Promelas* fathead minnow and *Ceriodaphnia Dubia* as the test species.
  - b. The acute toxicity testing shall be performed on an annual (1/year) basis. The first acute toxicity testing shall be carried out within 6 months from the effective date of the permit. There shall be a minimum of three (3) months between sampling events.
  - c. 24-hour flow weighted composite samples of the effluent, as prescribed in Section A, shall be collected for testing.
  - d. The dilution water should be a representative sample of the receiving water and should be obtained from a point as close as possible to but upstream or outside of the zone influenced by the effluent. If dilution water from the receiving stream is not suitable, some other uncontaminated, well-aerated surface or groundwater or commercially available media or reconstituted laboratory water can be used.
  - e. Testing and reporting of the result shall be performed in accordance with 40 CFR 136 and must be submitted with the Discharge Monitoring Report (DMR) for the month following the completion of each test. LC50 shall be converted into Acute Toxic Units (TUa) using the following formula:  
$$TUa = 100/LC50$$

For example, if LC50 is 100%, then  $TUa = 100/100 = 1$ .

When the LC50 is greater than 100%, the permittee shall report the acute toxicity as less than 1 TUa. When the effluent demonstrates no toxicity (no organisms die), the permittee may report zero TUa.
  - f. If acute effluent toxicity testing results exceed a trigger value of 1 TUa, the permittee shall resample and retest the effluent. Resampling shall occur as soon as reasonably possible to accommodate key personnel scheduling but no more than 30 days after the receipt of the laboratory results indicating an exceedance of the value prescribed herein. Copies of the retesting results shall be provided to the Director as soon as reasonably possible however no more than 7 days after receipt from the laboratory. If the resampled result also reveals an exceedance of 1 TUa, the permittee shall contact the agency as soon as reasonably possible however no more than 7 days after receipt of the results from the laboratory.
  - g. The Director may impose further requirements should the acute effluent toxicity testing results demonstrate noncompliance.
18. In conformance with the requirements of Appendix A, Part II, Section 5, Removed Substances, the permittee shall obtain approval for the disposal of any solids generated by the wastewater treatment plant.
19. The permittee shall operate and maintain barge loading and unloading facilities in such a manner so as, to the maximum extent practicable, preclude spillage of coal, chemicals, etc. used at the facility, and shall take all actions necessary to clean up and control any such spill which may occur.
20. The permittee shall utilize EPA Method No. 1664 A or B (gravimetric analysis using the hexane extractable method [HEM]) for the analysis of oil and grease.
21. Effluent monitoring for the following pollutants shall be conducted using the most sensitive methods and detection levels commercially available and economically feasible. The following methods are to be used unless the permittee desires to use an EPA Approved Test Method with a listed lower method detection level. Regardless, it is recognized that detection levels can vary from analysis to analysis and that non-detect results at a different MDL for the specified test method would not constitute a permit violation.



**Section C - Other Requirements**

21. a.	Parameter	EPA Method No.	Method Detection Level (ug/l)
	Copper, Total Recoverable	200.8	0.5
	Boron, Total Recoverable	200.7	3
	Lead, Total Recoverable	200.8	0.6
	Zinc, Total Recoverable	200.8	1.8
	Nickel, Total Recoverable	200.8	0.5
	Arsenic, Total	200.8	1.4
	Barium, Total Recoverable	200.8	0.8
	Thallium, Total Recoverable	200.8	0.3
	Antimony, Total Recoverable	200.8	0.4
	Cadmium, Total Recoverable	200.8	0.5
	Selenium, Total Recoverable	200.9	0.6
	Beryllium, Total Recoverable	200.9	0.02
	Chromium, Hexavalent	218.6	0.6
	Mercury, Total*	245.7	0.0018
	Mercury, Total*	1631	0.0002

\*The permittee may use either Method 245.7 or Method 1631 for the analysis of mercury.

22. Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Regional Administrator or State that the units in a particular location cannot operate at or below this level of chlorination as per Federal Effluent Guidelines 40 CFR 423.12.b.(8) and 40 CFR 423.13.d.(2). Simultaneous multi-unit chlorination is permitted.
23. As required by 40 CFR 423.13(d)(1), there shall be no detectable amount of each of the 126 priority pollutants found in 40 CFR 423 Appendix A (other than chromium which is limited to 0.2 mg/l and zinc which is limited to 1.0 mg/l) due to their presence in chemicals added for cooling tower maintenance. The permittee may use the following cooling tower maintenance chemicals:

Sodium hypochlorite  
 Actibrom 1338  
 Sulfuric Acid  
 Nalsperse 73550  
 Trasar 3DT120  
 Nalco-H-130  
 Nalco 1393T

Usage of any other cooling tower maintenance chemicals other than those listed shall require prior agency approval.

24. Mitchell Plant coal pile storm water runoff shall continue to be directed to the new Outlet 012 (former WV0005291 Outlet 004) for ultimate treatment and discharge. Direct discharge via any other outlet is prohibited without prior approval from the agency.
25. The following conditions apply only to the package sewage treatment plant:
  - a. The herein described treatment works, structures, electrical, and mechanical equipment shall be adequately protected from physical damage by the maximum expected twenty-five (25) year flood level, and operability shall be maintained during the ten (10) year flood level.
  - b. The entire sewage treatment facility shall be adequately protected by fencing.
  - c. Continuous maintenance and operation of the listed sewage treatment facility shall be performed by, or supervised by, a certified operator possessing at least a Class S certificate, for Waste Water Treatment Plant Operators, issued by the State of West Virginia.
  - d. The permittee shall connect to a municipal or public service district sewage collection system when one becomes available; however, prior to this connection, the permittee shall obtain written permission from the municipal or public service district sewage system authority which will receive the waste and submit a request along with one (1) copy of the written permission to the Division of Water and Waste Management for approval.

### Section C - Other Requirements

25. e. Without prior approval from the agency, use of intermediates, by-products, spent solvents or any other materials (except commercial grade materials), containing pollutant(s) that cannot be removed by the wastewater treatment plant is prohibited.
26. Due to the use of ultraviolet disinfection as the primary disinfection method at the sewage treatment plant the permittee is to only use chlorine disinfection as absolutely necessary during maintenance and emergency periods. During these periods, the permittee shall minimize the use of chlorine disinfection to all extents practical and monitor and report the results for total residual chlorine at Outlet 003 at a frequency of 1/day by grab sample type. At no time shall chlorine disinfection be used as a substitute for ultraviolet disinfection during periods of normal operations.

During only maintenance or emergency periods in which chlorine disinfection is used for essential maintenance or to assure efficient operation, the permittee may report the discharge, if allowable, per Appendix A Section II.3. For the purposes of bypass reporting, the total residual chlorine concentration shall not exceed 57 ug/l at any time.

27. The upstream/intake temperatures and discharge temperatures required by Section A of this permit shall be collected concurrently. Concurrently shall be defined as no more than 30 minutes between monitoring collected at the upstream/intake location in the Ohio River and the respective discharges.
28. Quarterly monitoring periods required by Section A of this permit are defined as Jan-Mar, Apr-Jun, Jul-Sep, and Oct-Dec. Semi-annual monitoring periods required by Section A of this permit are defined as Aug-Jan and Feb-Jul.
29. Any facility providing the required documentation, via submittal of a major permit modification application, pursuant to § 423.19(g) may avail itself of the protections of a low utilization electric generating unit or permanently ceasing the combustion of coal by December 31, 2028, if such qualification would have been demonstrated absent the following qualifying events:
- a. An emergency order issued by the Department of Energy under Section 202(c) of the Federal Power Act,
  - b. A reliability must run agreement issued by a Public Utility Commission, or
  - c. Any other reliability-related order or agreement issued by a competent electricity regulator (e.g., an independent system operator) which results in that electric generating unit operating in a way not contemplated when the certification was made; or
  - d. The operation of the electric generating unit was necessary for load balancing in an area subject to a declaration under 42 U.S.C. 5121 et seq., that there exists:
    1. An "Emergency," or
    2. A "Major Disaster," and
    3. That load balancing was due to the event that caused the "Emergency" or "Major Disaster" in paragraph (a)(4) of this section to be declared,
30. The Wastewater Pond Complex (within the footprint of the former Bottom Ash Pond) shall be lined with a double synthetic liner and leak detection and removal system consisting of two 40-mil LLDPE (upper and lower liners), synthetic geonet leak detection and removal layer, and leak collection piping or equivalent spec'ed liner and leak detection system.

Installation of the minimum controls specified above does not relieve the permittee from future installation of additional engineering controls and/or remediation of impacts upon migration of pollutants from the wastewater ponds to waters of the State. The permittee shall ensure proper operation and maintenance of the liners and shall take immediate action to repair any breach of the liners.

