

AUTHORIZATION TO OPERATE AND MAINTAIN
UNDER THE LAWS OF THE
STATE OF DELAWARE

1. Pursuant to the provisions of 7 Del. C., 6003

Allen Harim Foods, LLC
P.O. Box 1380
Millsboro, DE 19966

is herein authorized to operate and maintain an on-site wastewater treatment and disposal system to service:

Allen Harim Harbeson Processing Facility

Located (tax map #: 2-35-30.00-0097.00):

18752 Harbeson Road, Harbeson, DE, Sussex County

To receive and treat:

Wastewater generated by poultry processing

And to dispose of:

Treated wastewater effluent via transfer to the Artesian Northern Sussex Regional Water Recharge Facility (ANSRWRF) for storage in a synthetically lined lagoon and final disposal via spray irrigation

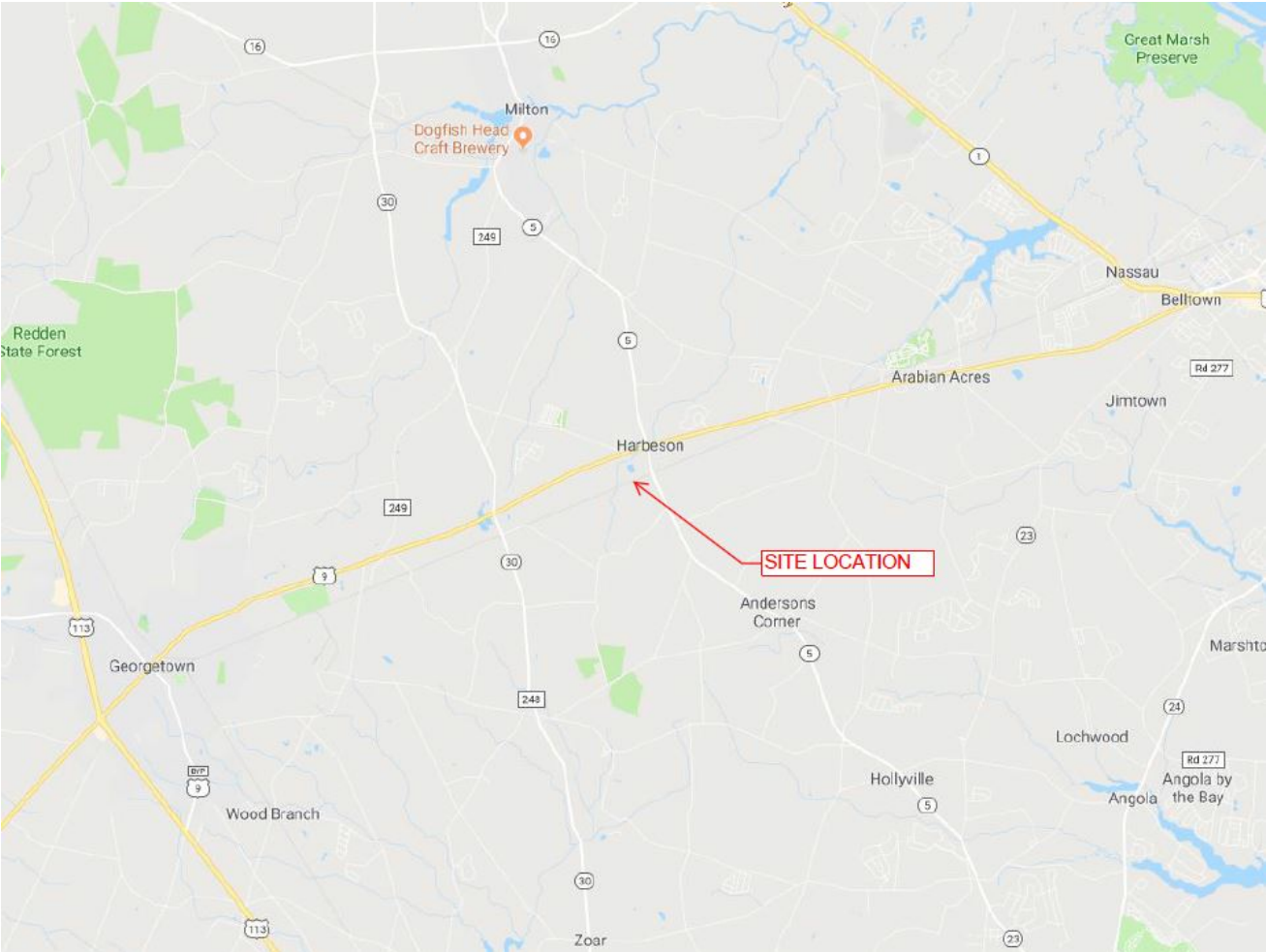
2. **The effluent limitations, monitoring requirements and other permit conditions are set forth in Part I, II and III hereof.**

John J. Rebar Jr., Program Manager I
Ground Water Discharges Section
Department of Natural Resources &
Environmental Control

