



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

S. JAY ZIMMERMAN

Director

December 3, 2015

Mr. Harry Sideris, Senior Vice President
Environmental, Health and Safety
Duke Energy Carolinas, LLC
Mail Code EC13K
P.O. Box 1006
Charlotte, North Carolina 28201-1006

Subject: Issuance of NPDES
Major Modification
Permit NC0004961
L.V. Sutton Energy Complex
New Hanover County
Facility Class I

Dear Mr. Sideris:

The Division of Water Resources is forwarding herewith the Final NPDES permit for Riverbend Steam Station. This permit renewal is issued pursuant to the requirements of North Carolina General Statute 143-215.1 and the Memorandum of Agreement between North Carolina and the U.S. Environmental Protection Agency dated October 15, 2007 (or as subsequently amended).

A public hearing was held on August 6, 2015 in Wilmington seeking comments on the Draft permit. This Final permit incorporates recommendations of the DWR Hearing Officer and EPA as well as other changes:

- 1) The limits for Oil and Grease and TSS were added to Outfall 001.
- 2) The monitoring frequency for all parameters in the effluent was increased to Weekly (Outfall 001 – normal operation), with an exception of Whole Effluent Toxicity.
- 3) The transfer of wastewater from Old Ash Pond to New Ash Pond and Outfall 001 was authorized.
- 4) The requirements to minimize fish migration up the Effluent Channel were modified (Outfall 008).
- 5) The Total Aluminum limits were removed from Outfall 001, Outfall 002, and Outfall 004 since North Carolina does not have Al standard and approximately 89% of the surface water samples in the state exceeds the EPA recommended criteria of 87 µg/L.
- 6) The requirement to limit drawdown rate to 1 foot/week (unless approved by DEQ) were added to Outfall 001, Outfall 002, and Outfall 004.
- 7) The groundwater was added to the list of the waste streams discharged through Outfall 001.

- 8) The following requirement was added to Outfall 002, Outfall 004, and Outfall 008: The facility shall submit EPA Form 2C as soon as practicable, but no later than 180 days from the effective date of this permit.
- 9) The Technology Based Effluent Limits for Total Arsenic, Total Selenium, and Total Mercury were eliminated (Outfall 001, Outfall 002, and Outfall 004) to meet the updated requirement in 40 CFR 423.

If any parts, measurement frequencies, or sampling requirements contained in this permit are unacceptable to you, you have the right to an adjudicatory hearing upon written request within thirty (30) days following receipt of this letter. This request must be in the form of a written petition, conforming to Chapter 150B of the North Carolina General Statutes, and filed with the office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714. Unless such a demand is made, this permit shall be final and binding.

Please take notice that this permit is not transferable except after notice to the Division of Water Resources. The Division may require modification or revocation and reissuance of the permit. This permit does not affect the legal requirements to obtain other permits which may be required by the Division of Water Resources, the Division of Land Resources, the Coastal Area Management Act, or any other federal or local governmental permit.

If you have any questions on this permit, please contact Sergei Chernikov at 919-807-6386.

Sincerely,

Original signed by S. Jay Zimmerman

S. Jay Zimmerman, P.G.
Director, Division of Water Resources

Hardcopy: Central Files,
NPDES Files
Wilmington Regional Office, Water Quality
NPDES files

E-copy: US EPA, Region IV
Aquatic Toxicology Unit