31. The permittee shall submit a detailed flow analysis and wastewater inventory at Outlet 001, 006, and 012 with the permittee's next permit reissuance application. At a minimum, the flow analysis shall include quantitative (or qualitative engineering estimates where quantitative estimates are impractical) average and maximum flows for each waste type at each outlet (regulated vs non-regulated). The wastewater inventory shall at a minimum detail the status (source, dilute vs process) of each subtype of flow on the facilities' wastewater flow diagram.

### **Section C - Other Requirements**

32. Treatment chemicals provided as part of the permit application and comments on the draft permit are approved for use so long as the permittee adheres to the following:
  - a. The treatment chemicals shall be applied in accordance with any manufacturer recommendations and the dosage rates provided by the permittee.
  - b. In order to protective of narrative water quality criteria, the concentration of any treatment chemical provided shall not exceed 1/10 of the minimum LC50 provided in the MSDS for said chemical in any discharge.

## Section D - 316 (b) Intake Requirements

1. In accordance with 316(b) of the Clean Water Act, the location, design, construction, and capacity of the cooling water intake structures (CWIS) for the permittee's facility shall reflect the best technology available (BTA) for minimizing adverse environmental impingement and entrainment at the intake structure.
2. On the basis of currently available information, the agency has determined that the facility will meet the BTA requirements 40 CFR 125.94 by choosing the BTA standard in 40 CFR 125.94(c)(2) for impingement mortality of 0.5 Feet Per Second Through-Screen Design Velocity.
  - a. The permittee has provided information that the facility operates a single river intake structure of 3, 36-diameter pipes extending from a 27-foot diameter intake caisson. At the end of each pipe are 4 sections of 54-inch diameter perforated pipe approximately 60 feet from the shore. Each perforated section measures 7.5 feet with 0.5 x 1.5 inch slotted holes.
  - b. The cooling water intake system consists of four (two primary, 1 standby, 1 reserve) vertical turbine, double suction, single-stage pumps discharge water to a 6-inch header:  
  
Primary Pumps (max flow rate): 17,500 gpm each (50.4 mgd total)  
Secondary Standby / Reserve Pumps (max flow rate): 17,500 gpm each (50.4 mgd total)  
Measured Velocity: N/A  
Design Velocity (normal operation): 0.15 ft/s @ 35,000 gpm  
Effective Intake Screen Area: Approximately 520 ft<sup>2</sup>
  - c. The permittee shall not modify its intake structure in such a way as to increase the design intake velocity at any intake screen a velocity greater than 0.5 ft/s. Any modification to the intake structure affecting screen velocity shall be approved by the Director.

This is considered to meet the BTA requirements of Section 316(b) of the Clean Water Act.

3. The permittee shall operate its intake to ensure that the total withdrawal from the Ohio River is less than 5% of the mean annual flow of the Ohio River.

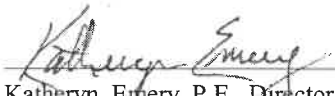
This is considered to meet the BTA entrainment requirements of 40 CFR 125.94(d) and 316(b) of the Clean Water Act.

4. The permittee has identified the following species as Federally or West Virginia State threatened or endangered with a potential to occur within the AEP Mitchell Plant Action Area:
  - a. *Ammocrypta pellucida* (Eastern Sand Darter)  
*Carpiodes carpio* (River Carpsucker)  
*Carpiodes velifer* (Highfin Carpsucker)  
*Esox masquinongy* (Muskellunge)  
*Fundulus diaphanus* (Banded Killifish)  
*Fundulus diaphanus menona* (Western Banded Killifish)  
*Ichthyomyzon bdellium* (Ohio Lamprey)  
*Ictiobus niger* (Black Buffalo)  
*Lepomis humilis* (Orangespotted Sunfish)  
*Moxostoma carinatum* (River Redhorse)  
*Percina copelandi* (Channel Darter)  
*Percina shumardi* (River Darter)  
*Pimephales vigilax* (Bullhead Minnow)  
*Polyodon spathula* (Paddlefish)
  - b. The permittee does not believe that it has impacted Federally or State listed species and has not sought or obtained an incidental take exemption or authorization from the United States Fish and Wildlife Service or West Virginia Division of Natural Services. However, nothing in this permit authorizes take for the purposes of a facility's compliance with the Endangered Species Act (40 CFR 125.98(b)(1)).
5. Pursuant to 40 CFR 122.62, the permit may also be reopened and modified with requirements of new regulations, standards, or judicial decisions relating to 316(b) of Clean Water Act.

The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0005304; with the plan of maintenance and method of operation thereof submitted with such application(s); and with any applicable rules and regulations promulgated by the Environmental Quality Board and the Secretary of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV0005304; and with the plan of maintenance and method of operation thereof submitted with such application(s) shall constitute grounds for the revocation or suspension of this permit and the invocation of all the enforcement procedures set forth in Chapter 22, Article 11, or 15 of the Code of West Virginia.

This permit is issued in accordance with the provisions of Chapter 22, Article 11 and 12 and/or 15 of the Code of West Virginia and is transferable under the terms of Section 11 of Article 11.

  
Kathryn Emery, P.E., Director

# Appendix A

## I. MANAGEMENT CONDITIONS:

### 1. Duty to Comply

- a) The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the CWA and State Act and is grounds for enforcement action; for permit modification, revocation and reissuance, suspension or revocation; or for denial of a permit renewal application.
- b) The permittee shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

### 2. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit at least 180 days prior to expiration of the permit.

### 3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment.

### 4. Permit Actions

This permit may be modified, revoked and reissued, suspended, or revoked for cause. The filing of a request by the permittee for permit modification, revocation and reissuance, or revocation, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

### 5. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

### 6. Signatory Requirements

All applications, reports, or information submitted to the Director shall be signed and certified as required in Title 47, Series 10, Section 4.6 of the West Virginia Legislative Rules.

### 7. Transfers

This permit is not transferrable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

### 8. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable specified time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, suspending, or revoking 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.

### 9. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

### 10. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a) Enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;
- b) Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
- c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the State Act, any substances or parameters at any location.

### 11. Permit Modification

This permit may be modified, suspended, or revoked in whole or in part during its term in accordance with the provisions of Chapter 22-11-12 of the Code of West Virginia.

### 12. Water Quality

This discharge shall not cause or materially contribute to: distinctly visible floating or settable solids, suspended solids, scum, foam or oily slicks; deposits or sludge bank on the bottom; odors in the vicinity of the waters; taste or odor that would adversely affect the designated uses of the affected waters; distinctly visible color which may impair or interfere with the designated uses of the affected waters; and shall not cause a fish or mussel kill. The limitations and conditions in this permit for the discharges identified in this permit are limitations and conditions that are necessary to meet applicable West Virginia water quality standards, Requirements Governing Water Quality Standards 47 CSR 2.

### 13. Outlet Markers

A permanent marker at the establishment shall be posted in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.

### 14. Liabilities

- a) Any person who violates a permit condition implementing sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, 308 or 405 of the Clean Water 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 1 year, or both.
- b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- c) Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 2 years, or by both.
- d) Nothing in 1.14 a), b), and c) shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11.

## II. OPERATION AND MAINTENANCE:

### 1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls, and appropriate quality assurance procedures. Unless otherwise required by Federal or State law, this provision requires the operation of back-up auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit. For domestic waste treatment facilities, waste treatment operators as classified by the WV Bureau of Public Health Laws, W. Va. Code Chapter 16-1, will be required except that in circumstances where the domestic waste treatment facility is receiving any type of industrial waste, the Director may require a more highly skilled operator.

### 2. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

### 3. Bypass

- a) Definitions
  - (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility; and
  - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of II.3.c) and II.3.d) of this permit.
- c)
  - (1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass;
  - (2) If the permittee does not know in advance of the need for bypass, notice shall be submitted as required in IV.2.b) of this permit.
- d) Prohibition of bypass
  - (1) Bypass is permitted only under the following conditions, and the Director may take enforcement action against a permittee for a bypass, unless;
    - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
    - (C) The permittee submitted notices as required under II.3.c) of this permit.
  - (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in II.3.d.(1) of this permit.

### 4. Upset

- a) Definition. "Upset" means an 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 preventative maintenance, or careless or improper operation.
- b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitation if the requirements of II.4.c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
  - (2) The permitted facility was at the time being properly operated;
  - (3) The permittee submitted notice of the upset as required in IV.2.b) of this permit.
  - (4) The permittee complied with any remedial measures required under I.3. of this permit.
- d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

### 5. Removed Substances

Where removed substances are not otherwise covered by the terms and conditions of this permit or other existing permit by the Director, any solids, sludges, filter backwash or other pollutants (removed in the course of treatment or control of wastewaters) and which are intended for disposal within the State, shall be disposed of only in a manner and at a site subject to the approval by the Director. If such substances are intended for disposal outside the State or for reuse, i.e., as a material used for making another product, which in turn has another use, the permittee shall notify the Director in writing of the proposed disposal or use of such substances, the identity of the prospective disposer or users, and the intended place of disposal or use, as appropriate.