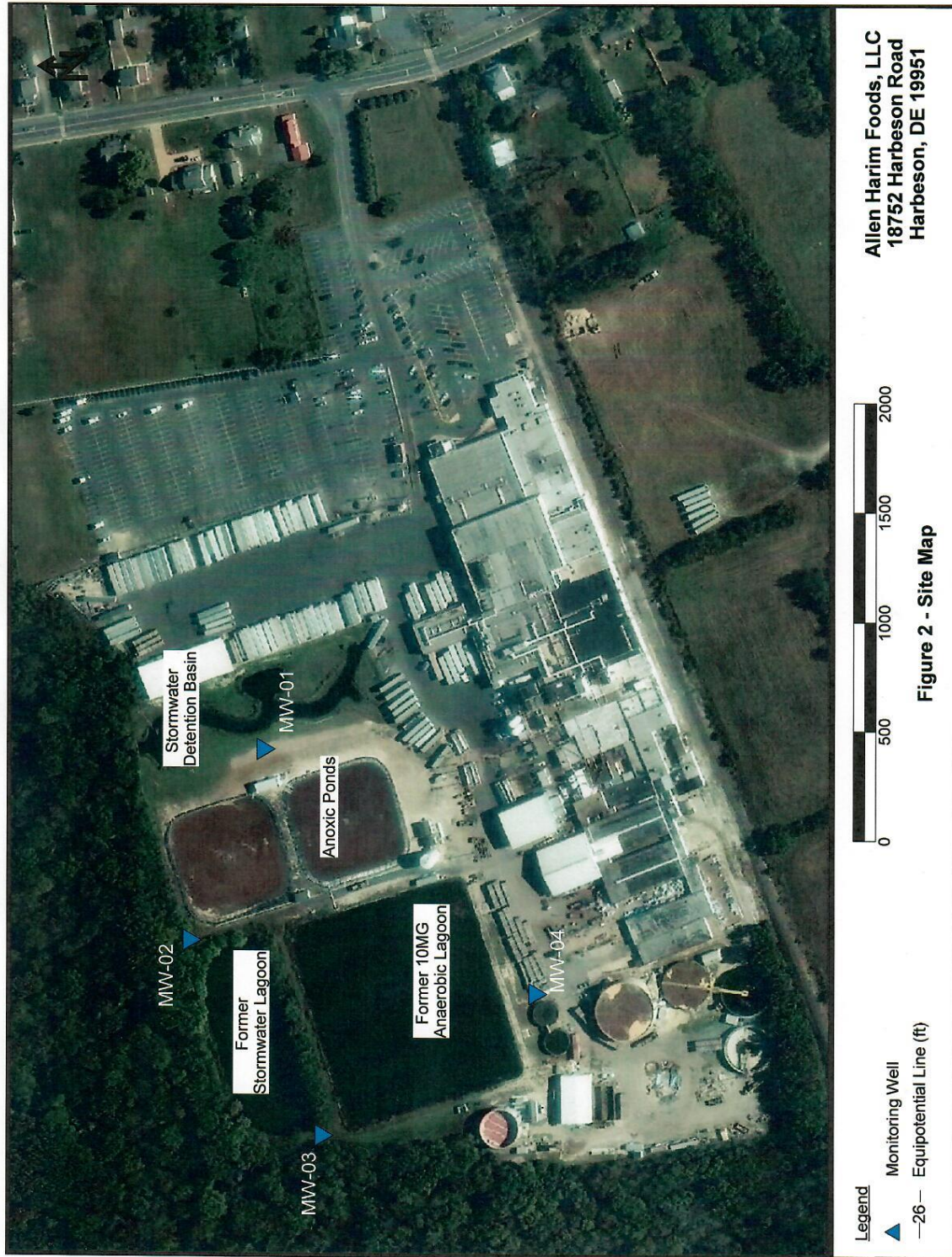
04/27/2021

Date

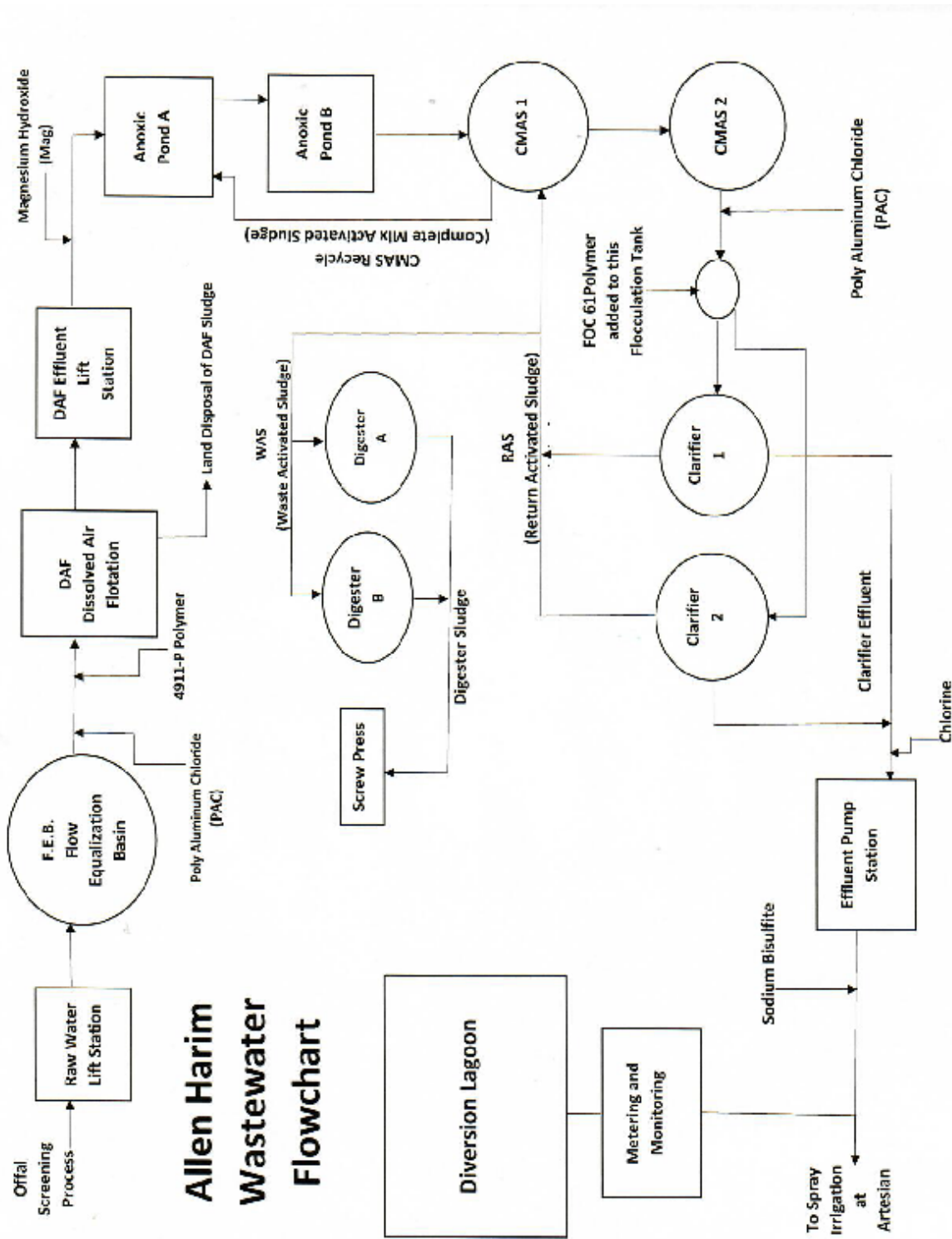
SITE LOCATION MAP



FACILITY SITE MAP



PROCESS DIAGRAM



Allen Harim Wastewater Flowchart

Part I

A. Introduction

The Delaware Department of Natural Resources and Environmental Control, Division of Water, Groundwater Discharges Section (DNREC or the Department) issues this On-Site Wastewater Treatment and Disposal System Permit (State Permit No. 597261-01) to Allen Harim Foods, LLC (Permittee) pursuant to 7 Del. C. § 6003. DNREC's purpose in issuing this Permit, and in imposing the requirements and conditions specified herein, is for the protection of the environment and the public health as required by 7 Del. Admin. C. §7101 *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems* (the Regulations).

B. Documentation

The application consists of the materials submitted by the Permittee and materials contained in the administrative record prior to the issuance of this Permit. This includes (but not limited to) the following information.

1. DNREC Application & Signature Form, received on August 4, 2018
2. Final Design Summary, dated November 23, 2015, Wastewater Treatment System Upgrades and Expansion for Allen Harim, LLC Harbeson, DE prepared by Reid Engineering Company, Inc.
3. Construction Plans, dated January 8, 2016, Wastewater Treatment System Upgrades and Expansion Phase One for Allen Harim, LLC Harbeson, DE prepared by Reid Engineering Company, Inc.
4. Record Drawing, dated March 13, 2019, Forcemain Piping Plan, Allen Harim, LLC Harbeson, DE prepared by Artesian Wastewater Management, Inc.
5. Wastewater Treatment System Operation and Maintenance Plan, received on July 24, 2019 and prepared by Allen Harim Foods, LLC
6. Response Letter from Allen Harim Foods, LLC, dated June 11, 2020
7. Extension Request Letter for Anaerobic Lagoon Cleanout Schedule from Allen Harim Foods, LLC, dated July 23, 2020
8. Email Request to Revise the Old Anaerobic Lagoon Cleanout Plan from Allen Harim Foods, LLC, dated April 1, 2021
9. Email Regarding Old Anaerobic Lagoon Cleanout Schedule from Allen Harim Foods, LLC, dated April 16, 2021

C. General Description of Discharge

The on-site wastewater treatment and disposal system is authorized to receive and treat poultry processing wastewater generated at the Allen Harim Harbeson Processing Facility; deboning process wastewater received from the Allen Harim Pinnacle Processing Facility and wash down water received from the Allen Harim Dagsboro Hatchery. The treatment system consists of primary screening, flow equalization basin, dissolved air floatation (DAF) unit, two (2) anoxic biological nutrient removal (BNR) basins, two (2) complete mix activated sludge (CMAS) basins, one (1) flocculation tank, two (2) clarifiers, and one (1) chlorine contact chamber. The treatment system also includes two (2) aerobic digesters and a screw press for sludge processing. The treatment system is also capable of diverting non-compliant wastewater to various on-site basins/lagoons followed by recirculation and re-treatment. Treated wastewater effluent is pumped via forcemain to the Artesian Northern Sussex Regional Water Recharge Facility

(ANSRWRF) for storage in a synthetically lined lagoon and final disposal via spray irrigation in accordance with State Permit No. 359288-02.