### III. MONITORING AND REPORTING

#### 1. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

#### 2. Reporting

- a) Permittee shall submit, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating in terms of concentration, and/or quantities, the values of the constituents listed in Part A analytically determined to be in the plant effluent(s). DMR submissions shall be made in accordance with the terms contained in Section C of this permit.
- b) Enter reported average and maximum values under "Quantity" and "Concentration" in the units specified for each parameter, as appropriate.
- c) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled "N.E." (i.e., number exceeding).
- d) Specify frequency of analysis for each parameter as number of analyses/specified period (e.g., 3/month is equivalent to 3 analyses performed every calendar month). If continuous, enter "Cont.". The frequency listed on format is the minimum required.

#### 3. Test Procedures

Samples shall be taken, preserved and analyzed in accordance with the latest edition of 40 CFR Part 136, unless other test procedures have been specified elsewhere in this permit.

#### 4. Recording of Results

For each measurement or sample taken pursuant to the permit, the permittee shall record the following information.

- a) The date, exact place, and time of sampling or measurement;
- b) The date(s) analyses were performed;
- c) The individual(s) who performed the sampling or measurement;
- d) The individual(s) who performed the analyses; if a commercial laboratory is used, the name and address of the laboratory;
- e) The analytical techniques or methods used, and
- f) The results of such analyses. Information not required by the DMR form is not to be submitted to this agency, but is to be retained as required in III.6.

#### 5. Additional Monitoring by Permittee

If the permittee monitors any pollutant at any monitoring point specified in this permit more frequently than required by this permit, using approved test procedures or others as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

#### 6. Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

#### 7. Definitions

- a) "Daily discharge" means the discharge of a pollutant measured during a calendar day or within any specified period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.
- b) "Average monthly discharge limitation" means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
- c) "Maximum daily discharge limitation" means the highest allowable daily discharge.
- d) "Composite Sample" is a combination of individual samples obtained at regular intervals over a time period. 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. The maximum time period between individual samples shall be two hours.
- e) "Grab Sample" is an individual sample collected in less than 15 minutes.
- f) "is" = immersion stabilization - a calibrated device is immersed in the effluent stream until the reading is stabilized.
- g) The "daily average temperature" means the arithmetic average of temperature measurements made on an hourly basis, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar month, or during the operating month if flows are of shorter duration.
- h) The "daily maximum temperature" means the highest arithmetic average of the temperatures observed for any two (2) consecutive hours during a 24 hour day, or during the operating day if flows are of shorter duration.
- i) The "monthly average fecal coliform" bacteria is the geometric average of all samples collected during the month.
- j) "Measured Flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or which a relationship to absolute volume has been obtained.
- k) "Estimate" means to be 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.
- l) "Non-contact cooling water" means the water that is contained in a leak-free system, i.e., no contact with any gas, liquid, or solid other than the container for transport; the water shall have no net poundage addition of any pollutant over intake water levels, exclusive of approved anti-fouling agents.



## IV. OTHER REPORTING

### 1. Reporting Spills and Accidental Discharges

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to Title 47, Series 11, Section 2 of the West Virginia Legislative Rules promulgated pursuant to Chapter 22, Article 11. Attached is a copy of the West Virginia Spill Alert System for use in complying with Title 47, Series 11, Section 2 of the Legislative rules as they pertain to the reporting of spills and accidental discharges.

### 2. Immediate Reporting

- a) The permittee shall report any noncompliance which may endanger health or the environment immediately after becoming aware of the circumstances by using the Agency's designated spill alert telephone number. A written submission shall be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- b) The following shall also be reported immediately:
  - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
  - (2) Any upset which exceeds any effluent limitation in the permit; and
  - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit shall be reported immediately. This list shall include any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance.
- c) The Director may waive the written report on a case-by-case basis if the oral report has been received in accordance with the above.
- d) Compliance with the requirements of IV.2 of this section, shall not relieve a person of compliance with Title 47, Series 11, Section 2.

### 3. Reporting Requirements

- a) Planned changes. The permittee shall give notice to the Director of any planned physical alterations or additions to the permitted facility which may affect the nature or quantity of the discharge. Notice is required when:
  - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in Section 13.7.b of Series 10, Title 47; or
  - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under IV.2 of this section.
- b) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- c) In addition to the above reporting requirements, all existing manufacturing, commercial, and silvicultural discharges must notify the Director in writing as soon as they know or have reason to believe:
  - (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, or any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (A) One hundred micrograms per liter (100 ug/l);
    - (B) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitro phenol; and for 2-methyl 4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
    - (C) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.9 of Series 10, Title 47.
    - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47;
  - (2) That any activity has occurred or will occur which would result in any discharge (on a non-routine or infrequent basis) of a toxic which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (A) Five hundred micrograms per liter (500 ug/l);
    - (B) One milligram per liter (1 mg/l) for antimony;
    - (C) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 4.4.b.7 of Series 10, Title 47;
    - (D) The level established by the Director in accordance with Section 6.3.g of Series 10, Title 47.
  - (3) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a routine or frequent basis of that toxic pollutant at levels which exceed five times the detection limit for that pollutant under approved analytical procedure.
  - (4) That they have begun or expect to begin to use or manufacture as an intermediate or final product or by-product of any toxic pollutant which was not reported in the permit application under Section 4.4.b.9 of Series 10, Title 47 and which will result in the discharge on a non-routine or infrequent basis of that toxic pollutant at levels which exceed ten times the detection limit for that pollutant under approved analytical procedure.

### 4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under the above paragraphs at the time monitoring reports are submitted. The reports shall contain the information listed in IV.2.a). Should other applicable noncompliance reporting be required, these terms and conditions will be found in Section C of this permit.

STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 001  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter	Reported	Quantity			Other Units			CEL*	Units	N.E.	Measurement Frequency	Sample Type
				Units	N.E.							
50050 (ML-1) RF-A Flow,in Conduit or thru plant Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		2/month Calculated
00530 (ML-1) RF-A Total Suspended Solids Year Round Interim: 8/1/2022 to 7/1/2023	Reported											
	Permit Limits	N/A	N/A			N/A	24.4 Avg. Monthly	77.2 Max. Daily	N/A	mg/l		2/month 24 hr Composite
00530 (ML-1) RF-A Total Suspended Solids Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	35.7 Avg. Monthly	80.1 Max. Daily	N/A	mg/l		2/month 24 hr Composite
00400 (ML-1) RF-A pH Year Round	Reported											
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.	N/A	S.U.		2/month Grab
00610 (ML-1) RF-B Ammonia Nitrogen Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter 24 hr Composite
00620 (ML-1) RF-B Nitrogen Nitrate Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter 24 hr Composite

\* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of a fine and imprisonment for knowing violations.	Date Completed
Title of Officer		Signature of Principal Executive Officer or Authorized Agent

STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CC CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 001  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units					Measurement Frequency	Sample Type		
				Units	N.E.				CEL*			Units	N.E.
00615 (ML-1) RF-B Nitrogen Nitrite Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
50060 (ML-1) RF-A Chlorine, Total Residual Year Round Interim: 8/1/2022 to 7/1/2023	Reported												
	Permit Limits	N/A	N/A			N/A	0.016 Avg. Monthly	0.057 Max. Daily	0.1	mg/l		1/month	Grab
50060 (ML-1) RF-A Chlorine, Total Residual Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0.028 Avg. Monthly	0.057 Max. Daily	0.1	mg/l		1/month	Grab
01119 (ML-1) RF-A Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0.016 Avg. Monthly	0.039 Max. Daily	N/A	mg/l		2/month	24 hr Composite
01114 (ML-1) RF-B Lead, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
01094 (ML-1) RF-A Zinc, Total Recoverable Year Round Interim: 8/1/2022 to 7/1/2023	Reported												
	Permit Limits	N/A	N/A			N/A	0.079 Avg. Monthly	0.209 Max. Daily	N/A	mg/l		1/month	24 hr Composite

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 PERMIT NO.: WV0005304 001  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units			CEL*	Units	N.E.	Measurement Frequency	Sample Type
				Units	N.E.							
01094 (ML-1) RF-A Zinc, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	0.179 Avg. Monthly	0.357 Max. Daily	N/A	mg/l		1/month	24 hr Composite
01113 (ML-1) RF-B Cadmium, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
00718 (ML-1) RF-B Cyanide, Weak Acid Dissociable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
71900 (ML-1) RF-B Mercury, Total (as Hg) Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l		1/quarter	Grab
01074 (ML-1) RF-C Nickel, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	24 hr Composite
01079 (ML-1) RF-C Silver, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	24 hr Composite

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		Signature of Principal Executive Officer or Authorized Agent  <input type="text"/>	
Title of Officer  			

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 PERMIT NO.: WV0005304 001  
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Parameter	Reported	Quantity			Other Units					Measurement Frequency	Sample Type	
		Permit Limits	Units	N.E.	CEL*	Units	N.E.	Units	N.E.			
01104 (ML-1) RF-A Aluminum, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	0.58 Avg. Monthly	1.2 Max. Daily	N/A	mg/l		1/month	24 hr Composite
00980 (ML-1) RF-B Iron, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
00940 (ML-1) RF-B Chloride (as Cl) Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
61425 (ML-1) RF-C Acute Tox - Ceriodaphnia Dubia Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	0.5 Avg. Monthly	0.9 Max. Daily	N/A	TUa		1/6 months	24 hr Composite
61427 (ML-1) RF-D Acute Toxicity - Pimephales Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	TUa		1/year	24 hr Composite
01034 (ML-1) RF-A Chromium, Total (as Cr) Year Round Interim: 8/1/2022 to 7/1/2023	Reported											
	Permit Limits	N/A	N/A		N/A	0.016 Avg. Monthly	0.042 Max. Daily	N/A	mg/l		1/month	24 hr Composite

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 PERMIT NO.: WV0005304 001  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units					Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
01034 (ML-1) RF-A Chromium, Total (as Cr) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0.1 Avg. Monthly	0.1 Max. Daily	N/A	mg/l		1/month	24 hr Composite
00981 (ML-1) RF-A Selenium, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	0.038 Avg. Monthly	0.072 Max. Daily	N/A	mg/l		2/month	24 hr Composite
00978 (ML-1) RF-B Arsenic, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
01007 (ML-1) RF-C Barium, Total (as Ba) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	24 hr Composite
01097 (ML-1) RF-B Antimony, Total (as Sb) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
00999 (ML-1) RF-C Boron, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	24 hr Composite

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 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 \_\_\_\_\_ 001 \_\_\_\_\_  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units					Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
11123 (ML-1) RF-C Total Recov. Manganese Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	24 hr Composite
00011 (ML-7) RF-A Temperature, F Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Avg. Monthly	N/A	DEG.F		2/month	Insitu
00011 (ML-1) RF-A Temperature, F Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	DEG.F		2/month	Insitu
81020 (ML-1) RF-B Sulfate Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
01220 (ML-1) RF-B Chromium, Hex. Diss. Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	24 hr Composite
00552 (ML-1) RF-A Oil and Grease, Hexane EXTR. Year Round Interim: 8/1/2022 to 7/1/2023	Reported												
	Permit Limits	N/A	N/A			N/A	10.8 Avg. Monthly	12.5 Max. Daily	N/A	mg/l		1/month	Grab

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 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 001  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units				Measurement Frequency	Sample Type		
				Units	N.E.			CEL*	Units			N.E.	
00552 (ML-1) RF-A	Reported												
Oil and Grease, Hexane EXTR. Year Round	Permit Limits	N/A	N/A			N/A	5.5 Avg. Monthly	7.5 Max. Daily	N/A	mg/l		1/month	Grab

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 003  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units				Measurement Frequency	Sample Type		
				Units	N.E.			CEL*			Units	N.E.
50050 (ML-1) RF-B Flow, in Conduit or thru plant Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	0.015 Max. Daily	N/A	mgd		1/quarter measured
00310 (ML-1) RF-B BOD, 5-Day 20 Deg.C Year Round	Reported											
	Permit Limits	3.75 Avg. Monthly	7.5 Max. Daily	Lbs/Day		N/A	30 Avg. Monthly	60 Max. Daily	N/A	mg/l		1/quarter Grab
00530 (ML-1) RF-B Total Suspended Solids Year Round	Reported											
	Permit Limits	3.75 Avg. Monthly	7.5 Max. Daily	Lbs/Day		N/A	30 Avg. Monthly	60 Max. Daily	N/A	mg/l		1/quarter Grab
74055 (ML-1) RF-B Coliform, Fecal Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	200 Mon. Geo. Mean	400 Max. Daily	N/A	Cnts/100m		1/quarter Grab
00400 (ML-1) RF-B pH Year Round	Reported											
	Permit Limits	N/A	N/A			6 Inst. Min.	N/A	9 Inst. Max.	N/A	S.U.		1/quarter Grab
00625 (ML-1) RF-B Nitrogen, Kjeldahl Total Year Round	Reported											
	Permit Limits	2.25 Avg. Monthly	4.5 Max. Daily	Lbs/Day		N/A	18 Avg. Monthly	36 Max. Daily	N/A	mg/l		1/quarter Grab

\* CEL = Compliance Evaluation Level

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Title of Officer		Signature of Principal Executive Officer or Authorized Agent	

STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 006  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units					Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
50050 (ML-1) RF-C Flow, In Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/6 months	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
01119 (ML-1) RF-C Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01094 (ML-1) RF-C Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
71900 (ML-1) RF-C Mercury, Total (as Hg) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

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 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
 DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 006  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units			CEL*	Units	N.E.	Measurement Frequency	Sample Type
				Units	N.E.							
01074 (ML-1) RF-C Nickel, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01104 (ML-1) RF-C Aluminum, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00981 (ML-1) RF-C Selenium, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00978 (ML-1) RF-C Arsenic, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
81020 (ML-1) RF-C Sulfate Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

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Title of Officer		Signature of Principal Executive Officer or Authorized Agent	<input type="text"/>

STATE OF WEST VIRGINIA  
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
 DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 006  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units				Measurement Frequency	Sample Type	
				Units	N.E.			CEL*	Units			N.E.
01220 (ML-1) RF-C Chromium, Hex. Diss. Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months Grab

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STATE OF WEST VIRGINIA  
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
 DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 007  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter	Reported	Quantity			Other Units				Measurement Frequency	Sample Type	
		Permit Limits	Units	N.E.	CEL*	Units	N.E.				
50050 (ML-1) RF-B Flow, in Conduit or thru plant Year Round	Reported	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd	1/quarter	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l	1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported	N/A	N/A		Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.	1/6 months	Grab
01119 (ML-1) RF-C Copper, Total Recoverable Year Round	Reported	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l	1/6 months	Grab
01094 (ML-1) RF-B Zinc, Total Recoverable Year Round	Reported	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l	1/quarter	Grab
71900 (ML-1) RF-C Mercury, Total (as Hg) Year Round	Reported	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l	1/6 months	Grab

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 007  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units			CEL*	Units	N.E.	Measurement Frequency	Sample Type
				Units	N.E.							
01074 (ML-1) RF-C Nickel, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01104 (ML-1) RF-B Aluminum, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00981 (ML-1) RF-C Selenium, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00978 (ML-1) RF-C Arsenic, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
81020 (ML-1) RF-C Sulfate Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 008  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units					Measurement Frequency	Sample Type		
				Units	N.E.				CEL*			Units	N.E.
50050 (ML-1) RF-B Flow, in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/quarter	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
01119 (ML-1) RF-C Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01094 (ML-1) RF-C Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
71900 (ML-1) RF-C Mercury, Total (as Hg) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l		1/6 months	Grab

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 008  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter	Reported	Quantity			Other Units						Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
01074 (ML-1) RF-C Nickel, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01104 (ML-1) RF-B Aluminum, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	Grab
00980 (ML-1) RF-B Iron, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	Grab
00981 (ML-1) RF-B Selenium, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/quarter	Grab
00978 (ML-1) RF-C Arsenic, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
81020 (ML-1) RF-C Sulfate Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 011  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units						Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
50050 (ML-1) RF-C Flow, in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/6 months	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
01119 (ML-1) RF-C Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01094 (ML-1) RF-C Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
71900 (ML-1) RF-C Mercury, Total (as Hg) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l		1/6 months	Grab

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STATE OF WEST VIRGINIA  
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
 DISCHARGE MONITORING REPORT

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 PERMIT NO.: WV0005304 011  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units			CEL*	Units	N.E.	Measurement Frequency	Sample Type
				Units	N.E.							
01074 (ML-1) RF-C Nickel, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01104 (ML-1) RF-C Aluminum, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00981 (ML-1) RF-C Selenium, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00978 (ML-1) RF-C Arsenic, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
70295 (ML-1) RF-C Solids, Total Dissolved (TDS) Year Round	Reported											
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