D. Influent Limitations

Beginning on the effective date and lasting through the expiration date of this Permit, the Permittee is authorized to receive and treat the quantity of influent specified below.

1. The average influent flow from the Allen Harim Harbeson Processing Facility shall not exceed two (2) million gallons per day (MGD).
2. The maximum influent flow from the Allen Harim Pinnacle Processing Facility shall not exceed 40,000 gallons per day (GPD).
3. The maximum influent flow from the Allen Harim Dagsboro Hatchery shall not exceed 40,000 GPD.

E. Effluent Limitations

Beginning on the effective date and lasting through the expiration date of this Permit, the Permittee is authorized to discharge to ANSRWRF the quantity and quality of effluent specified below.

1. The average effluent flow from the Allen Harim Harbeson Facility transferred to ANSRWRF shall not exceed 1.5 MGD averaged over a 7-day period and shall not exceed a peak daily flow of 2.0 MGD.
2. 5-Day Biochemical Oxygen Demand (BOD₅) daily average concentration shall not exceed 10 mg/l.
3. Fecal coliform concentration shall not exceed 20 col/100 ml at any time.
4. Total Nitrogen (as N) concentration daily average shall not exceed 30 mg/l.
5. Total Nitrogen (as N) concentration daily maximum shall not exceed 45 mg/l.
6. Total Suspended Solids (TSS) daily average concentration shall not exceed 10 mg/l.
7. Turbidity concentration shall not exceed 5 NTU at any time.
8. The pH of the effluent shall not be less than 5.5 standard units nor greater than 9.0 standard units at any time.
9. The total residual chlorine concentration shall not be less than 1.0 mg/L nor more than 4.0 mg/L at any time.

F. Schedule of Compliance

1. Within 60 days of the effective date of this Permit, the Permittee shall cease discharging treated process wastewater to Beaverdam Creek.
2. The Permittee shall complete clean-out operations, rehabilitate, and synthetically re-line the "old" anaerobic lagoon to be used as the permanent diversion option for non-compliant wastewater no later than 8 months from the effective date of this permit. The recently relined stormwater lagoon shall be used as a temporary diversion option in the interim.
 - i. The Permittee shall maintain records documenting the volume of sludge removed from the "old" anaerobic lagoon, as well as, sludge disposal location and submit this information to the Department monthly until the lagoon clean-out is complete.
3. No later than 14 calendar days following a date identified in the above schedule of compliance, the Permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of the noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

G. Monitoring Requirements

During the period beginning on the effective date and lasting through the expiration date of this Permit, the Permittee shall perform the following monitoring as specified below.

For samples required to be taken 'monthly' and/or 'twice per month', the samples for each monitoring location (i.e. influent, effluent, well, etc.) shall be taken a minimum of 14 days apart.

Requests for monitoring modifications shall be submitted to the Department in writing. Such requests shall clearly state the reason for and nature of the proposed modification and, where applicable, shall contain supporting scientific information, analysis, and justification. Requests will be addressed by the Department on a case by case basis.

1. Influent and Effluent Samples

Wastewater treatment system influent and effluent shall be sampled for the following parameters. Effluent shall be sampled following final treatment at the effluent pump station.

Parameter	Unit Measurement	Monitoring Frequency	Sample Type	
			Influent	Effluent
Flow	Gallons Per Day	Continuous	Recorded	Recorded
BOD ₅	mg/L	2 x Month	Grab	Composite
TSS	mg/L	2 x Month	Grab	Composite
Total Dissolved Solids	mg/L	Quarterly	NA	Grab
Fecal Coliform	Col/100 ml	Quarterly	NA	Grab
Total Nitrogen	mg/L	1 x Week	Grab	Composite
Ammonia Nitrogen	mg/L	Monthly	Grab	Composite
Nitrate/Nitrite as Nitrogen	mg/L	Monthly	Grab	Composite
pH	S.U.	3 x per week	Grab	Composite
Total Phosphorus	mg/L	Monthly	Grab	Composite
Chloride	mg/L	Quarterly	Grab	Composite
Turbidity	NTU	Continuous	N/A	Recorded
Total Residual Chlorine	mg/L	Continuous	N/A	Recorded
Potassium	mg/L	Quarterly	N/A	Composite
Sodium	mg/L	Quarterly	N/A	Composite

2. Monitoring Wells

The following monitoring wells

Local ID	DNREC ID
MW-01	260091
MW-02	260092
MW-03	260093
MW-04	260094

shall be sampled by the Permittee for the following parameters:

Parameter	Unit Measurement	Monitoring Frequency	Sample Type
pH	S.U.	Quarterly	Field Test
Temperature	°F	Quarterly	Field Test
Specific Conductance	µS/cm	Quarterly	Field Test
Dissolved Oxygen	mg/L	Quarterly	Field Test
Depth to Water Table	Hundredth of a foot	Quarterly	Field Test
Ammonia Nitrogen	mg/L	Quarterly	Grab
Nitrate + Nitrite Nitrogen	mg/L	Quarterly	Grab
Total Nitrogen	mg/L	Quarterly	Grab
Total Coliforms	Col/100 ml	Quarterly	Grab
Fecal Coliform	Col/100 ml	Quarterly	Grab
Total Phosphorus	mg/L	Quarterly	Grab
Sodium	mg/L	Quarterly	Grab
Chloride	mg/L	Quarterly	Grab
Total Dissolved Solids	mg/L	Quarterly	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at each monitoring well and observation well in accordance with procedures approved by the Department and listed in the *State of Delaware Field Manual for Groundwater Sampling* (Custer, 1988).

Groundwater monitoring results for each monitoring well shall be reported using the State of Delaware Well Identification Tag Number that is required on all wells in accordance with Delaware's *Regulations Governing the Construction and Use of Wells*, Section 11.1. All field sampling logs and laboratory results for samples obtained from a well shall be identified by the DNREC ID affixed to the well.

H. Monitoring Reporting

Annual Reporting Requirements

In accordance with Section 6.9 of the *Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems* (the Regulations), the Permittee shall submit to the Department an annual report summarizing operations, management, administration and maintenance of the facility for the calendar year. The annual report shall be submitted to the Department on or before February 28th of each year.

Monthly/Quarterly Requirements

Monitoring results obtained during the previous one month/quarter shall be summarized for each month/quarter and reported on an approved On-Site Effluent/Groundwater Monitoring Report Form postmarked no later than the 28th day of the month following the completed reporting period. Signed copies of these reports/forms, and all other reports or documentation (laboratory analytical results, sampling logs, and field data sheets, etc.) required herein shall be submitted to the Department at the following address:

Delaware Department of Natural Resources and Environmental Control
Ground Water Discharges Section
89 Kings Highway
Dover, DE 19901
Telephone: (302) 739-9948
Fax: (302) 739-7764

The Department may provide written requirements for the Permittee to submit monitoring data electronically. Upon notification from the Department, the Permittee shall transition (as directed) to the Department's electronic database system. The submission may need to be electronically signed.

I. Monitoring results reported as less than the detectible limit shall be reported with the less than symbol "<" before the detection limit. The full detection limit value shall be utilized in any necessary calculations. The less than symbol shall be carried through the calculation. The resulting value shall include any appropriate less than or greater than symbol resulting from the calculation.

J. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

K. Test Procedures

Test procedures for the analysis of pollutants shall conform to the applicable test procedures identified in 40 C.F. R. Part 136 or the most recently adopted copy of Standard Methods unless otherwise specified in this Permit.

L. Quality Assurance Practices

The Permittee is required to show the validity of all monitoring data by requiring its laboratory to adhere to quality assurance practices in accordance with Section 6.8.2.4 of the Regulations.

M. Recording of Results

- i. For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:
 - a. The exact place, date and time of sampling and/or measurement;
 - b. The person(s) who performed the sampling and/or measurement;
 - c. The date(s) the analyses were performed and the time the analyses were begun;
 - d. The person(s) who performed the analyses; and
 - e. The results of each analysis.

N. Additional Monitoring by Permittee

If the Permittee monitors any pollutant at the location(s) designated herein more frequently than required by this Permit, using approved analytical methods specified herein, then the results of such monitoring shall be included in the calculation and reporting of the values required in the appropriate On-Site Effluent/Groundwater Monitoring Report Form. Such increased frequency shall also be indicated.

O. Records Retention

All records and information resulting from the monitoring activities required by this Permit including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation shall be retained for five (5) years. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the Permittee, or as requested by the Department.

P. Facility Classification

A classification was performed on the permitted facility in accordance with *Regulations Licensing Operators of Wastewater Facilities*. The wastewater treatment system is designated as a Class IV Facility. The facility shall be under the direction of a Class IV Licensed Operator in Direct Responsible Charge for the facility who is available at all times. A licensed operator, operating under the direction of the licensed operator in Direct Responsible Charge for the facility, shall be available when the facility is in operation.

Part II

A. MANAGEMENT REQUIREMENTS

a. Duty to Comply

The Permittee shall comply with all the terms and conditions of this Permit.

The discharge of any pollutant more frequently than, or at a level in excess of that identified and authorized herein, shall constitute a violation of the terms and conditions of this Permit. The violation of any influent/effluent limitation or of any other condition specified in this Permit is a violation of 7 Del. C. Chapter 60 and is grounds for enforcement as provided in 7 Del. C., Chapter 60 "Enforcement; civil and administrative penalties; and expenses.", "Criminal Penalties." and "Cease and desist order." for Permit termination or loss of authorization to discharge pursuant to this Permit, for Permit revocation and reissuance, or Permit modification, or denial of a Permit renewal application. The Department may seek voluntary compliance by way of warning, notice or other educational means, pursuant to 7 Del. C., Chapter 60 "Voluntary compliance." or any other means authorized by Law. However, the Law does not require that such voluntary means be used before proceeding by way of compulsory enforcement.

b. Groundwater Requirements

Operation of the on-site wastewater treatment and disposal system shall not cause the quality of Delaware's groundwater resources to be in violation of applicable Federal or State Drinking Water Standards.

c. Facilities Operation

The Permittee shall at all times maintain in good working order and operate as efficiently as possible all collection and treatment facilities and systems (and related appurtenances) installed or used by the Permittee for water pollution control and abatement to achieve compliance with the terms and conditions of this Permit. Proper operation and maintenance include, but is not limited to, effective performance (based upon the facilities' design), adequate funding, effective management, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, when necessary, to achieve compliance with the terms and conditions of this Permit.