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DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 011  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units					Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
81020 (ML-1) RF-C Sulfate Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01220 (ML-1) RF-C Chromium, Hex. Diss. Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 012  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units					Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
50050 (ML-1) RF-C Flow, in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		1/6 months	Estimated
00530 (ML-1) RF-C Total Suspended Solids Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	50 Max. Daily	N/A	mg/l		1/6 months	Grab
00400 (ML-1) RF-C pH Year Round	Reported												
	Permit Limits	N/A	N/A			Rpt Only Inst. Min.	N/A	Rpt Only Inst. Max.	N/A	S.U.		1/6 months	Grab
01119 (ML-1) RF-C Copper, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01094 (ML-1) RF-C Zinc, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
71900 (ML-1) RF-C Mercury, Total (as Hg) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l		1/6 months	Grab

\* CEL = Compliance Evaluation Level

Name of Principal Executive Officer	I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of a fine and imprisonment for knowing violations.	Date Completed	
Title of Officer		Signature of Principal Executive Officer or Authorized Agent	

STATE OF WEST VIRGINIA  
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
 DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 012  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units						Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
01074 (ML-1) RF-C Nickel, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
01104 (ML-1) RF-C Aluminum, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00980 (ML-1) RF-C Iron, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00981 (ML-1) RF-C Selenium, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
00978 (ML-1) RF-C Arsenic, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab
81020 (ML-1) RF-C Sulfate Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/6 months	Grab

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		Signature of Principal Executive Officer or Authorized Agent  
Title of Officer  		

STATE OF WEST VIRGINIA  
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
 DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 101  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units					Measurement Frequency	Sample Type	
				Units	N.E.				CEL*	Units			N.E.
50050 (ML-1) RF-A Flow,in Conduit or thru plant Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		Once/Discharg	measured
01042 (ML-1) RF-A Copper, Total (as Cu) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	1 Avg. Monthly	1 Max. Daily	N/A	mg/l		Once/Discharg	Grab
01045 (ML-1) RF-A Iron, Total (as Fe) Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	1 Avg. Monthly	1 Max. Daily	N/A	mg/l		Once/Discharg	Grab

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		Signature of Principal Executive Officer or Authorized Agent	<input type="text"/>
Title of Officer  			

STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 106  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter	Quantity	Units	N.E.	Other Units			CEL*	Units	N.E.	Measurement Frequency	Sample Type
50050 (ML-1) RF-B Flow, in Conduit or thru plant Year Round	Reported										
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mgd		Once/Daily Discharge Estimated
00530 (ML-1) RF-B Total Suspended Solids Year Round	Reported										
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	100 Max. Daily	N/A	mg/l		Once/Daily Discharge Grab
00400 (ML-1) RF-B pH Year Round	Reported										
	Permit Limits	N/A	N/A		6 Inst. Min.	N/A	9 Inst. Max.	N/A	S.U.		Once/Daily Discharge Grab
01119 (ML-1) RF-B Copper, Total Recoverable Year Round	Reported										
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	0.039 Max. Daily	N/A	mg/l		Once/Daily Discharge Grab
01094 (ML-1) RF-B Zinc, Total Recoverable Year Round	Reported										
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		Once/Daily Discharge Grab
71900 (ML-1) RF-B Mercury, Total (as Hg) Year Round	Reported										
	Permit Limits	N/A	N/A		N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		Once/Daily Discharge Grab

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 106  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity				Other Units				Measurement Frequency	Sample Type	
				Units	N.E.			CEL*	Units			N.E.
01104 (ML-1) RF-B Aluminum, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	1.2 Max. Daily	N/A	mg/l		Once/Daily Discharge
00980 (ML-1) RF-B Iron, Total Recoverable Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		Once/Daily Discharge
00552 (ML-1) RF-B Oil and Grease, Hexane EXTR. Year Round	Reported											
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	20 Max. Daily	N/A	mg/l		Once/Daily Discharge

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 201  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity			Other Units				Measurement Frequency	Sample Type	
				Units	N.E.			CEL*			Units
50050 (ML-1) RF-A Flow, in Conduit or thru plant Year Round Interim: 8/1/2022 to 3/31/2025	Reported										
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l	1/month
50050 (ML-1) RF-A Flow, in Conduit or thru plant Year Round	Reported										
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l	1/month
71900 (ML-1) RF-A Mercury, Total (as Hg) Year Round Interim: 8/1/2022 to 3/31/2025	Reported										
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l	1/month
71900 (ML-1) RF-A Mercury, Total (as Hg) Year Round	Reported										
	Permit Limits	N/A	N/A			N/A	0.028 Avg. Monthly	0.084 Max. Daily	N/A	ug/l	1/month
00981 (ML-1) RF-A Selenium, Total Recoverable Year Round Interim: 8/1/2022 to 3/31/2025	Reported										
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l	1/month
00981 (ML-1) RF-A Selenium, Total Recoverable Year Round	Reported										
	Permit Limits	N/A	N/A			N/A	24 Avg. Monthly	58 Max. Daily	N/A	ug/l	1/month

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STATE OF WEST VIRGINIA  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE MONITORING REPORT

FACILITY NAME: (Kentucky Power Company - Mitchell Plant) KENTUCKY POWER CO CERTIFIED LABORATORY NAME: \_\_\_\_\_  
 LOCATION OF FACILITY: MOUNDSVILLE; Marshall County CERTIFIED LABORATORY ADDRESS: \_\_\_\_\_  
 PERMIT NO.: WV0005304 201  
 WASTELOAD FOR THE MONTH OF: \_\_\_\_\_ INDIVIDUAL PERFORMING ANALYSIS: \_\_\_\_\_

Parameter		Quantity		Units	N.E.	Other Units			CEL*	Units	N.E.	Measurement Frequency	Sample Type
00978 (ML-1) RF-A Arsenic, Total Recoverable Year Round Interim: 8/1/2022 to 3/31/2025	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	ug/l		1/month	24 hr Composite
00978 (ML-1) RF-A Arsenic, Total Recoverable Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	7 Avg. Monthly	16 Max. Daily	N/A	ug/l		1/month	24 hr Composite
00630 (ML-1) RF-A Nitrite Plus Nitrate Nitrogen Year Round Interim: 8/1/2022 to 3/31/2025	Reported												
	Permit Limits	N/A	N/A			N/A	Rpt Only Avg. Monthly	Rpt Only Max. Daily	N/A	mg/l		1/month	24 hr Composite
00630 (ML-1) RF-A Nitrite Plus Nitrate Nitrogen Year Round	Reported												
	Permit Limits	N/A	N/A			N/A	2.5 Avg. Monthly	3.3 Max. Daily	N/A	mg/l		1/month	24 hr Composite

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**EMERGENCY RESPONSE SPILL ALERT SYSTEM  
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**REQUIREMENTS:**

Title 47, Series 11, Section 2 of the West Virginia Legislative Rules, Environmental Protection, Water Resources - Waste Management, Effective July 1, 1994.

**RESPONSIBILITY FOR REPORTING:**

Each and every person who may cause or be responsible for any spill or accidental discharge of pollutants into the waters of the State shall give immediate notification to the Division of Water and Waste Management's Emergency Notification Number, 1-800-642-3074. Such notification shall set forth insofar as possible and as soon thereafter as practical the time and place of such spill or discharge, type or types and quantity or quantities of the material or materials therein, action or actions taken to stop such spill or discharge and to minimize the polluting effect thereof, the measure or measures taken or to be taken in order to prevent a recurrence of any such spill or discharge and such additional information as may be requested by the Division of Water and Waste Management. This also applies to spills to the waters of the State resulting from accidents to common carriers by highway, rail and water.

It shall be the responsibility of each industrial establishment or other entity discharging directly to a stream to have available the following information pertaining to those substances that are employed or handled in its operation in sufficiently large amounts as to constitute a hazard in case of an accidental spill or discharge into a public stream:

- (1) Potential toxicity in water to man, animals and aquatic life;
- (2) Details on analytical procedures for the quantitative estimation of such substances in water and
- (3) Suggestions on safeguards or other precautionary measures to nullify the toxic effects of a substance once it has gotten into a stream.

Failure to furnish such information as required by Section 14, Article 11, Chapter 22, Code of West Virginia may be punishable under Section 24, Article 11, Chapter 22, and/or Section 22, Article 11, Chapter 22, Code of West Virginia.

It shall be the responsibility of any person who causes or contributes in any way to the spill or accidental discharge of any pollutant or pollutants into State waters to immediately take any and all measures necessary to contain such spill or discharge. It shall further be the responsibility of such person to take any and all measures necessary to clean-up, remove and otherwise render such spill or discharge harmless to the waters of the State.

When the Director determines it necessary for the effective containment and abatement of spills and accidental discharges, the Director may require the person or persons responsible for such spill or discharge to monitor affected waters in a manner prescribed by the Director until the possibility of any adverse effect on the waters of the State no longer exists.

**VOLUNTARY REPORTING BY LAW OFFICERS, U. S. COAST GUARD, LOCK MASTERS AND OTHERS:**

In cases involving river and highway accidents where the responsible party may or may not be available to report the incident, law officers, U. S. Coast Guard, Lock Masters and other interested person(s) should make the report.

WHO TO CONTACT:

Notify the following number: **1-800-642-3074**

INFORMATION NEEDED:

- |                                              |                                       |
|----------------------------------------------|---------------------------------------|
| - Source of spill or discharge               | - Personnel at the scene              |
| - Location of incident                       | - Actions initiated                   |
| - Time of incident                           | - Shipper/Manufacturer identification |
| - Material spilled or discharged             | - Railcar/Truck identification number |
| - Amount spilled or discharged               | - Container type                      |
| - Toxicity of material spilled or discharged |                                       |

### NOTICE TO PERMITTEES

The 1999 regular session of the West Virginia legislature revised the Water Pollution Control Act, Chapter 22, Article 11, Section 10 of the Code of West Virginia relating to fees associated with permits. This section of the Code requires all holders of a State water pollution control permit or a national pollutant discharge elimination system permit to be assessed an annual permit fee, based upon rules promulgated by the Secretary of the Department of Environmental Protection. The Secretary has promulgated a final rule in accordance with the code revision to this effect and these rules were effective May 4, 2000. The rules establish an annual permit fee based upon the relative potential to degrade the waters of the State which, in most instances, relate to volume of discharge. However, for sewage facilities, the annual permit fee is based upon the number of customers served by the facility. You may contact the Secretary of State's Office, State Capitol Building, Charleston, WV 25305, to obtain a copy of the rules. The reference is Title 47, Legislative Rules, Department of Environmental Protection, Division of Water Resources, Series 26 Water Pollution Control Permit Fee Schedules.

Based upon the volume of discharge for which your facility is currently permitted, the number of customers served by your facility or for the category you fall within, pursuant to Section 7 of Title 47, Series 26, your annual permit fee is **\$5000.00**. This fee is due no later than the anniversary date of permit issuance in each year of the term of the permit or in the case of coverage under a general permit, the fee is due no later than the anniversary date of your coverage under the general permit. **You will be invoiced by this agency at the appropriate time for the fee.** Failure to submit the annual fee within ninety(90) days of the due date will render your permit void upon the date you are mailed a certified written notice to that effect.

## **RIGHT OF APPEAL**

**Notice is hereby given of your right to appeal the terms and conditions of this permit which you are aggrieved by to the Environmental Quality Board by filing a NOTICE OF APPEAL on the form prescribed by such Board for this purpose, with the Board, in accordance with the provisions of Section 21, Article 11, Chapter 22 of the Code of West Virginia within thirty (30) days after the date of receipt of the above permit.**

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WATER AND WASTE MANAGEMENT

**FACT SHEET ADDENDUM**

**1. NAME AND ADDRESS OF APPLICANT**

KENTUCKY POWER COMPANY  
1 RIVERSIDE PLAZA  
22ND FLOOR  
COLUMBUS, OH 43215

**2. NAME AND ADDRESS OF FACILITY**

Kentucky Power Company - Mitchell Plant  
8999 Energy Road  
Moundsville, WV 26041

**3. STATE NPDES APPLICATION NO.** WV0005304

**4. COUNTY** Marshall

**RECEIVING STREAM** Conner Run Of Fish Creek Of Ohio River

**5. PUBLIC NOTICE NO.** L-77-21

**COMMENT PERIOD:** From 08/31/2021 To 09/30/2021

**6. SIC CODE(s)** 4911

**10. RATIONALE FOR PROPOSED EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**OUTLETS 013 AND 014**

-----  
Outfalls 013 and 014 were incorrectly added to this permit reissuance. To clarify, these outfalls are not being moved to this permit from the AEP Kammer permit (WV0005291). Outlets 013 and 014 were removed from the final permit.

**OUTLET 001 - TSS LIMITS**

-----  
The agency reassessed the ELG limitations for both the interim and final TSS limits based upon the cooling water TSS data provided in the comment letter from the permittee for unregulated wastewater credit for TSS. Calculations can be found in the attached fact sheet addendum.

**INTERNAL OUTLET 201 (FGD) LIMITS**

-----  
The permittee provided revised data for the unregulated flows for the FGD and the limitations were reassessed and revised accordingly in the final permit. Calculations can be found in the attached fact sheet addendum.

**OUTLET 001 - 40 CFR 423.13(d)**

-----  
Pursuant to EPA comments, ELG limitations were applied to the cooling tower blowdown wastewater at Outlet 001. Based upon flow data provided, the cooling tower blowdown flows make up 7.92% of the average flow and 20.88% of the maximum flow at Outlet 001. As such, the ELG limitations for zinc and

**10. RATIONALE FOR PROPOSED EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)**

chromium were adjusted accordingly. The WQBELs for zinc were compared to these ELG limits. The final average and maximum ELG limits for zinc were less stringent than the average and maximum WQBELs for zinc and the WQBELs limits were imposed. While there is no RP to exceed water quality for zinc at the edge of the default mixing zone, the ELG requires limits to be imposed for zinc and the limits imposed must be protective of water quality criteria for zinc and therefore the WQBELs for zinc was imposed. The WQBELs for TRC imposed at this outfall are protective of the free available chlorine limitations for the ELG and therefore, no free available chlorine limits were imposed. Calculations are attached.

**OUTLET 012**  
-----

Pursuant to USEPA comments, further clarification is being provided regarding the removal of parameters at this discharge. The wastewater characteristics at Outlet 004 from the Kammer permit are no longer the same as they were when the Kammer permit was previously reissued since the power plant shut down during the prior permit term. This, in part, resulted in the removal of several parameters in Outlet 012 in the Mitchell permit. For the parameters of temperature, oil and grease, total nitrogen, nitrite, nitrate, phosphorus, chloride, beryllium, barium, thallium, antimony, lead, hexavalent chromium, chlorine, and WET, all values reported over the past year (representative of storm water only and coal pile runoff) showed values that were either non-detect or detected at levels below water quality criteria. As such, this explains the removal of these parameters at Outlet 012 as they are no longer deemed pollutants of concern. The parameters imposed at Outlet 012 include the parameters that have been detected at levels, but those levels are below water quality criteria and below their respective benchmark values over the past year.

**COMPLIANCE SCHEDULE FOR INTERNAL OUTLET 201 (FGD)**  
-----

Pursuant to EPA comments, the compliance milestones in Section B of the permit for achieving the final limits at Internal Outlet 201 have been revised in the final permit. A final design for the construction of the treatment system for the FGD is now required by July 1, 2023 instead of submitting a progress report. Also, the permittee is required to begin construction of the treatment system no later than June 1, 2024. These milestones shall ensure that the permittee takes appropriate steps in a timely manner to achieve the final limits for the FGD at Internal Outlet 201.

**316(b)**  
-----

Pursuant to USEPA comments, the agency is providing further clarification on entrainment. The permittee discharges an average intake flow (AIF) of greater than 2 MGD, but less than 125 MGD. Based on these intake flows, the permittee was required to submit with the permit application entrainment information per 40 CFR 122.21(r)(7) which only includes previously conducted studies or studies obtained from other, presumably, similar facilities addressing technology efficacy, through entrainment survival and other entrainment studies. There were not any previously performed studies or studies from other facilities comparable for this facility, and therefore, the permittee did not provide any studies regarding entrainment. As such, the agency cannot make a new or revised decision based on any new site-specific or other information since none was provided. The regulation does not require new studies to be performed and submitted and the regulation also does not provide the agency with the authority to compel additional new studies for facilities less than 125 MGD AIF, unless, presumably, a concern for

**10. RATIONALE FOR PROPOSED EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)**

entrainment impacts has already been established under other iterations of 316(b) of the Act. In cases, such as these, where there has not been a prior concern raised and no new information is available (or submitted), the agency can only evaluate entrainment impacts under the prior established Best Professional Judgement (BPJ) standards for entrainment prior to the new rule in which a total withdrawal from the receiving stream of less than 5% of the annual mean of the waterbody was considered as equivalent to BTA technology. To the agency's knowledge, there have been no negative entrainment impacts from operation of this specific facility's intake, and therefore, the permit writer believes that continued operation with withdrawal levels below 5% of the annual mean of the receiving waterbody flow satisfies the intent of 40 CFR 125.94(d). The site-specific requirement to continue to operate the intake under these conditions is imposed in Section D of the permit with a reopener clause in case new information becomes available or entrainment impacts become a concern at some point in the future.

**INTAKE VELOCITY**

-----  
Pursuant to USEPA comments, the agency is providing clarification on design velocity versus normal operation velocity. In short, the design velocity and normal operation velocity are the same thing in this case. The facility has four pumps at the intake with only two in operation at any given time (one pump is on standby while the other is in reserve). Any two pumps in operation operate at max capacity (these pumps are either on or off and do not vary in flow throughput). So, the design velocity is 0.15 ft/s at 35,000 gpm for two pumps which is also the normal operation rate as well.