An operator log shall be kept on site at all times. All records and reports shall also be kept on site at all times. This log shall, at a minimum, include the following:

- i. Time spent at the facility on any date;
- ii. Details of the operation and maintenance performed on the system on any date;
- iii. The volume of wastewater received and treated;
- iv. A record of any deviations from the operation and maintenance manual or permit

conditions;

- v. A record of any deviations from the operation and maintenance manual or any condition that required effluent diversion;
- vi. General daily weather conditions;
- vii. A record of all actions taken to correct violations of this Permit and the Department's regulations;
- viii. Record of all site management activities undertaken; and
- ix. Record the date and volumes, and destination of biosolids removed from the system. When biosolids are removed or transported from the facility, a copy of the biosolids hauling receipts with amounts removed shall be kept on file at the site.

d. Change in Discharge

Any usage authorized herein shall be consistent with the terms and conditions of this Permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges shall be reported by submission of a written report to the Department with the following timelines:

- i. Thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any change in information that was submitted to the Department.
- ii. Thirty (30) days before any anticipated change which would result in noncompliance with any Permit condition or the Regulations.
- iii. Immediately after the Permittee becomes aware of relevant facts not submitted or incorrect information submitted in a Permit application or any report to the Department. Those facts or the correct information shall be submitted as soon as possible and be included as part of the report.

e. Noncompliance Notification

If, for any reason, the Permittee does not comply with or will be unable to comply with any limitation(s) or condition(s) specified in this Permit, the Permittee shall contact the Ground Water Discharges Section at 739-9948, within 24 hours of noncompliance issue(s) occurring.

The Permittee shall also provide the Ground Water Discharges Section with the following information, in writing, within five (5) days of becoming aware of such condition:

- i. A description of, and cause of noncompliance with any such limitation(s) or condition(s); and
- ii. The period of noncompliance, including exact dates and times; or, if not

corrected, the anticipated time the noncompliance is expected to continue;

- iii. Notification if diversion occurred and the volume of effluent diverted; and
- iv. The steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance(s).

f. Spill Reporting

In the event of any environmental release of pollutants (i.e., spill), the Permittee shall call the Department's 24-hour Emergency Release Reporting Hotline at (800) 662-8802.

The Permittee shall also notify the GWDS regarding any environmental release of pollutants (i.e., spill) into surface water or groundwater or on land, within 24-hours from the time the Permittee becomes aware of the release and activate their emergency site plan. In addition, the following information shall be reported to the GWDS within five days.

- 1. The facility name and location of release;
- 2. The chemical name or identity of any substance involved in the release;
- 3. An indication of whether the substance is an extremely hazardous substance;
- 4. An estimate of the quantity of any such substance that was released into the environment;
- 5. The time and duration of the release;
- 6. The medium or media into which the release occurred;
- 7. Any known or anticipated acute or chronic health risks associated with the emergency and, where appropriate, advice regarding medical attention necessary for exposed individuals;
- 8. Proper precautions to take as a result of the release, including evacuation;
- 9. The names and telephone number of the person or persons to be contacted for further information; and
- 10. Such other information as the GWDS may require.

g. Bypassing

The diversion of flow from any portion of the treatment facility's process flow (including, but not limited to, pretreatment, storage, distribution and land application) necessary to maintain compliance with the terms and conditions of this Permit is prohibited unless:

- a) The bypass is unavoidable to prevent personal injury, loss of life, severe property damage, or materially adversely affect public health and/or the environment; or
- b) There are no alternatives readily available.

The Groundwater Discharges Section shall be orally notified within 24 hours after such bypass; and, a written submission regarding the bypass shall be submitted within five days of the Permittee's becoming aware of the bypass. Where the need for a bypass is known (or should have been known) in advance, this notification shall be submitted to the Groundwater Discharges Section for approval at least ten days prior, or as soon as possible, before the date of bypass.

The treatment facility shall be repaired and restored to the permitted design operations process flow.

h. Adverse Impact

The Permittee shall take all reasonable steps to eliminate or minimize any adverse impact to waters of the State resulting from operating under this Permit, including such accelerated or additional monitoring as necessary to determine the source, nature, and extent of the impact from a noncomplying discharge. In addition, at the direction of the Department, the Permittee shall submit a timely corrective action plan which will include a description of the proposed actions to mitigate or eliminate the source of the impact and an associated completion schedule. The plan shall be enacted as approved by the Department.

i. Removed Substances

Solids, sludge, filter backwash or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent any pollutant from entering the surface water or ground water and to comply with applicable federal or state laws and regulations.

j. Power Failures

An alternative power source, which is sufficient to operate the wastewater treatment and disposal facilities, shall be available. If such alternative power source is not available, the Permittee shall halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater facilities.

B. RESPONSIBILITIES

a. Reapplication for a Permit

At least 180 days prior to the expiration date of the Operation Permit, the Permittee shall submit an application for renewal or notify the Department of the intent to cease discharging by the expiration date. The application package for systems with a design flow $\geq 100,000$ GPD, shall include a five (5) year Compliance Monitoring Report (CMR) in accordance with Section 6.5.4.3 of the Regulations.

In the event that a timely and complete application has been submitted as determined by the Department, and the Department is unable, through no fault of the Permittee, to issue a new permit before the expiration date of this Permit, the terms and conditions of this Permit are automatically continued and remain fully effective and enforceable until a decision is made on the new application.

b. Right of Entry

The Permittee shall allow, at reasonable times, the Secretary of the Department of Natural Resources and Environmental Control, or his authorized representatives, upon the presentation of credentials and such other documents as may be required by law:

- i. To enter upon the Permittee's premises where the on-site wastewater treatment and disposal system is located or where any records are required to be kept under the terms and conditions of this Permit;
- ii. To have access to and copy any records required to be kept under the terms and conditions of this Permit;
- iii. To inspect any facility, equipment, monitoring method, monitoring equipment, practice or operation permitted or required under this Permit; and
- iv. To sample or monitor for the purpose of assuring Permit compliance with any condition of this Permit, the Regulations or 7 Del C., Chapter 60.

c. Transfer of Ownership and Control

No person shall transfer a Permit from one location to another or from one piece of equipment to another. No person shall transfer a Permit from one person to another unless thirty days written notice is given to the Department, indicating the transfer is agreeable to both persons, and approval of such transfer is obtained in writing from the Department, and any conditions of the transfer approved by the Department are complied with by the transferor and the transferee.

The notice to the Department shall contain a written agreement between the transferor and the transferee, indicating the specific date of proposed transfer of permit coverage and acknowledging responsibilities of current and new Permittees for compliance with and liability for the terms and conditions of this Permit. The notice shall be signed by both the transferor and the transferee.

d. Availability of Reports

All reports prepared in accordance with the terms of this Permit shall be available for public inspection at the offices of the Department of Natural Resources and Environmental Control. Monitoring data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in 7 Del. C., §6013.

e. Permit Revocation

The Department may revoke a Permit if, among other things, the Permittee violates any Permit condition, these regulations, fails to pay applicable Departmental fees, obtains the permit by misrepresentation or fails to fully disclose all relevant facts.

Except in cases of emergency, the Department shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within

20 days of receipt of the notice by the Permittee, unless within that time the permittee requests an administrative hearing in writing.

The Department shall notify the Permittee in writing of any revocation hearing at least 20 days prior to the date set for such hearing.

If the Department finds the public health, safety or welfare requires emergency action, the Department shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the Permittee. Thereafter, if requested by the Permittee in writing, the Department shall provide the permittee a revocation hearing.

f. Permit Modifications/Amendments

In consultation with the Permittee, the Department may modify or amend an existing permit provided that the modifications would not result in an increased impact or risk to the environment or to public health.

g. State Laws

This Permit shall not be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

h. Property Rights

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

i. Severability

The provisions of this Permit are severable. If any provision of this Permit, or the application of any provision of this Permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

PART III

A. SPECIAL CONDITIONS

a. Nitrogen Process Control Testing and Diversion Indicators

The Permittee shall perform process control testing using various field tests (e.g., on-site colorimetric or spectrophotometers instruments). If field tests indicate that either Nitrate as Nitrogen or Total Nitrogen concentrations exceed 25 mg/L than the Permittee shall perform operational adjustments to the denitrification process and additional laboratory testing will also begin.

If laboratory testing confirms that treated wastewater concentrations exceed 30 mg/L for either Nitrate as Nitrogen or Total Nitrogen than the Permittee shall notify the Department to determine if treated wastewater is required to be diverted on-site for retreatment. If required, the treated wastewater shall be immediately diverted for storage and retreatment.

If laboratory testing confirms that treated wastewater concentrations exceed 45 mg/L for either Nitrate as Nitrogen or Total Nitrogen than the Permittee shall immediately diverted the treated wastewater for storage and retreatment.

The Permittee shall perform Nitrate as Nitrogen or Total Nitrogen laboratory testing daily until effluent limitations are achieved.

The Permittee shall sample the effluent for the following diversion parameters using field tests and other Department approved methods:

Parameter	Unit Measurement	Monitoring Frequency	Sample Type
			Effluent
*BOD ₅	mg/L	1 x Week	Grab
COD	mg/L	5 x Week	Grab
Nitrate	mg/L	Daily	Composite & Grab
Total Nitrogen	mg/L	Daily	Composite & Grab
Dissolved Oxygen	mg/L	5 x Week	Grab

* After 1 year the BOD₅ testing monitoring frequency shall be 2 times per month.

b. Fecal Coliform Bacteria and Turbidity Diversion Requirements

In the event that analytical results of treated wastewater effluent sample indicate an exceedance of any of the maximum limitations for fecal coliform bacteria or turbidity set by this Permit, the Permittee shall collect and analyze a second sample within 24-hours after becoming aware of the exceedance. In the event the second sample results indicate that any maximum limitation is continuing to be exceeded, the following contingency plan shall be enacted.