Mitchell Power Plant -- WV0005304

Outlet 001 - Effluent Guideline Limitation (Combined Wastewater Treatment System)

Subject to Federal Effluent Guideline 40 CFR 423 Steam Electric Power Generation

	Avg Flow mgd	Max Flow mgd	Avg TSS mg/l	Max TSS mg/l	Pre-BA Pond Avg TSS lbs/day	Pre-BA Pond Max TSS lbs/day	Removal Efficiency	Outlet 001 Avg TSS lbs/day	Outlet 001 Max TSS lbs/day
Non-process	1.578782085	3.578565233			177.0	1572.1	0.91	132.82	1180.01
Coalpile	0	0							
LVW	3.013189765	4.415644938							
Bottom Ash	0.619947375	0.876672342							
FGD / CCR	0.448080776	0.609117486							

40 CFR 423.12 (BPT)							
Avg O&G mg/l	Max O&G mg/l	Avg TSS mg/l	Max TSS mg/l	Avg O&G lbs/day	Max O&G lbs/day	Avg TSS lbs/day	Max TSS lbs/day

Non-Process

Coalpile				50			0
LVW	15	20	30	100	377.0	736.5	3683
Bottom Ash	15	20	30	100	77.6	146.2	731
FGD / CCR	15	20	30	100	56.1	101.6	508

Regulated Wastestreams

Unregulated Wastewater Credit

Regulated Wastestreams				510.6	984.4	1021.1	4921.8
Unregulated Wastewater Credit						132.8	1180.0

Outlet 001	
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	TSS	O&G	
Total Avg Flow	5.66	5.66	mgd
Total Avg Allowable	1153.9	510.6	lbs/day
<b>Total Avg Allowable</b>	<b>24.4</b>	<b>10.8</b>	<b>mg/l</b>
Total Max Flow	9.48	9.48	mgd
Total Max Allowable	6102	984	lbs/day
<b>Total Max Allowable</b>	<b>77.2</b>	<b>12.5</b>	<b>mg/l</b>

Mitchell Power Plant -- WV0005304

Outlet 001 - Effluent Guideline Limitation (Combined Wastewater Treatment System)

Subject to Federal Effluent Guideline 40 CFR 423 Steam Electric Power Generation

Post BAP conversion to Wastewater Complex

	Avg Flow mgd	Max Flow mgd	Avg TSS mg/l	Max TSS mg/l	Pre-BA Pond Avg TSS lbs/day	Pre-BA Pond Max TSS lbs/day	Removal Efficiency	Outlet 001 Avg TSS lbs/day	Outlet 001 Max TSS lbs/day
Non-process	3.582669431	5.91371725			1551.0	4474.0	0.91	1164.18	3358.18
Coalpile	0	0							
LVW	1.760014955	2.999810887							
Bottom Ash	0	0							
FGD / CCR	0.317315613	0.566471863							

40 CFR 423.12 (BPT)							
Avg O&G mg/l	Max O&G mg/l	Avg TSS mg/l	Max TSS mg/l	Avg O&G lbs/day	Max O&G lbs/day	Avg TSS lbs/day	Max TSS lbs/day

Non-Process							
Coalpile				50			0
LVW	15	20	30	100	220.2	500.4	440.4
Bottom Ash	15	20	30	100	0.0	0.0	0.0
FGD / CCR	15	20	30	100	39.7	94.5	79.4
Regulated Wastestreams					259.9	594.9	519.7
Unregulated Wastewater Credit							2974.3
							1164.2

Outlet 001

	TSS	O&G	
Total Avg Flow	5.66	5.66	mgd
Total Avg Allowable	1683.9	259.9	lbs/day
<b>Total Avg Allowable</b>	<b>35.7</b>	<b>5.5</b>	<b>mg/l</b>
Total Max Flow	9.48	9.48	mgd
Total Max Allowable	6332	595	lbs/day
<b>Total Max Allowable</b>	<b>80.1</b>	<b>7.5</b>	<b>mg/l</b>

Mitchell Power Plant -- WV0005304

Outlet 201 - Effluent Guideline Limitation (Combined Wastewater Treatment System)  
 Subject to Federal Effluent Guideline 40 CFR 423 Steam Electric Power Generation

Post FGD Treatment Upgrade

	Avg mgd	Max mgd
FGD Flows <sup>e</sup>	0.648	0.73872
CCR Flows <sup>e</sup>	0.144	0.16

		Avg Arsenic ug/l	Avg Mercury ng/l	Avg Nitrogen <sup>b</sup> mg/l	Avg Selenium ug/l	Max Arsenic ug/l	Max Mercury ng/l	Max Nitrogen <sup>b</sup> mg/l	Max Selenium ug/l
Final Limits Outlet 201 (post 2025) <sup>a</sup>		8	34	3	29	18	103	4	70
CCR Existing Concentrations <sup>c</sup>		74.03	2.57	11.1	359.2	184.0	14.6	15.6	590.9
Final Limits Outlet 201 (post 2025)	lbs/day	0.0432	1.837E-04	16.2130	0.1567	0.1109	6.346E-04	24.6437	0.4313
Future BioReactor Leachate Influent	lbs/day	0.0889	3.086E-06	13.3307	0.4314	0.2519	1.999E-05	21.3579	0.8090
ELG Model Treatment Removal Efficiency <sup>d</sup>	%	96.3	99.9	98.7	99.2	96.3	99.9	98.7	99.2
Future BioReactor Leachate Effluent	lbs/day	0.0033	3.086E-09	0.1733	0.0035	0.0093	1.999E-08	0.2777	0.0065
Adjusted FGD Limitations	lbs/day	0.046524	1.837E-04	16.386259	0.160176	0.120217	6.346E-04	24.9213515	0.437737
Adjusted FGD Limitations	mg/l	0.007043	2.782E-05	2.4807818	0.02425	0.015965	8.428E-05	3.3096	0.058132
Final Limits Outlet 201 (post 2025)		<b>7.0</b>	<b>27.8</b>	<b>2.5</b>	<b>24.2</b>	<b>16.0</b>	<b>84.3</b>	<b>3.3</b>	<b>58.1</b>

<sup>a</sup> 40 CFR 423.13(g)(1)(i)

<sup>b</sup> Nitrate + Nitrite Nitrogen

<sup>c</sup> Coal Combustion Residuals (landfill leachate) - characteristics provided by permittee

<sup>d</sup> Supplemental Technical Development Document - Steam Electric Reconsideration Rule

<sup>e</sup> FGD avg flows provided in 2021 Permit Application Update / CCR Flows from Future Conditions (2025) flow diagram

Mitchell Power Plant -- WV0005304

Outlet 001 - Effluent Guideline Limitation (Combined Wastewater Treatment System)

Subject to Federal Effluent Guideline 40 CFR 423 Steam Electric Power Generation

Existing Outlet 001 Influent Loadings					
Avg Flow mgd	Max Flow mgd	Avg Cr mg/l	Max Cr mg/l	Avg Cr lbs/day	Max Cr lbs/day

Non-Process	1.130701309	1.598933402			
Coalpile	0	0			
LVW	3.013189765	4.415644938			
Bottom Ash	0.619947375	0.876672342			
FGD / CCR	0.448080776	0.609117486			
Blowdown	0.448080776	1.979631831			

40 CFR 423.13 (BAT)			
Avg Cr mg/l	Max Cr mg/l	Avg Cr lbs/day	Max Cr lbs/day

Non-process				
Coalpile				
LVW				
Bottom Ash				
FGD / CCR				
Blowdown	0.2	0.2	0.7	3
Regulated Wastestreams			0.7	3.3
Unregulated Wastewater Credit			0.0	0.0

Outlet 001
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	Cr
Total Avg Flow	5.66
Total Avg Allowable	0.7
<b>Total Avg Allowable</b>	<b>0.016</b>
Total Max Flow	9.48
Total Max Allowable	3
<b>Total Max Allowable</b>	<b>0.042</b>

Mitchell Power Plant -- WV0005304

Outlet 001 - Effluent Guideline Limitation (Combined Wastewater Treatment System)

Subject to Federal Effluent Guideline 40 CFR 423 Steam Electric Power Generation

Existing Outlet 001 Influent Loadings					
Avg Flow mgd	Max Flow mgd	Avg Cr mg/l	Max Cr mg/l	Avg Cr lbs/day	Max Cr lbs/day

Non-Process	0.80072433	1.307242761			
Coalpile	0	0			
LVW	1.760014955	2.999810887			
Bottom Ash	0	0			
FGD / CCR	0.317315613	0.566471863			
Blowdown	2.781945101	4.606474489			

40 CFR 423.13 (BAT)			
Avg Cr mg/l	Max Cr mg/l	Avg Cr lbs/day	Max Cr lbs/day

Non-process				
Coalpile				
LVW				
Bottom Ash				
FGD / CCR				
Blowdown	0.2	0.2	4.6	8
Regulated Wastestreams			4.6	7.7
Unregulated Wastewater Credit			0.0	0.0

Outlet 001
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	Cr
Total Avg Flow	5.66
Total Avg Allowable	4.6
<b>Total Avg Allowable</b>	<b>0.10</b>
Total Max Flow	9.48
Total Max Allowable	8
<b>Total Max Allowable</b>	<b>0.10</b>

Mitchell Power Plant -- WV0005304

Outlet 001 - Effluent Guideline Limitation (Combined Wastewater Treatment System)

Subject to Federal Effluent Guideline 40 CFR 423 Steam Electric Power Generation

Existing Outlet 001 Influent Loadings					
Avg Flow mgd	Max Flow mgd	Avg Zn mg/l	Max Zn mg/l	Avg Zn lbs/day	Max Zn lbs/day

Non-Process	1.130701309	1.598933402			
Coalpile	0	0			
LVW	3.013189765	4.415644938			
Bottom Ash	0.619947375	0.876672342			
FGD / CCR	0.448080776	0.609117486			
Blowdown	0.448080776	1.979631831			

40 CFR 423.13 (BAT)			
Avg Zn mg/l	Max Zn mg/l	Avg Zn lbs/day	Max Zn lbs/day

Non-process				
Coalpile				
LVW				
Bottom Ash				
FGD / CCR				
Blowdown	1	1	3.7	17
Regulated Wastestreams			3.7	16.5
Unregulated Wastewater Credit			0.0	0.0

Outlet 001
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	Zn
Total Avg Flow	5.66
Total Avg Allowable	3.7
<b>Total Avg Allowable</b>	<b>0.079</b>
Total Max Flow	9.48
Total Max Allowable	17
<b>Total Max Allowable</b>	<b>0.209</b>

Mitchell Power Plant -- WV0005304

Outlet 001 - Effluent Guideline Limitation (Combined Wastewater Treatment System)

Subject to Federal Effluent Guideline 40 CFR 423 Steam Electric Power Generation

Existing Outlet 001 Influent Loadings					
Avg Flow mgd	Max Flow mgd	Avg Zn mg/l	Max Zn mg/l	Avg Zn lbs/day	Max Zn lbs/day

Non-Process	0.80072433	1.307242761			
Coalpile	0	0			
LVW	1.760014955	2.999810887			
Bottom Ash	0	0			
FGD / CCR	0.317315613	0.566471863			
Blowdown	2.781945101	4.606474489			

40 CFR 423.13 (BAT)			
Avg Zn mg/l	Max Zn mg/l	Avg Zn lbs/day	Max Zn lbs/day

Non-process				
Coalpile				
LVW				
Bottom Ash				
FGD / CCR				
Blowdown	1	1	23.2	38
Regulated Wastestreams			23.2	38.4
Unregulated Wastewater Credit			0.0	0.0

Outlet 001
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	Zn
Total Avg Flow	5.66
Total Avg Allowable	23.2
<b>Total Avg Allowable</b>	<b>0.49</b>
Total Max Flow	9.48
Total Max Allowable	38
<b>Total Max Allowable</b>	<b>0.49</b>

## EXHIBIT B

### RELEVANT FACTS TO APPEAL

1. Kentucky Power Company, doing business as AEP, (“Appellant” “AEP” or the “Company”), operates the Mitchell power plant in Marshall County, West Virginia.

2. AEP is aggrieved by certain terms and conditions (as set forth in its appeal above and as set forth herein) contained in its WV/NPDES Permit No. WV0005304 that was reissued on or about June 13, 2022 (“Permit”).

3. The renewal Permit was received by AEP on June 16, 2022. The renewed / reissued Permit becomes effective on August 1, 2022.

4. AEP timely filed detailed comments on the draft Permit (submitted to the agency on October 15, 2021). Thereafter, with little warning and without a change in the law, the WVDEP lowered the Permit limits for TSS and Oil & Grease for Outlet 001 for the interim limits. Historically, the Outlet 001 TSS effluent limits were 30 mg/L monthly average and 100 mg/L daily maximum. The new Permit, however, includes the following TSS effluent limits for Outlet 001:

Daily Maximum interim	77.2
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Monthly Average interim	24.4
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5. The plant and its relevant treatment systems are designed to meet the historic effluent limits for TSS and Oil & Grease.

6. AEP asserts that WVDEP improperly calculated the TSS and Oil & Grease limits for Outlet 001 for both interim and final conditions. WVDEP did not appropriately apply the applicable “combined waste stream formula” (“CWF”) at Outlet 001.



7. WVDEP failed to implement the CWF which, among other things, addresses the management of “non-regulated”, unregulated, and regulated waste streams such as non-process wastewater when calculating applicable limits. To address these errors, AEP requests that the Board order WVDEP to recalculate the TSS and Oil & Grease limits for Outlet 001 consistent with EPA guidance as illustrated by AEP in its detailed comments (Attached with Exhibit A).

8. Outlet 001 contains both interim and final effluent limits for zinc and chromium based on 40 CFR 423.13 (d)(1) as provided in the permit at condition A.001. AEP requests these limits be removed since the cooling water treatment chemicals used at Mitchell do not contain any chromium or zinc as per the supplier.

9. As with TSS and oil and grease effluent limits for Outlet 001, the Permit includes arsenic, mercury, selenium, and nitrite + nitrate nitrogen effluent limits for Outlet 201 developed based on a misapplication of the CWF and unjustified removal efficiency assumptions.

10. The erroneous application of the CWF guidelines to the Permit have resulted in the WVDEP improperly including certain effluent limits and permit terms and conditions. AEP seeks to have these errors addressed and remedied.

11. AEP has received information from equipment vendors that equipment needed to complete the CCR/ELG Project will be delayed due to reasons outside of AEP’s control. AEP seeks language in the “Schedule of Compliance” in Part B of the Permit that the dates may be modified for issues or other factors outside of control of AEP.

12. AEP has provided detailed comments and calculations related to the proper application of the building block approach and the CWF as they relate to the Mitchell Permit. AEP seeks through its appeal to correct certain errors in the Permit related to the agency’s errors and/or misapplication of CWF and/or the building block approach. This more specifically includes errors in the

development of effluent limits for TSS and oil and grease at Outlet 001, and arsenic, mercury, selenium, and nitrite+nitrate nitrogen at Outlet 201 based on CWF and removal efficiencies errors.

## QUESTIONS OF FACT

1. Did the Permit include improperly calculated TSS effluent limits for Outlet 001?
2. Did the Permit include improperly calculated effluent limits for Oil & Grease for Outlet 001?
3. Did the WVDEP misapply the CWF?
4. Did the WVDEP misapply the applicable federal effluent limit guidelines and guidance?
5. Did the WVDEP mischaracterize and wrongly classify certain discharges as “non-regulated”?
6. Did the Permit include improperly calculated effluent limits for Outlet 201?
7. Did the Permit fail to properly apply federal rules and guidance related to CWF?
8. Did the Permit include erroneous terms and conditions as a result of misapplication of laws and guidance?
9. Did the Permit’s Schedule for Compliance fail to include language relating to well-documented global supply chain issues, and specifically addressing well-documented global supply chain issues for any deadlines that rely on the securing of any parts, goods, or other materials in order to achieve compliance?
10. Did the Permit include certain effluent limits or requirements without legal basis?

## QUESTIONS OF LAW

1. Whether the improper inclusion of improperly calculated TSS effluent limits for Outlet 001 in the Permit was arbitrary and capricious and contrary to law?
2. Whether the inclusion of improperly calculated effluent limits for Oil & Grease in the Permit for Outlet 001 was arbitrary and capricious and contrary to law?
3. Whether the WVDEP's misapplication of the CWF and applicable guidance was arbitrary and capricious and contrary to law?
4. Whether the WVDEP misapplied the applicable federal effluent limit guidelines and guidance in a manner that was arbitrary and capricious and contrary to law?
5. Whether the WVDEP's wrongful classification of certain discharges as "non-regulated" was arbitrary and capricious and contrary to law?
6. Whether the Permit's inclusion of effluent limits without establishing reasonable potential was arbitrary and capricious and contrary to law?
7. Whether the Permit's Schedule for Compliance should as a matter of law include language addressing well-documented global supply chain issues for any deadlines that rely on the securing of any parts, goods, or other materials in order to achieve compliance?
8. Whether the Permit's inclusion of erroneous terms and conditions as a result of misapplication of laws and guidance was arbitrary and capricious and contrary to law?
9. Whether the Permit's inclusion of certain effluent limits or requirements without legal basis was arbitrary and capricious and contrary to law?