- 1) Notify the Department that the contingency plan is being enacted in accordance with Part II A(d) of this Permit.
- 2) Submit copies of the recent analytical results indicating an exceedance to the Department.
- 3) Immediately cease transferring wastewater to ANSRWRF and divert non-compliant wastewater for on-site storage and re-treatment.
- 4) Examine operation and maintenance log for improper operational procedures.
- 5) Conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected.

When the analytical results from samples of treated wastewater effluent no longer indicate an exceedance of any of the maximum limitations, the Permittee shall notify the Department and may resume transferring treated wastewater effluent to ANSRWRF.

- c. The Permittee shall record the volume of wastewater received from Allen Harim Pinnacle Processing Facility and wash down water received from the Allen Harim Dagsboro Hatchery daily. The daily and total volumes from each facility shall be submitted to the Department with the monthly effluent monitoring report submittals.
- d. Connections or additions to the on-site wastewater treatment system other than those indicated on the approved plans will not be allowed without prior approval of the Department.
- e. In the event that the permittee installs new monitoring wells or replaces any existing monitoring wells, the Permittee shall submit to the Department's Groundwater Discharges Section new elevation details relative to the common benchmark previously established. Additionally, the permittee shall conduct a groundwater quality sampling program prior to initiation of wastewater disposal activities on the area incorporating the well. The sampling program shall be sufficient to establish representative groundwater quality at each well prior to initiation of the wastewater disposal activities. A minimum of three samples shall be collected at least one month apart and analyzed. A summary report detailing all analyses shall be submitted to the Department's Groundwater Discharges Section prior to initiation of wastewater disposal activities. Analyses shall include the parameters iterated in Section 6.8.1 of the Regulations.
- f. A valid sludge hauling contract shall be maintained for the life of the system. A copy of the waste manifest shall be made available to the Department during the annual compliance inspection or upon request. Any changes in the sludge haulers shall be reported to the Department immediately.
- g. This permit does not relieve the permittee of complying with any other applicable Federal, State or local regulations.
- h. The Department will conduct an annual compliance inspection with the facility's operator of the on-site wastewater treatment and disposal system. An inspection fee will be charged.
- i. The Permittee shall calibrate all flow meters in accordance with the Manufacturer's recommendations. Calibration shall include, but not be limited to influent, effluent, continuous online turbidity and chlorine residual monitors. The calibration documentation shall be submitted to the Department with the annual report.
- j. At least three feet of freeboard, measured vertically from the lowest point of the berm, is required for all storage ponds. The lowest point of the berm must be determined and marked.

The Permittee must notify the Department's Groundwater Discharges Section in writing prior to utilizing the freeboard in any lagoon or immediately upon unexpected encroachment into freeboard. In the event of encroachment into freeboard, Permittee

shall contact the Groundwater Discharges Section to coordinate relief measures. In the event of an emergency, Permittee may contact the Department at 302-739-9948; however, written notification must subsequently be provided within 5 days of encroachment.

- k. The Permittee shall operate and maintain the on-site wastewater treatment and disposal system in accordance with the facility's design and the approved Operation and Maintenance Plan (O&M). A copy of the O&M shall be on-site at all times. The Permittee shall maintain the O&M's accuracy and applicability in accordance with both their Permit and the Regulations. In the event of a discrepancy between the O&M or the facility's and the Permit or Regulations, the requirements of the Permit and the Regulations would govern.

- l. Additional Information

The Permittee shall furnish to the Department within a specified period of time, any information including copies of records, which may be requested by the Department to determine whether cause exists for modifying, revoking, reissuing, or terminating the permit, or to determine compliance with the permit and the Regulations.

A report shall be submitted to the Department within five (5) days of completion of the emergency repairs. The report shall summarize the nature of the emergency and the repairs performed. All violations shall also be reported in accordance with Section 6.5.9 of the Regulations.

- m. Emergency Repairs

Emergency repairs or the replacement of critical "like kind" components of the wastewater treatment facility necessary for the continued operation of the facility may be performed without first obtaining a construction permit from the Department.

A report shall be submitted to the Department within five (5) days of completion of the emergency repairs. The report shall summarize the nature of the emergency and the repairs performed. All violations shall also be reported in accordance with Section 6.5.9.

- n. Wastewater Treatment System Closure/Abandonment

In the event the wastewater treatment facility, or a component of the facility, is proposed to be abandoned, the permittee shall submit a proposed closure and abandonment work plan with procedures on how the facility will be abandoned for review and approval by the Department. The work plan shall address remediation if monitoring data indicates impacts to the environment. Upon review and approval of the work plan and completion of all closure and abandonment actions the permittee must contact the Department for a final inspection of the site.